PLANNING COMMITTEE



Date: Thursday, 21 February 2019 Democration

Democratic and Members' ServicesFiona McMillan

Monitoring Officer

10:00hr

Shire Hall Castle Hill Cambridge CB3 0AP

Kreis Viersen Room Shire Hall, Castle Hill, Cambridge, CB3 0AP

AGENDA

Open to Public and Press

1	Apologies for absence and declarations of interest			
	Guidance on declaring interests is available at http://tinyurl.com/ccc-conduct-code			
2	Minutes - 13th December 2018	3 - 20		
	PLANNING APPLICATIONS			
3	H-5019-18-CW Autoshells Ltd, Ashley Lodge, Conquest Drove, Farcet, PE7 3DH	21 - 44		
4	F-2009-18-CC New Road Primary School, Whittlesey, PE7 1SZ	45 - 92		
	ITEMS FOR INFORMATION			
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The Planning Committee comprises the following members:

Councillor David Connor (Chairman) Councillor Ian Gardener (Vice-Chairman)

Councillor Anna Bradnam Councillor Lynda Harford Councillor Peter Hudson Councillor Bill Hunt Councillor Sebastian Kindersley and Councillor Joan Whitehead

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

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PLANNING COMMITTEE: MINUTES

Date: Thursday 13th December 2018

Time: 10.00am – 14:39pm

Place: Council Chamber, Shire Hall, Cambridge

Present: Councillors H Batchelor (substituting for Councillor Kindersley), A

Bradnam, D Connor (Chairman), L Harford, M Howell (substituting for

Councillor Gardener), P Hudson, B Hunt, and J Whitehead.

Officers: Hannah Edwards – LGSS Law, Emma Fitch – Joint Interim Assistant Director, Environment and Commercial, Deborah Jeakins –

Principal Enforcement and Monitoring Officer, Aaron Morley -

Environmental Protection Officer, Huntingdonshire District Council, Daniel Snowdon – Democratic Services Officer and Helen Wass –

Development Management Officer (Strategic and Specialist

Applications).

68. APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Gardener and Kindersley.

Councillor Howell informed the Committee that he knew several people personally who lived in Warboys and had never discussed the planning application with them.

69. ELECTION OF VICE CHAIR FOR THE MEETING

Owing to the apologies for absence received from Councillor Gardener it was proposed by Councillor Hudson and seconded by Councillor Hunt to elect Councillor Harford as Vice-Chairwoman for the duration of the meeting.

On being put to the vote it was resolved unanimously to elect Councillor Harford as Vice-Chairwoman for the duration of the meeting.

70. MINUTES – 1ST NOVEMBER 2018

The minutes of the Planning Committee meeting held on 1st November 2018 were agreed as a correct record and signed by the Chairman.

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

AT: WARBOYS LANDFILL SITE, PUDDOCK HILL, WARBOYS, PE28 2TX

LPA REF: H/5002/18/CW

FOR: SYCAMORE PLANNING LTD

As there were a large number of objectors, the Chairman sought a proposal that standing orders should be suspended. Following a proposal from Councillor Hudson, seconded by Councillor Whitehead it was resolved unanimously to suspend standing order section 9 of Part 4-Rules of Procedure, Part 4.4 – Committee and Sub-Committee Meetings.

The Chairman advised that all objectors would have up to three minutes to speak on the planning application, however objectors were urged not to repeat points covered by other speakers.

The Chairman drew attention to the admission of four late representations made by a member of the public, the Warboys Landfill Action Group (WLAG) (in respect of which two representations were made) and Warboys Parish Council. Although the Chairman acknowledged that some of the information contained in these representations went beyond the 2 points being considered during the meeting, he noted that he had exercised his discretion as Chairman on Tuesday to allow these late representations in order that the matters raised which did relate to the points being considered during the meeting could be put before Members. He confirmed that all Members and the applicant's agent were notified of his decision on Tuesday afternoon. However, upon checking that all Members had been able to read this information, it became apparent that this was not the case. Therefore the Chairman confirmed that as not all Members had been able to read the submissions, the meeting would be adjourned for 15 minutes in order to allow Members to read the representations.

Meeting adjourned at 10:09am

Meeting reconvened at 10:23am

Upon the meeting being reconvened the Chairman confirmed that all Members had read the additional representations.

In presenting the report the presenting officer summarised the application and reminded Members that the application had been considered by the Planning

Committee in September 2018. The presenting officer showed maps highlighting the location of the site, site plans and photographs showing the proposed development site. The nearest residential dwellings were identified on a map of the area along with the location of the caravan site. The proposed site layout that showed existing and proposed buildings including access from Puddock Road that would be shared with existing materials recycling facility was presented to Members.

Members noted that the biomass and waste water treatment plants would operate for 24 hours a day however, feed stocks would be delivered between 7am and 7pm Mondays to Fridays and 7am and 1pm on Saturdays which equated to between 32 and 36 Heavy Goods Vehicle (HGV) movements per day, with a maximum of 38 if no wood waste material was sourced from the adjacent materials recycling facility. The presenting officer drew attention to the junction of Fenside Road and Puddock Road through photographs including aerial views provided by Mr Collins.

Members noted that the planning application was first considered on 6th September 2018 and that they had resolved to grant planning permission subject to the applicant entering into a legal agreement to secure offsite mitigation measures and subject to planning conditions. Members were informed that since 6th September a number of communications had been received:

- A letter from the Ministry of Housing, Communities and Local Government advised that the Secretary of State had decided not to call in the application for his own determination.
- Correspondence from a member of the public, copies of which were attached at appendix 1 to the officer report, who had objected to the planning application had also been received and were referred to in the appendices to the officer report.
- Warboys Parish Council and WLAG had written to the Chief Executive, copies of which were attached at appendix 4a to the officer report, detailing concerns with the decision of the Committee. Warboys Parish Council and WLAG were also considering whether to progress the matter to a judicial review and invited the Council to review its decision, the response to which was provided by LGSS Law Ltd and also contained in the officer report at Appendix B. The response concluded whilst there was no foundation to the challenge there were two areas that officers wished Members to consider further. Specifically the two issues were potential noise levels experienced at the nearby caravan site and the effects of water vapour emissions from the waste water evaporation chimney on local atmospheric conditions. Both matters were raised at 6th September Planning Committee but further advice had been sought from relevant technical specialists. With regard to the potential noise impact on the caravan site the Environmental Protection Officer (EPO) from Huntingdonshire District Council Aaron Morley advised that he was satisfied that consideration had been given to the buildings closest to the site when measurements had been conducted and that the presence of the caravans would not have changed his advice. With

regard to water vapour the Environment Agency (EA) had confirmed that it would be considered by them as part of the environmental permit application. Officers remained of the opinion that the advice in paragraph 183 of the National Planning Policy Framework (NPPF) applied and water vapour would be covered by EA permitting process. Officers remained satisfied that nothing had changed in the planning balance and recommended that the decision be upheld.

In response to Member Questions officers:

- Confirmed with Huntingdonshire District Council's EPO that noise assessments
 were carried out in open air gardens. It was explained that the British Standard
 for assessments was that they were carried out in a free field environment and
 not inside any type of property as the construction of buildings varied greatly
 which affected audible noise levels.
- Clarified that planning permission for touring caravans was in place for the caravan site and there was no planning permission for permanent residency at the site. It would therefore be a matter for Huntingdonshire District Council to carry out enforcement action against any permanent use that may be taking place.
- Commented that they were unaware of any development or increased usage that may have taken place at the caravan site.
- Confirmed that the Environment Agency would monitor the air quality and emissions from the site.

Speaking in objection to the application, Councillor Dr Sheila Withams speaking on behalf of Warboys Parish Council as Chairman addressed the Committee. Councillor Withams thanked Members for considering the matter again and noted that comments were limited to 2 matters. Councillor Withams questioned whether under the Council's constitution Members were permitted to reach a different decision as the matter had been considered within the previous 6 months. Councillor Withams drew attention to the email sent by the Parish Council which requested Members pay regard to the cumulative impact on the community and should not be left to the Environment Agency alone. Members were urged to consider the application, its cumulative effects with other industrial processes at the site and refuse the application.

Speaking in support of the application on behalf of the applicant, Paul McLaughlin, Sycamore Planning Ltd addressed the Committee. Mr McLaughlin drew attention to the lack of objection received from statutory consultees in the application presented to the September meeting of the Committee. There were still no objections received from statutory consultees and the Section 106 agreement had been drafted and was ready to be signed. Attention was drawn to the role of the Environment Agency and that they had raised no objections. In conclusion Mr McLaughlin urged the Committee to uphold its original decision.

In response to a Member question it was confirmed by Mr McLaughlin that when pre-application advice was sought from the Environment Agency the water vapour matter would be assessed within the environmental permit process.

Speaking in support of the application Mr Neil Foxall, Caulmert Ltd addressed the Committee and drew attention to cumulative noise disturbance. A cumulative noise assessment had been undertaken, which had resulted in no objections received from statutory consultees. With regard to the caravan site there were in fact properties located closer to the site which had been assessed as set out within British Standards in free field conditions and therefore there could be no impact upon occupiers of the caravans with regard to noise. With regard to water vapour consideration would be given as part of the environmental permit.

In response to a Member question it was clarified that water vapour would contain trace chemicals as set out in the submitted air quality assessment.

Speaking in objection to the application, Mr Guy McCallan addressed the Committee. Mr McCallan read a statement on behalf of Mr Simon Collins, a local resident, which highlighted the residents of the caravan site having been overlooked. He considered that granting permission would therefore be in contravention of planning policy CS32 that related to traffic and highways within the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. The proposed evaporator chimney was 17 metres high, but 13 metres below the escarpment. Wind speed data at Monks Wood used by the applicant were not reflective of the true wind speed at the site which was much lower and therefore would not disperse the emissions. The topology of the site would exacerbate the issue and cause emissions and water vapour to be trapped. Attention was drawn to the untested process and he questioned how the Environment Agency could regulate such untested technologies. He considered that granting planning permission would impact upon the landscape character and surrounding uses giving rise to unacceptable impacts in contravention of policy CS33 - protection and landscape character and CS34 protecting surrounding uses of the development control policies of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. Mr McCallan highlighted the role of the Environment Agency in the planning process and relayed an email from the Environment Agency that suggested matters that were not considered during the September 2018 meeting of the Committee should have been.

Mrs Katie McCallan addressed Members in objection to the application. In commenting on the noise aspect of the application and the impact it would have upon the caravan site and the wider neighbourhood, Mrs McCallan advised she lived 1 kilometre from the site and could clearly hear activities at the site. She considered it would therefore be difficult for anyone to maintain a healthy lifestyle, particularly with the proposed 24 hour operation of the site, and this should not be underestimated. The current limited hours of operation were the only mitigation for her property in terms of noise disturbance. Residents of the scrap yard next to the site had been ignored and should be considered. HGV movements creating noise would increase greatly due to the opening of the second business and the access road was inadequate to allow HGVs to pass one another. Mrs McCallan suggested

that a bund should be built around the entire site and planted with mature evergreens that would provide visual and aural attenuation.

A Member sought clarity regarding the nearby caravan site currently being occupied by construction workers for A14, and noted the current status of the planning permission for the site. It was also agreed that it would be appropriate for the District Councillor to comment on the current planning status of the site when they addressed the committee.

Clarification was sought with the Huntingdonshire District Council EPO as to whether the noise assessment that had been undertaken assessed disturbance from vehicular movements at the site. The EPO confirmed that the acoustic assessment was of the existing sound from site. The first assessment that was submitted was insufficient because background noise levels were assessed too high and therefore further modelling was undertaken to determine an accurate background noise level. With regard to HGV movements at the site it was confirmed that in the report presented to Committee in September 2018 that HGV movements at the landfill site and the materials recycling facility when they were operating together would be up to 26 per hour. The current proposal when combined with the materials recycling facility would generate up to 20 movements per hour, therefore the current proposal would not result in a higher level of traffic than had previously been permitted.

Members noted the location and status of the caravans next to the scrap yard and the occupants had been written to inviting them to comment but none had been received. It was confirmed that any noise condition would apply to the caravans at the scrap yard.

Mrs Leslie Dunkling addressed the Committee in objection to the application and stated that incorrect information provided to the Committee had led to flawed decision making. Mrs Dunkling provided examples where measurements were incorrectly stated within the officer report such as the distance between the plant and Mrs Dunkling's property. Attention was drawn to the impact of noise and that when noise measurements were taken, advanced warning was provided to the site operator and the noise was reduced for the period being measured. The caravan site would also be disturbed by increased lorry traffic as well as noise from the plant itself. In conclusion, Mrs Dunkling expressed concern regarding the unknown environmental impact of the technologies to be used at the site.

A Member sought reassurance that the correct measures had been used. Officers referred to the September officer report, specifically paragraph 3.4 that provided the measurements, the reports submitted in the application varied dependent on their purpose and the starting point for the measurement.

Mr Anthony Dunkling who was recorded as being registered to speak confirmed that he had not requested to address the Committee at this meeting.

Mr Roy Reeves speaking in objection to the application as a local resident addressed the Committee and spoke in relation to the presence of the nearby caravan site. Referring to appendix 4Ba of the officer report, Mr Reeves highlighted the comments of the EPO that the caravan site was further away from the site than

3 nearer properties, however Mr Reeves commented that they were in fact equidistant from the site. Due to the construction of caravans they would not afford similar protection from noise to houses and drew attention to the comments of the EPO that any dwelling would benefit from noise attenuation at the site. Mr Reeves informed Members that no assessment had been undertaken by the applicant to determine the impact of noise on the occupants of caravans as opposed to traditional dwellings. Mr Reeves informed the Committee that planning permission had been in place for the caravan site for over 20 years however, had not opened as a touring site possibly due to its proximity to the landfill site. An application to Huntingdonshire District Council relating to the all year round operation of the caravan site had been submitted and had not yet been determined. Mr Reeves drew attention to national planning policy that requires regard to be paid to cumulative effects of a development. If the planning application was approved then the effects of industrial processes already in place at the site would be exacerbated and cause harm to nearby residents.

In response to Member questions it was confirmed that although there was planning permission for a warden to live on site at the caravan site, there was not a warden living there currently. Members noted that planning permission for the caravan site had been in place since 1998.

Professor Brian Lake, speaking in objection to the planning application presented to Members slides that demonstrated the effects of an atmospheric condition known as atmospheric inversion. Weather conditions in the Warboys area led to atmospheric inversion occurring several times a month during winter months. Further slides were presented that showed the inversion layer over Salt Lake City, USA and an evaporator in North Carolina, USA. The water vapour that would be produced by the proposed development would be trapped by the inversion layer and contain pollutants including those produced by the gas engine. The cumulative effects of the proposed development on the inversion would make living conditions for local inhabitants on the fen and those in the caravans less than desirable. Pollutants would also be deposited on land and nearby crops. A view was shown of normal inversion in the area which would become much worse if planning permission was granted.

In response to a Member question, Professor Lake questioned the accuracy of the modelling with regard to air quality. It was not clear what pollutants would be contained within the water vapour and the emissions from the gas engine would contain various volatile organic compounds that would become trapped in the inversion layer.

Officers explained to the Committee that matters such as air quality had been assessed from a planning land use perspective, and that pollutants, the environment and in particular their safety, were matters for the Environment Agency covered during the environmental permitting process. In particular, officers tried to address the confusion about whether matters of air quality, noise and dust etc. had been considered and it was confirmed that these had all been assessed, as demonstrated by the officer report, and not discounted as suggested. Furthermore, air quality modelling had been provided to the Environment Agency and Environmental Protection Officers at the District Council, therefore officers had checked again and there was no doubt regarding the robustness of the air quality

assessment conclusions. Officers then provided clarification in relation to the Committee's role in assessing the cumulative impact of the planning application. Officers explained to the committee that when considering the cumulative impact, Members would need to do so from a land use planning perspective which had been addressed within the officer report and relevant planning conditions that had been proposed.

The Chairman called a short adjournment to the meeting at 11:38am. The meeting was reconvened at 11:52am.

It was confirmed that Alison Jones (local resident) had already left the meeting and therefore was not able to address the Committee.

Speaking in objection to the application as a local resident, Mr David Ball addressed Members. Mr Ball informed Members that the proposed plant would create unknown and possibly hazardous emissions and a widely visible plume. It would contribute significantly to global warming and produce few significant benefits. The incinerator would be one of the most inefficient in the country supplying only 8% of energy created to the national grid, the remaining 92% will enter the atmosphere via the evaporator unit together with carbon dioxide and other harmful pollutants. The toxins were unknown, had not been evaluated and not included in the planning application. The proposed development would harm local weather conditions and also contribute unnecessarily to climate change.

Mrs Betty Ball, Warboys Landfill Action Group addressed the Committee in objection to the planning application. Mrs Ball noted that at the 6th September Planning Committee, Members struggled to find reasons to refuse planning permission for the development. Members at that meeting were advised that concerns regarding emissions were the remit of the Environment Agency. Mrs Ball cited several legal cases that demonstrated that it was the responsibility of the Planning Committee to consider such matters. Such cases provided Members with the freedom to come to their own conclusions regarding the safety of the proposal for the community.

Speaking in objection to the planning application, Mrs Susan Wright addressed Members. Mrs Wright drew attention to water vapour that would be emitted from the proposed site. There were many incinerators working in the country, however the proposed waste water evaporator was different from all others that were operational in the UK. Mrs Wright informed the Committee that it had resulted in there being no data on which the applicant could base their views regarding the safety of the operation or the possible emissions into the local atmosphere.

Dr Rona Allery addressed Members in objection to the application. Dr Allery drew attention to the workers who lived at the caravan site and the proposed mitigation would be insufficient to prevent noise disturbance at the site. Government policies were highlighted that illustrated that Councillors could and should consider cumulative effects of developments at a site. Dr Allery questioned the validity of the noise modelling report. Attention was drawn to noise complaints that had been made regarding the site. Dr Allery concluded by noting that similar operations existed in the USA but were unlikely to be close to properties and therefore the application should be refused.

In response to a Member question Members noted the comments of the Council's Legal Officer regarding the status of the caravan site and that the site was further from the proposed development than the nearest receptor at which noise levels had been assessed.

A Member questioned whether any complaints had been made regarding noise by residents at the caravan park. The Principal Enforcement and Monitoring Officer confirmed that she was not aware of any complaints having been made by residents at the caravan park.

Ms Serena Allery addressed Members objecting to the planning application. In addressing Members Ms Allery commented that the topography and unique microclimate at the proposed site had not been considered with the planning application. The Chairman clarified that her comments were specifically about the impact of the water vapour on walkers and other recreational users in the area, which meant they were different to the points already provided during the meeting. The evaporator chimney was not of sufficient height to disperse emissions effectively and therefore much more moisture would be retained in the atmosphere that would fall to the ground and cause ice in cold conditions making roads potentially dangerous. Pollutants would affect both humans and animals and enter the food chain. Cambridge Water and Anglian Water should both be re-consulted on the proposals given the unique micro-climate of the area.

Mrs Karen Armstrong spoke in objection to the application. Mrs Armstrong questioned how assessments could be undertaken by the Environment Agency regarding processes that had never been practiced before in the UK. Traffic in the area had increased over the years and had not declined as had been suggested by officers. The occupants of the caravan site should not be ignored. Mrs Armstrong reminded Members of their concerns at the meeting held on 6th September 2018 and urged them to refuse planning permission.

Members were informed that Mr Daniel Fabb (local resident) had given his apologies so he was unable to address the Committee.

Members were also informed that Mr Anthony Jones (local resident) was not present at the meeting so was also unable to address the Committee.

Speaking in objection to the application, Mr Hugh Wittome addressed Members on his behalf and on behalf of the local farming community. Mr Wittome drew attention to the unique local climate in the Warboys locality at certain times of the year, specifically the low level fogs that occurred over the landscape. The proposed site would produce a continuous plume of hazardous material that would fall across the local area. In his opinion, the generic air quality models submitted do not take this into account and massively underestimate the effects. The impact on farmland and crops would build over a number of years and Mr Wittome encouraged the Committee to refuse planning permission.

In response to a Member question, Mr Wittome explained that the proposed chimney stack was 17m high and the escarpment of the land was approximately

30m high and therefore the chimney stack was not tall enough to successfully disperse emissions.

Officers drew attention to the Environment Agency and the EPO who assessed the evidence and the modelling work that had taken place and had not expressed concern regarding the height of the chimney stack. In response a Member commented that it was disappointing that a representative of the Environment Agency was not present to ask questions of.

Attention was drawn by a Member to the officer report presented at the 6th September committee meeting, specifically paragraph 5.27 in which Public Health England stated its position regarding air quality and Members were not in a position to dispute their comments.

Mrs Jan England addressed Members objecting to the planning application. Mrs England drew attention to water vapour and the traces of chemicals it contained which were unknown. There were many chemicals disposed of at the Warboys Landfill site from many years ago from which leachate would be evaporated. Unknown chemicals would be dispersed across the fen and Warboys village depending on the wind speed and direction. The unknown chemicals would enter water courses and ultimately the sea. Referencing a recent market research exercise undertaken, Mrs England informed Members the results showed 91% of those asked were concerned about what was being discharged into rivers and the sea. The Council could not rely on the Environment Agency to monitor and enforce emissions at the site and they were not responsible for monitoring beyond the site. With no previous examples of the processes that would be used at the site there could be no assurance provided regarding their safety. Mrs England drew attention to the release of the Government's Clean Air Strategy and Air Pollution Control Programme in early 2019 that would include local air quality plans, protecting the nation's health and environment and questioned whether Councillors would want to be responsible for poisonous material in the atmosphere. Mrs England concluded by urging the Committee to refuse planning permission.

Speaking in objection to the planning application, Mr Mark England addressed the Committee. Mr England was a 4th generation farmer whose uncle farmed the land when the site was a brickworks and had detailed knowledge of the area. Mr England drew attention to atmospheric inversion which took place at considerable height and would occasionally obscure wind turbines in the area and therefore the proposed chimney stack would not be sufficiently tall to disperse emissions over the inversion layer. Mr England commented that the water vapour produced by the site would represent a danger to the environment and local communities. Warboys and Wistow Woods, located close to the proposed development is a designated Site of Special Scientific Interest (SSSI), which is a block of over 100 acres of woodland. The woods were of ancient origin and the diverse range of wildlife and plants located in the woods would be put at risk by the plume emitted from the proposed development. Mr England questioned the ability of regulatory bodies to effectively monitor the site and commented that Members had been misled with regard to the Internal Drainage Board having no objection to the application. They did object but the decision did not reach planning officers. Mr England concluded by urging Members to refuse planning permission for the untested and untried processes for the sake of the environment and the health of local communities.

In response to a Member question regarding the consultation of the Internal Drainage Board (IDB) it was confirmed by officers that the IDB had been consulted however, no response had been received. Therefore, officers were required to assume that the IDB had no objection to the proposed development. Mr England informed the Committee that the IDB had sent details of their objections to the Middle Level Commissioners, however they had not been forwarded to the Council's planning officers.

Members were informed that Mr Simon Collins was not in attendance to be able to address the Committee, but that his concerns had already been read out by Mr Guy McCallan earlier on in the meeting.

Huntingdonshire District Councillor Jill Tavener, local district Member for Warboys addressed the Committee. Councillor Tavener explained the permits that were in place for the caravan site and confirmed that it was permitted to open as a touring site between March and October. Permission for the touring caravan site had not been developed because of the landfill operation. The current owner has not been consulted, however he did not live at the site. Mr Adams the site owner had written to Councillor Tavener a letter which she read to the Committee. The letter expressed concern regarding the impact of the proposed development on the touring caravan business and the impact of HGV traffic which would pass over a weak bridge. Councillor Tavener drew attention to the definition of non-hazardous wood which included paint that had been applied to the wood which would be incinerated and form part of the plume.

Local Member for Warboys, County Councillor Terry Rogers addressed Members. Speaking in objection to the planning application, Councillor Rogers echoed comments of a Member who commented that it would have been helpful to have representatives present from the Environment Agency. Councillor Rogers expressed concern regarding the statements of Huntingdonshire District Council's EPO and questioned his expertise. Councillor Rogers drew attention to the caravan site and its potential occupancy as a touring caravan site, emphasising the importance of considering the occupants when determining the planning application. Attention was drawn by Councillor Rogers to case law and a High Court ruling raised by other public speakers as it had significant bearing on the application before the Committee. Councillor Rogers recalled at the 6th September meeting of the Committee that officers and the Chairman advised that matters relating to noise and emissions would be dealt with by the Environment Agency and questioned that advice as the County Council had a responsibility to look at the issues as a whole. The cumulative effect of noise upon the caravans was significant and it was important to note that the vapour plume contained other chemicals than just water. Councillor Rogers concluded by questioning the noise modelling relating to the biomass burner, commenting that it should not receive planning permission either.

Following the conclusion of public speakers the Chairman called a short adjournment to allow for a break at 12.49pm. The meeting was reconvened at 1.05pm.

Prior to moving to the debate the Chairman invited officers to address the Committee. In response to the comments of the Local Member, Councillor Rogers,

officers informed the Committee that both officers and Members were fully aware of all land use planning matters that required consideration and all relevant information was presented to Members at the 6th September meeting and referred to the specific paragraphs within the officer report. At the 6th September meeting, at no point had the Committee been directed not to take the cumulative impacts of the development into account and referred to the paragraphs in the officer report that supported this. In relation to the Environment Agency and the permit required by the operator, at the 6th September meeting the matter was referred to in providing assurance to concerns raised regarding the untried and untested methods at the proposed development. Officers had not advised the Committee that none of the points could be taken into consideration from an amenity or land use planning perspective. The cumulative impacts had been fully assessed by the relevant specialists and officers, and drew attention to the comments of the EPO with regard to the original noise assessment submitted by the applicant which was determined to be inaccurate in terms of background noise measurements and therefore not acceptable.

Councillor Rogers responded to the points made and again questioned the performance of the EPO and the lack of correction when a Member referred to the combustor chimney stack rather than the condenser chimney stack. Councillor Rogers concluded by referring to advice he had received in advance of the 6th September meeting regarding the role of the Environment Agency.

The Council's legal officer addressed the Committee with regard to the constitutional point raised by Councillor Dr Sheila Withams as to whether Members could reach a different conclusion to that reached on 6th September 2018. The legal officer confirmed that there was authority for Members to do so both in section 70 of the Town and Country Planning Act and from case law. In respect of the Council's constitution, section 4.4, paragraph 17.1 of the constitution provided that a motion or amendment to rescind a decision made at a meeting of the Committee or Sub-Committee within the past 6 months could not be moved unless a notice of motion was signed by at least half of the Members of the relevant Committee or Sub-Committee. There was no provision that the written motion had to be submitted in advance of the meeting therefore, if during the debate, Members considered they were minded to reach a different decision to that of the 6th September 2018 then the meeting could be briefly adjourned for that written motion to be submitted.

The legal officer provided Members with clarity with regard to the scope of the debate that would take place. The matter had been placed before Committee following correspondence received following the 6th September meeting relating to the determination of the application. The two matters for consideration were whether the potential noise experienced by the occupants of the caravans situated at the touring caravan site and the effects of water vapour on local atmospheric conditions. Matters outside of those two areas should not be considered or debated. The legal officer referred to paragraph 183 of the National Planning Policy Framework that provided that the focus of planning decisions should be on whether proposed development was an acceptable use of land rather than the control of processes or emissions. The Committee should assume that those regimes would operate effectively. Members were advised that there was a degree of overlap between planning and pollution controls and that both the environmental impact of

emissions to the atmosphere and also the existence of a stringent permitting regime were both material considerations. Members were to consider on the information before them whether any concerns they may have were such that the permission should be refused or whether any concerns were capable of being overcome under the permitting regime.

During the course of debate:

- A Member thanked members of the public for attending and contributing to the meeting and commented that although it took courage to refuse a planning application it sometimes took greater courage to approve an application where there was significant concerns but there were mitigation measures that could be put in place that addressed the concerns. The Committee was to consider issues regarding the proper use of land. When examined, to refuse the application would be to question the competence of the Environment Agency. Members were required to consider the guidance of the National Planning Policy Framework in allocating land for appropriate use with appropriate safeguards in place. Therefore the Member could find no reason to refuse planning permission.
- A Member noted the number of objectors to the proposal, the information presented to the Committee and was in agreement with the officer recommendation to grant planning permission.
- Sympathy was expressed with the views of the objectors by a Member, however they could find no reason to refuse planning permission. The establishment of a local liaison forum was suggested and officers confirmed that the inclusion of a planning condition requiring the establishment of such a forum was part of the resolution at the 6th September meeting.
- A Member commented that the Committee was to assess the information provided in relation to water vapour and noise. Although it would have been preferable for a representative from the Environment Agency to have been present to answer questions, the officer report provided the necessary assurance regarding their impact and would therefore be wary of ignoring such expert advice.
- A Member commented that having voted to refuse planning permission at the 6th September meeting because the application did not move waste wood sufficiently up the waste hierarchy and there being no material planning consideration for refusal relating to the two specific points before Committee she would abstain.
- A Member expressed concern regarding the geography and unique topography
 of the area and would therefore not support the application.

It was proposed by Councillor Hudson and seconded by Councillor Hunt that the recommendation be put to the vote. On being put to the vote it was resolved [6 in favour, 1 against and 1 abstention] to grant planning permission.

On conclusion of the item the Chairman adjourned the meeting for lunch at 13:30 the meeting was reconvened at 14:01.

Councillors Connor and Howell left the meeting during the adjournment.

72. SECTION 73 APPLICATION TO DEVELOP LAND WITHOUT COMPLYING WITH CONDITION 2 (CESSATION OF DEVELOPMENT) OF PLANNING PERMISSION F/2008/16/CW FOR A WOOD WASTE RECYCLING FACILITY

AT: UNIT 1, 35 BENWICK ROAD INDUSTRIAL ESTATE,

WHITTLESEY, PE7 2HD

APPLICANT: WOODACRE DEVELOPMENTS LTD

LPA NO: F/2005/18/CW

Councillor Lynda Harford acted as Chairman for this item as Councillor Connor had withdrawn from the meeting having had previous involvement with the applicants from which a perception of bias could arise.

Members considered two Section 73 applications (references F2005/18/CW and F2006/18/CW) that related to Woodacre Developments Ltd located in Whittlesey. The presenting officer informed Members that although they were two separate applications they related to one operation (the main site and a site extension area) and so she would only make one presentation that covered both items. There would be two separate votes on the items.

In presenting the application the presenting officer introduced the two proposals which were to extend the duration of the planning permissions for another 5 years. A site map was presented to Members on which the main site, extension area and adjacent haulage yard were highlighted to the Committee together with the locations of nearby businesses and residential properties. A photograph that showed the access to the site from Benwick Road which also showed the stock of processed wood was shown to the Committee together with a further photograph that showed a view within the yard where unprocessed wood was being reduced in size to the product that would leave the site.

Both applications, Members were informed, sought an extension of time. The use of land if carried out in accordance with conditions and necessary permits could be carried out without harm to neighbours and the environment and therefore in principle there were no grounds on which to refuse planning permission. Attention was draw to the recommendation for the construction of a permanent barrier between the wood waste site and the haulage yard that would define the planning units.

In response to Member questions officers:

- Informed Members that the previous planning permissions at the site expired in June 2018 however, the applications before the Committee were submitted prior to their expiry.
- Noted the level of concern expressed by Members regarding the past performance of the site operator, in particular the adherence to planning conditions. Officers commented that the defined segregation of the wood waste site from the haulage yard would assist matters together with the requirement for a log to be maintained of vehicle movements. Members were reminded that the past performance of the operator could not be taken into consideration when determining the application. Members noted the role of the Environment Agency and its ability through statutory powers to move more quickly than the Council regarding breaches of its permit. Members were informed that the Environment Agency had previously enforced the suspension of operations at the site due to breaches of conditions of the environmental permit.
- Reminded Members that it could not be assumed that the operator would continue to breach planning conditions.
- Noted the suggestion by a Member that the applicant / operator advertise a direct phone line in order that their offices could be contacted directly in the event of issues at the site.

During debate of the application Members:

- Commented that it would have been beneficial if the applicant / operator had attended the meeting as there were sometimes legitimate reasons for breaches of planning conditions.
- Noted that the use of land at the site was appropriate.
- Expressed concern for nearby residents who suffered as a result of the operator's non-compliance with planning conditions.
- Emphasised the importance of officers investigating alleged breaches of planning conditions promptly and vigorously.
- Noted the advice of the Council's legal officer regarding the proactive investigation of the sites which was not in response to complaints received as there was case law that held such action as bordering on harassment.
- Clarified the reasons as to why the site had previously operated under an exemption from the Environment Agency. Officers explained that an exemption from the environmental permitting regime was dependent on compliance with a stringent set of conditions and if the applicant operated

outside of those conditions then they would be required to have an environmental permit.

Councillor Hunt proposed recommendation be put to the vote and was seconded by Councillor Batchelor. It was resolved unanimously that planning permission be granted subject to the conditions set out in Appendix A to these minutes.

73. SECTION 73 APPLICATION TO DEVELOP LAND WITHOUT COMPLYING WITH CONDITION 1 (CESSATION OF DEVELOPMENT) OF PLANNING PERMISSION F/2009/16/CW FOR THE EXTENSION OF A WOOD WASTE RECYCLING FACILITY

AT: UNIT 1, 35 BENWICK ROAD INDUSTRIAL ESTATE,

WHITTLESEY, PE7 2HD

APPLICANT: WOODACRE DEVELOPMENTS LTD

LPA NO: F/2006/18/CW

The presentation and debate relating to this matter is contained in the above minute.

It was proposed by Councillor Batchelor, seconded by Councillor Hunt that the recommendation be 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.

74. ENFORCEMENT UPDATE REPORT

Members received the Enforcement Update Report. The presenting officer provided the Committee with two further updates relating to enforcement actions contained within the report which had taken place since the publication of the report. Firstly, paragraph 8 of the report that related to Mill Road, Fen Drayton; Members were informed that a Certificate of Lawful Development had now been submitted and a further update would be provided once it had been validated. Secondly, regarding paragraph 10 of the report, Field 6184 / Black Bank, Little Downham Members were informed that the defendants had raised a query relating to VAT on the court costs which the Council had answered. The deadline for payment had been extended to 14th December 2018 and an update would be provided to Members at the next Committee.

During the course of discussion Members:

 Noted that the Council had recourse to the County Courts to ensure payment was received with regard to legal costs.

- Welcomed the report that gave Members confidence that if applicants failed to comply with planning conditions then they would be thoroughly investigated.
- Thanked officers for their work relating to Cottenham Skips.
- Clarified that the total amount payable to the Council in relation to Black Bank,
 Little Downham was £11,500.
- Noted that concerns had been raised regarding a site at Block Fen that officers had not been informed of, so it was recommended that the Principal Planning and Enforcement Officer's contact details be provided to the relevant local member for them to raise the matter with the team directly.

It was resolved to note the contents of the report.

75. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

It was resolved to note the decision made under delegated powers.

Chairman

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EXTENSION TO EXISTING SITE TO ALLOW STORAGE OF VEHICLES, COMPLIMENTARY TO END OF LIFE VEHICLE MANAGEMENT ON THE EXISTING SITE AND THE CREATION OF AN ASSOCIATED HARD SURFACE

AT: Auto Shells Ltd, Ashley Lodge, Conquest Drove, Farcet, PE7 3DH

APPLICANT: Mr Hassan Abou Alaywi

APPLICATION NO: H/5019/18/CW

To: Planning Committee

Date: **21 February 2019**

From: Joint Interim Assistant Director, Environment and

Commercial

Electoral division(s): Yaxley and Farcet

Purpose: To consider the above planning application.

Recommendation: That planning permission is granted subject to the

conditions set out in paragraph 10.1

Name: Rachel Jones

Post: Development Management Officer
Email: Rachels.jones@cambridgeshire.gov.uk

Tel: 01223 706774

1.0 INTRODUCTION/BACKGROUND

- 1.1 This application is for the provision of an additional storage area for vehicles complimentary to end of life in association with the permitted End of Life Vehicle (ELV) Dismantling facility on the adjacent site.
- 1.2 The ELV facility was granted planning permission in 2011, having previously been utilised as a civil engineering contractor's depot. This use was granted on appeal following refusal of the planning application by Huntingdonshire District Council. The inspector's report at that time stated that the visibility of the site from public vantage points varied from different directions and that the visual impact of the civil engineering contractors depot could be made acceptable by conditions to secure a hedgerow to the south-east boundary and the painting of existing railings/fence and details of any outside storage. The railings to the front of the site were subsequently painted green and a thick conifer hedge has been planted and established along the south-east boundary of the site to match that along the frontage.
- 1.3 The ELV site has been subject to monitoring since its approval in 2011 and following concerns which have been raised with the Cambridgeshire Enforcement and Monitoring Team and the Highways Development Management Team regarding the failure to provide deciduous planting along the side boundary of the property, damage to the road margins and the provision of an insufficient turning area for vehicles within the site.
- 1.4 This application has been submitted by the applicant to formally address these issues.

2.0 THE SITE AND SURROUNDINGS

- 2.1 The site is situated within an area of flat open countryside approximately 2 kilometres (approximately 1.2 miles) to the south of Peterborough. The site is located in close proximity to, but outside of, a flood zone and the site is adjacent to a storage reservoir, which is located to the south of the site. The site is also located in close proximity to drainage ditches that fall under the jurisdiction of the Internal Drainage Board (Whittlesey Consortium).
- 2.2 The proposed vehicle storage area is located on a rectangular area of land with an area of 0.32 hectares (0.8 acres). The site is clear of all vegetation and has a layer of soil on the surface. The site lies to the south east of the ELV facility and Ashley Lodge, a residential property which remains under the ownership of the applicant and lies adjacent the north-west boundary of the existing facility. The closest independently owned neighbouring receptor to the site is that of the Marshalls Farm Buildings, the closest building of which lies directly

opposite the front boundary of the proposed storage area on the opposite side of Conquest Drove a distance of 35m (116 feet) from the existing gated entrance to the proposed storage area. Other neighbouring properties in close proximity to the development include Diamond Cottage 120 metres (131 yards) to the south east, Conquest Farm and Conquest Villa approximately 530 metres (approximately 580 yards) to the north-west of the application site and 340 metres (372 yards) to the north-west of the approved ELV recycling centre respectively.

- 2.3 The site is located approximately 1 kilometre (approximately 0.6 miles) to the south-east of the village envelope of Farcet and the majority of vehicles travelling to the site do so via Farcet and past Conquest Farm and Conquest Villa along Conquest Drove from the north-west. Conquest Drove is a narrow country road with passing places for vehicles. It has restricted accessibility for vehicles further along the road to the south east, as such vehicles enter and leave the site to the north-west via Straight Road.
- 2.4 The approved ELV site is screened from the surrounding countryside to the north-west by virtue of a dense line of conifer trees, the north-west boundary of the site (towards Ashley Lodge) also benefits from the planting of a hedge, which partially screens the courtyard. The proposal is to continue the conifer planting along the front north east boundary to provide a full screen from the road elevation and to carry out additional conifer planting along the south eastern boundary of the storage area to screen the vehicles from view.
- 2.5 The adjacent ELV recycling centre is within the same ownership and has been operating since 2010. Vehicles complementary to ELV are brought to the site on a low loader vehicle and deposited in the existing storage area. The building used for dismantling vehicles is typical of an agricultural/industrial building and has a ridge height of approximately 5.5 6 metres (approximately 18 19.7 feet). Individually vehicles are brought into the open fronted building and dismantled by hand and the individual parts removed from the vehicles and stored within the building. On a weekly basis the component parts are transported from the site in a container lorry for distribution and reuse off site.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 This application seeks permission for the change of use of an area of vacant land enclosed by fencing measuring 47 metres by 67 metres (51 yards by 73 yards) to a vehicle storage area in association with the ELV recycling centre on the adjacent plot of land.
- 3.2 Access to the storage area will be obtained via the existing site entrance into the ELV recycling centre and HGV's and other vehicles

will enter the site in forward gear, proceed through the existing storage area into the extended storage area with sufficient space provided within the main body of the site to allow for more efficient access, manoeuvring of large vehicles and staff parking thereby improving the processing flows through the site.

- 3.3 The proposal is to provide a larger area for the storage of vehicles only to ensure that vehicles can be stored without the need to be stacked. No de-pollution activities will take place within the storage area. It has been confirmed by the Environment Agency that hard impermeable surfacing of this area is not required as the use is for the storage of vehicles awaiting salvage and/or processing, and that no element of the salvage or treatment process will take place until they are recovered onto the ELV recycling centre site. At this stage the vehicles are not considered to be a waste product. Once they move site and processing commences they may become part of the material processing stream.
- 3.4 The vehicles are delivered primarily by flatbed truck or light vehicles with trailer. On average about 2 deliveries are expected per day (10 per week), with collection by HGV container lorry about once a week.
- 3.5 Salvaged components are stored on the adjacent Auto Shells Ltd site within the main building or in shipping containers for periodic removal.
- 3.6 The approved ELV recycling centre is already screened with mature conifer planting. A new substantial 2 metre wide (2.2 yards) planting strip is proposed on the eastern (2 metres (2.2 yards) wide by 50 metres (54.7 yards) long) and part of the southern boundary (2 metres wide (54.7 yards) by 31 metres (33.9 yards) long). In the interim period whilst the planting is becoming established green fence netting is proposed to be installed and maintained for the duration of the plant establishment period.
- 3.7 The applicant is not proposing any increase in annual turnover or staffing levels and therefore the approved maximum operational throughput of 1000 tonnes per annum as approved by planning permission H/5015/10/CW still applies. The ELV recycling centre includes parking facilities for 7 staff and visitors adjacent to the northwest boundary adjacent to the entrance to the site which will continue to be used by the existing staff overseeing the proposed storage area.
- 3.8 The opening hours of the storage area are proposed to be in keeping with that of the adjacent site which operates from 7am to 7pm Monday to Friday and 7.30am to 1pm on a Saturday which are the same hours which were permitted on appeal for the previous civil engineering depot.

4.0 PLANNING HISTORY

4.1 There is limited planning history for this site, which relates to the change of use to ELV recycling centre and associated developments. The relevant planning history is therefore set out below:

H/03/01953/FUL	Use of building for office, storage and repairs ancillary to use as a civil engineering contractors depot, use of land for parking and open air storage in association with a civil engineering contractors depot and retention of concrete forecourt	
H/05015/10/CW	Retrospective application for the change of use from Civil Engineering Contractors Depot to ELV recycling Centre	Approved 10/02/2011
H/05023/12/CW	Change of use of land from open grazing to storage area for vehicle dismantling facility	Approved 10/01/2013
H/05022/12/CW	Erection of vehicle breaking shelter (retrospective)	

5.0 CONSULTATION RESPONSES (SUMMARISED) AND PUBLICITY:-

- 5.1 <u>Huntingdonshire District Council Planning Department</u> has objected to the application. In the opinion of the District Council the site is in the countryside and they are concerned about the proposed spread of the existing use. The land is undeveloped and rural and the storage of vehicles on this site would have a detrimental impact on the character and appearance of the area. Whilst landscaping is proposed, this would not mitigate the wider impacts. The authority is also concerned about the impacts on the residential and visual amenity of the residential property opposite the site in regards to noise and vehicle movements.
- 5.2 <u>Farcet Parish Council</u> Objection raised relating to lorries causing disruption to other residents, blocking roads and destroying the road surface.

- 5.3 <u>CCC Ecology</u> No objection subject to a condition requiring the submission of details of the proposed landscaping scheme.
- 5.4 <u>CCC Highways Development Management</u> No objection.
- 5.5 <u>Huntingdonshire Environmental Health Officer</u> raises no formal objection to the application but requests that at a condition be added restricting the hours of use to those approved for the main site i.e. 7am to 7pm Monday to Friday and 7.30am to 1pm on Saturdays with non working on Sundays or public holidays.
- 5.6 <u>Environment Agency</u> No objection.
- 5.7 <u>Internal Drainage Board (Whittlesey Consortium)</u> No response received to date, any comments received will be reported orally at Committee.
- 5.8 Publicity The planning application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A Press notice was published in the Hunts Post on 05 December 2018. This was in addition to 2 site notices being put up on 11 December 20182018. Additionally, adjacent neighbours and statutory consultees were notified of the planning application.

6.0 REPRESENTATIONS (SUMMARISED):-

- One letter of objection has been received from a neighbouring resident whose commercial premises are located approximately 540m (595 yards) to the south east of the application site. Objection is raised to the development on the following grounds with particular concern being raised in relation to highway safety:
- Over the past 24 months or so the operations on this site have added more vehicle traffic from and to the site bringing vehicles towing trailers, and the large 40 foot containers being taken away from the yard blocking the road for some considerable time.
- To allow this yard to expand to three times its size and the increase in traffic, noise and danger to other road users will be foolhardy and cause a risk to life. Emergency vehicles will be unable to attend an emergency on the fens with the current traffic problems of these large lorries being unable to clear the road due to the width restrictions and the fact that the road is a dead end with few passing places for large vehicles.
- The Drove is a popular road for cyclists, being adjoining the green wheel cycle system.

- The Drove is not built to withstand the treatment given by heavy vehicles and the recently resurfaced road has been damaged by heavy vehicles over the last 6 months including at the two tight turns.
- The heavy vehicles have to drive through the village which has restricted access due to parked vehicles and this proposal will cause more congestion along the narrow roads that adjoin Conquest Drove.

7.0 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant development plan policies are set out in paragraphs 7.3 to 7.5 below.
- 7.2 The National Planning Policy Framework (July 2018), the National Planning Policy for Waste (October 2014), and Planning Practice Guidance (PPG) are also material planning considerations.
- 7.3 <u>Cambridgeshire and Peterborough Minerals and Waste Development</u>
 <u>Plan Core Strategy Development Plan Document</u> (adopted July 2011)
 (M&WCS)

CS2: Strategic Vision and Objectives for Sustainable Waste Management Development.

CS14: The Scale of Waste Management Provision

CS15: The Location of Future Waste Management Facilities-Commercial Resource Recovery and Recycling Facilities (non-landfill)

CS22: Climate Change

CS28: Waste Minimisation, Re-use and Resource Recovery

CS32: Traffic and Highways

CS33: Protection of Landscape Character

CS34: Protecting Surrounding Areas.

7.4 <u>Huntingdonshire Local Plan</u> (adopted December 1995) (the HLP)

En17 Development in the countryside

En22 Nature and wildlife conservation

En25 Design

CS8 Surface water and drainage

7.5 Huntingdonshire Local Development Framework Core Strategy (2009)

The following policies of the Huntingdonshire Local Development Plan adopted 2009 are of particular relevance:-

CS1: Sustainable Development in Huntingdonshire

CS7: Employment Land

7.6 <u>Supplementary planning documents</u>

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

Emerging planning policy

7.7 Cambridgeshire County Council and Peterborough City Council have started a review of the Minerals and Waste Development Plan which will be known as the Minerals and Waste Local Plan. It has completed its first consultation stage in the form of the Minerals and Waste Local Plan Preliminary Plan (May 2018); and it is anticipated that consultation on a full Draft Minerals and Waste Local Plan will take place in March/April 2019. As an emerging draft Local Plan this document will only carry limited weight. The M&WCS and the Mineral and Waste Site Specific Proposals (M&WSSP) plan remain in force until the new Local Plan replaces them. Huntingdonshire District Council is currently preparing a Local Plan for the period up to 2036. HDC have now published the proposed main modifications that have been identified by the Inspector as necessary to make the Huntingdonshire Local Plan to 2036 'sound' and 'legally compliant'. Consultation on the proposed main modifications ran from 10 December 2018 to 29 January 2019. The Proposed Submission is a material consideration but does not yet form part of the adopted development plan therefore it has limited weight.

8.0 PLANNING CONSIDERATIONS

- 8.1 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.
- 8.2 The National Planning Policy Framework (NPPF) July 2018 sets out the Government's planning policies and how it expects them to be applied. It is a material consideration in planning decisions and at its heart is a presumption in favour of sustainable development. It states that Local Planning Authorities should approve development proposals that accord with an up-to-date development plan.
- 8.3 Paragraph 38 requires local planning authorities to approach decisions on proposed development in a positive and creative way and that they should work pro-actively with applicants to secure developments that will improve the economic, social and environmental conditions of the

area.

8.4 Paragraph 183 states that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively.

Principle of Development

- 8.5 Government advice is that waste management proposals outside allocated areas (non-landfill) should be considered favourably where they are consistent with the Waste Planning Authority's Core Strategy.
- 8.6 M&WCS Policy CS18 states that proposals for waste management development outside allocated areas will be considered favourably where this is consistent with the spatial strategy for waste management, and it can be demonstrated that they will contribute towards sustainable waste management, moving waste up the waste Furthermore, M&WCS Policy CS18 states that waste hierarchy. recovery and recycling facilities may be permitted where they are colocated with complementary activities (including existing permanent waste management sites). The site of the proposed vehicle storage area is adjacent to the existing Auto Shells Ltd ELV recycling site and is enclosed within the same boundary fencing as the existing site. There are no works proposed to the storage area other than to plant a substantial tree planting belt to maximise the visual screening of the site when viewed from external viewpoints. The proposed vehicle storage area is to be co-located with the ELV recycling centre and associated with it. It is therefore considered that the proposal meets the overall objective of M&WCS Policy CS18.
- 8.7 Whilst not yet adopted, emerging draft policy 7 of the Huntingdonshire Local Plan to 2036 (draft Strategic option and policies) will support a sustainable proposal for essential operational development for a waste management facility where it accords with other policies in the plan or policies of the Cambridgeshire Minerals and Waste Development Plan. Huntingdonshire District Council and a local resident have raised concerns about the rural nature of the land. Whilst the change of use of the vacant land is not within the existing boundaries of the site it represents a modest expansion of the site by approximately 67 metres (approximately 73 yards) to the east to provide improved storage facilities, minimise the visual impact of the stored vehicles, provide improved site access and will not result in any intensification of the existing use of the site for recycling of ELV's. The proposed land will only be used for storage which can be secured by condition (see draft condition 3) and will be enclosed by hedge planting adjacent to the existing site boundary fence to the east and south which will prevent further site expansion and will improve the screening of the site once it has become established.

Visual Impact

8.8 M&WCS Policy CS34 states that proposed development will only be permitted where it can be demonstrated that there would be no significant harm, visual intrusion or loss to residential or other amenities. The proposed development seeks to create an area for the storage of waste material which will be well screened and has the benefit of mature trees along the boundaries of the site. The proposed development does not seek to extend any operation with the potential for noise or dust closer to any sensitive receptors. There will be no line of sight from the proposed storage area to residential properties once the boundary treatment is established. A condition to limit the vehicles to prevent the stacking of vehicles can be attached (see draft condition 9). The extension to the existing site will not result in unacceptable harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities. It is therefore considered that there are insufficient grounds to withhold permission on amenity grounds and the proposal is considered to comply with M&WCS Policy CS34.

Highways and Traffic Considerations

8.9 M&WCS Policy CS32 states that waste development will only be permitted where access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and /or the nature of the traffic associated with the development and that any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment and road safety. Concern has been raised by a local resident in relation to current traffic issues on Conquest Drove regarding its capacity, poor maintenance and the safety issues created by HGV's on However, the proposed development does not seek to increase the capacity of waste received at the site or an increase in the number of vehicles attending the site, its purpose is to provide a significant improvement in the storage facilities negating the requirement to stack vehicles and improve access and turning facilities for vehicles within the site. In order to ensure the protection of the amenity of neighbouring properties it is recommended that the current permitted level of vehicle movements be secured by a condition (see draft condition 10). The proposed rationalisation of the site operation. creating a functional internal turning area will eradicate the need for HGV's to turn further along Conquest Drove. Vehicle turning arrangements have been demonstrated in the approved plans relating to a previous planning permission reference H/05023/12/CW for the change of use of land from open grazing to storage area for vehicle dismantling facility approved on 10/01/2019 to the satisfaction of the Highways Development Control Officer and are one of the motivations for the applicant to improve the storage arrangements on the site as the approved arrangement has been difficult to maintain due to the

cramped nature of the current vehicle storage area. It is considered that the proposed development will improve access and vehicle turning to the existing ELV facility and will not significantly increase the number of HGV's using Conquest Drove and is therefore in compliance with M&WCS Policy CS32.

Environmental and Pollution Considerations

- 8.10 M&WCS Policy CS39 states that waste management development will only be permitted where it is demonstrated that there would be no significant adverse impact or risk to the quality of surface water at or in the vicinity of the site. The location of the development is not situated within a flood plain and the Environment Agency confirmed during consideration of planning application H/05023/12/CW for the previous storage area expansion that the proposed change of use would not be likely to increase flood risk. The change of use and the increase in the size of the site does not significantly alter the likelihood of significant environmental effects arising from the development or the nature of the potential impact in terms of discharges or emissions. It is therefore considered that the development is in compliance with M&WCS Policy CS39.
- 8.11 If permission is granted the operator will also need to apply to alter the environmental permit from the Environment Agency, which will control pollution risk from the site, including any possible contamination of the surrounding environment. Paragraph 183 of the NPPF (2018) states that it is not necessary to use planning conditions to control the pollution aspects of a waste management facility; as such controlling contamination of the surrounding environment has not been conditioned as part of this application.

9.0 CONCLUSION

- 9.1 It is considered that the purpose of the operations at the site is to help to move the management of waste up the 'waste hierarchy' reducing the amount of material needing to go to landfill. The supporting text of M&WCS Policy CS18 and the NPPF indicate that such types of facilities will be encouraged where appropriate.
- 9.2 The proposed change of use and re-organisation of the site will improve access to the site and not generate an increase of vehicle movements along Conquest Drove.
- 9.3 The principle of the location of the proposed change of use involves apportioning weight and balancing the objectives of the NFFF and M&WCS Policy CS18. When the size of the proposed development site is considered alongside the primary objectives of the development to improve access and internal operations at the recycling facility and the visual amenity of the vehicle storage area then the NPPF and

M&WCS Policy CS18 can in these circumstances be accorded significant weight. It is, therefore considered that the location of the proposed development is, on balance, in accordance with the requirements of the NPPF and M&WCS Policy CS18 and that the proposals should be supported.

10.0 RECOMMENDATION

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. Condition 10 below requires further information to be submitted, or works to be carried out, to protect the environment and ensure sustainable methods of operation during the construction of the development and is therefore attached as a pre-commencement condition. The developer may not legally commence development on site until this condition has been satisfied.

10.1 It is recommended that planning permission be granted, subject to the following conditions:

Commencement

1. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans and documents

- The development hereby permitted shall not proceed except in accordance with the details set out in the submitted application form dated 9 November 2018 and the following approved plans and documents (received 8 November 2018 unless otherwise stated), except as otherwise required by any of the following conditions set out in this planning permission:
 - Drawing number 1 Rev A Access & new screen planting.
 Extension to existing site to allow for storage of vehicles [Revised Access], by Matrix Planning;
 - Drawing number 2 Rev A Access & new screen planting.
 Extension to existing site to allow for storage of vehicles [Proposed Screen Planting]; and

Flood risk Assessment by Matrix Planning dated 08.11.18.

Reason: To define the site and to protect the character and appearance of the locality in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Use of land

3. The area identified as '3. Vehicle Storage' on Drawing number 1 Rev A

– Access & new screen planting. Extension to existing site to allow for
storage of vehicles [Revised Access], by Matrix Planning shall only be
used for vehicle storage and for no other purpose.

Reason: To protect the amenities of adjacent land users in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Hours of operation

4. No vehicles or plant shall be taken onto the site or dispatched from the site and there shall be no working within the site before 7.00 am or after 7.00 pm Monday to Friday, before 7.30 am or after 1 pm on Saturday. On Sundays and Bank / Public Holidays no vehicles or plant shall be taken onto the site or dispatched from the site and there shall be no working within the site.

Reason: To protect the amenities of adjacent land users in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Facility throughput

5. No more than a total of 1000 tonnes of scrap materials as permitted under planning permission H/5015/10/CW shall be accepted at the site in any one calendar year. The operator shall maintain a record of the type, quantity (in tonnes) and origin of the feedstock delivered, and the date of delivery. These records shall be kept on the site so that they are available for immediate inspection by Council officers between the hours of 0900 and 1700 Monday to Friday and the records must be able to be collated into a report that will be supplied to the waste planning authority within 10 working days of a written request.

Reason: It has not been demonstrated that the local public highway network is capable of safely accommodating higher number of vehicle movements and in the interest of the amenity of occupiers of nearby properties in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy

Development Plan Document (2011) and to enable compliance with condition 9 to be monitored.

Access

6. Access to the vehicle storage area hereby approved shall be achieved through the existing site access only and the access directly into the storage area shall be maintained solely as an emergency access as detailed on approved_Drawing number 1 Rev A – Access & new screen planting.

Reason: In the interest of the amenity of occupiers of nearby properties in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011) and to enable compliance with condition 9 to be monitored.

Lighting

7. No additional external lighting shall be erected or installed unless full details have been submitted to and approved in writing by the Waste Planning Authority. The external lighting shall be erected or installed and maintained in accordance with the approved details.

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

Burning of Waste

8. There shall be no burning of any waste on the site.

Reason: In the interests of pollution control and residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Stockpile height

9. The height of any individual stored vehicle shall not exceed 3.0 metres above ground level of the site unless otherwise agreed in writing by the Waste Planning Authority.

Reason: To control the height of stored vehicles in the interests of visual amenity and the amenity of nearby residents in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Vehicle restrictions

10. No more than 20 vehicle movements (10 in and 10 out) and 1 HCV vehicle movement shall enter the site in any one week. A daily record of all vehicles movements shall be maintained at the site and made available on request for the inspection by the Waste Planning Authority in line with condition 5.

Reason: In the interests of highway safety and amenity and to comply with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011).

Landscape Scheme

11. Prior to the commencement of development full details of the Landscape Scheme shall be submitted to and approved in writing by the Waste Planning Authority. A detailed landscape scheme shall include the species list, height and density of planting and a landscape management plan for the duration of 5 years. The approved Landscape Scheme shall be implemented in full within the first available planting season following the occupation of the site.

Reason: In the interests of visual amenity and nature conservation in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (2011). The details for landscaping are required ahead of the construction phase in order to protect visual amenity so must be agreed before development commences.

Replacement Planting

12. If, within a period of 5 years from the date of the planting of any tree, that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Waste Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the next available planting season, unless the Waste Planning Authority gives its written consent to any variation.

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

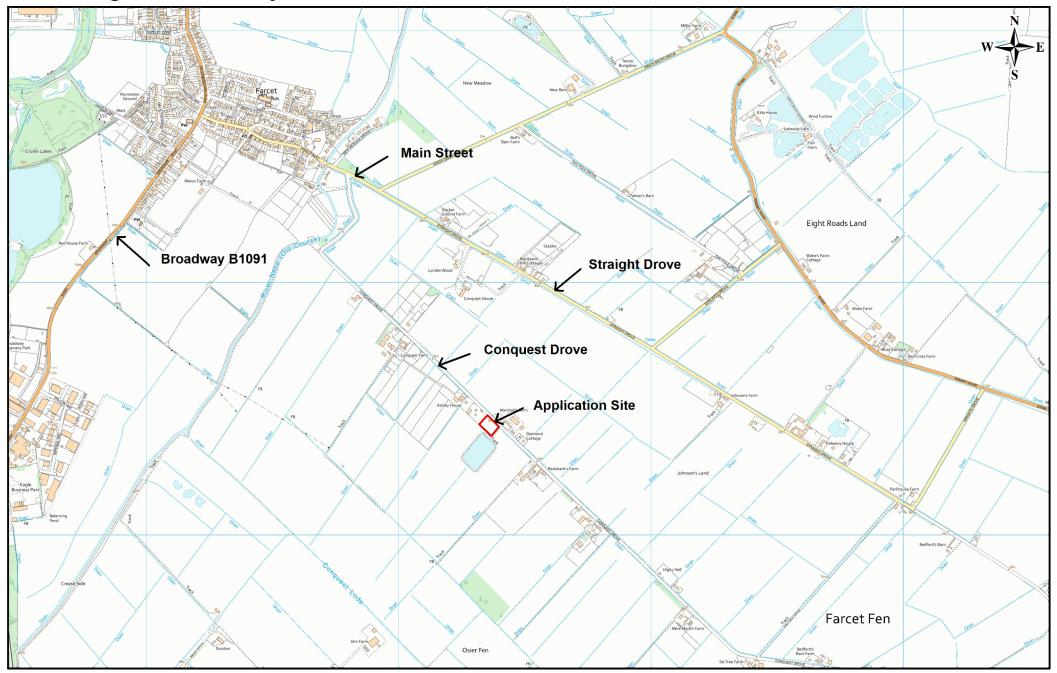
Compliance with paragraph 38 of the National Planning Policy Framework (July 2018)

The Waste Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. All land use planning matters have been given full consideration relating to the proposed extension to the site for the storage of vehicles compatible with End of Life. Consultation took place with statutory consultees and other consultees, including local residents, which have been taken into account in the decision making process.

Source Documents	Location
Link to the National Planning Policy Framework (July 2018) https://www.gov.uk/government/publications/national-planning-policy-framework2	
Link to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy: https://www.cambridgeshire.gov.uk/business/planning-and-development/planning-policy/adopted-minerals-and-waste-plan/	
Link to the Huntingdonshire Local Plan and Core Strategy http://www.huntingdonshire.gov.uk/planning/adopted-development-plans/current-local-plan/	

Cambridgeshire County Council





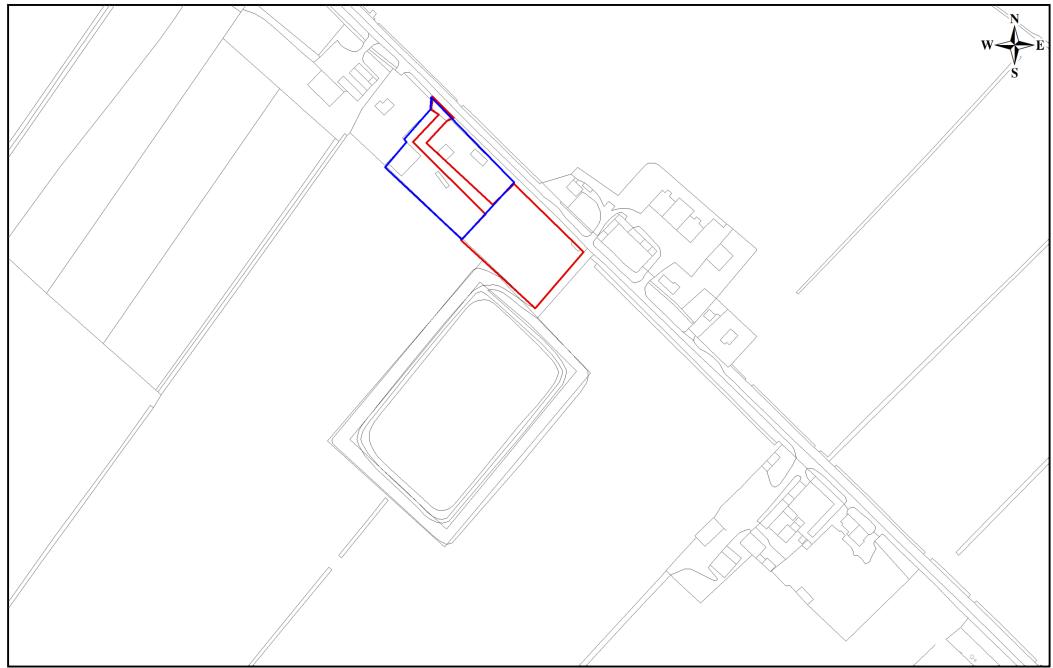
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Cambridgeshire County Council

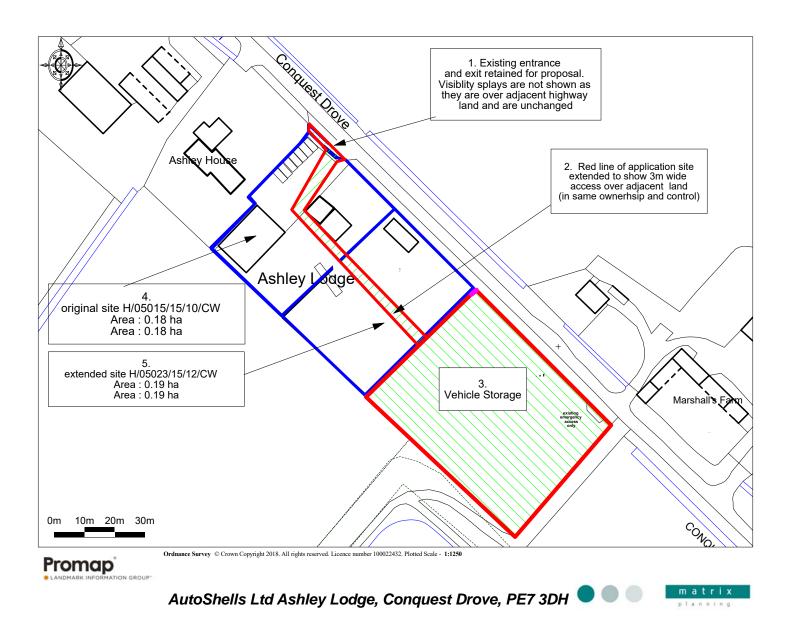




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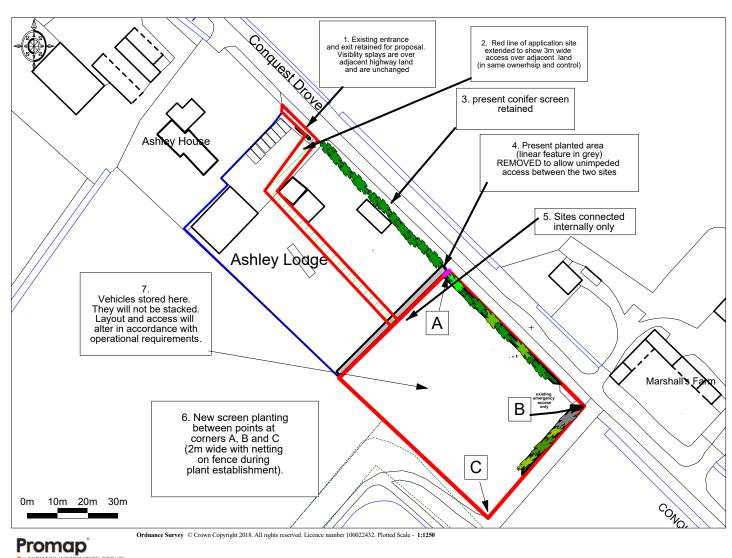
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Drawing 1 Rev A- Access & new screen planting. Extension to existing site to allow for storage of vehicles



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Drawing 2 Rev A- Access & new screen planting. Extension to existing site to allow for storage of vehicles



AutoShells Ltd Ashley Lodge, Conquest Drove, PE7 3DH



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Agenda Item No: 4

DEVELOPMENT OF A PRIMARY SCHOOL AND PRE-SCHOOL/NURSERY FROM 6 CLASS ROOMS TO 2FE (14 CLASS ROOMS, 420 SPACES) INCLUDING ERECTION OF A TWO STOREY CLASSROOM BLOCK, MAIN HALL, AND SINGLE STOREY EXTENSIONS TO FORM PRE-SCHOOL WITH CANOPIES, ENTRANCE, LINKED EXTENSION, HARD PLAY AREA, MULTI-USE GAMES AREA, NEW PEDESTRIAN ENTRANCES, REINSTATEMENT OF CAR PARK, CYCLE, SCOOTER PROVISION, RELOCATION OF BUGGY STORE, LANDSCAPING, ELECTRICAL SUBSTATION AND REMOVAL OF MOBILE CLASSROOM.

AT: New Road Primary School, New Road, Whittlesey, PE7 1SZ

APPLICANT: Cambridgeshire County Council

APPLICATION NO: F/2009/18/CC

To: Planning Committee

Date:

From: Assistant Director, Environment and Commercial

Electoral division(s): Whittlesey South

Purpose: To consider the above planning application.

Recommendation: That permission is granted subject to the conditions set

out in paragraph 10.1

Name: Tracy Rockall
Post: Planning Officer
Email: Tracy.rockall@cambridgeshire.gov.uk
Tel: 01223 699852

1.0 INTRODUCTION / BACKGROUND

1.1 In 2017 planning permission was granted for a mobile classroom building (F/2005/17/CC) to provide space for existing Pre-school children to be relocated from the permanent school buildings to the temporary accommodation. This was to enable the playgroup to offer additional hours to existing and new children. As part of this 2017 permission it was also acknowledged that there was a scheme in the 2017 CFA Schools programme to extend the school buildings to provide space for additional pupils. In order for the construction of the proposed permanent extension to be undertaken (which is the subject of this planning application), the temporary mobile classroom was required.

2.0 THE SITE AND SURROUNDINGS

- 2.1 New Road Primary School is located in Whittlesey, which is within Fenland District Council's area. New Road Primary School is south east of Whittlesey town centre. The application site is approximately 1.4 hectares (3.46 acres) and comprises the whole of the existing school site. The school has an existing vehicular access off New Road, which provides access on the east side of the school to existing staff and visitor parking provision. New Road is a public byway where it passes the existing school, which becomes unsurfaced to the east. A temporary double mobile classroom unit, which is used as a nursery is currently positioned on the rear of the existing parking provision (as noted in the background section of this report above), occupying 9 previously available car parking spaces. The ground on site is referred to in Section 2 of the Design and Access Statement as being 'relatively flat across the site, although the road and footpath rise up from the south west corner towards the entrance of the school and car park' towards New Road, which is raised above the level of the majority of the site.
- 2.2 Beyond the eastern boundary of the application site are the archery club fields owned in association with a local factory. To the south east of the application site at the opposite side of New Road is a public recycling Centre, and Lattersey Nature Reserve. To the west and north of the school site are residential properties. The school site fronts New Road, which is adjacent to the southern boundary of the application site. At the opposite side of New Road facing the application site are also residential properties and Whittlesey Town Council Allotments.
- 2.3 The existing school building is single storey and is located in the south east corner of the application site. Its maximum height is approximately 6 metres (approximately 19.7 feet) with a single chimney of approximately 8.2 metres (approximately 26.9 feet) in height above adjacent ground levels. There is an existing Children's Centre. There is a hard play area on the west side of the school building and a grass playing field to the west and north of the school building. The building currently accommodates existing school facilities. The site is located in Flood Zone 1, which is the zone least likely to flood. There are no listed buildings or conservation areas in the vicinity of the application area.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The application proposes a linear extension, approximately 96 metres (approximately 105 yards) in total length, to the existing school building. It would be comprised of single storey and two storey elements. A relatively small amount of demolition is proposed. The total new internal floor space proposed is 1,590 square metres (1,902 square yards) with a net additional floor space of approximately 1,388 square metres (approximately 1,660 square yards). The extension would project at single storey (at approximately 4.7 metres (approximately 15.4 feet) in height) to the front of the existing school building to form a new school entrance, meeting room, general office, corridor and informal teaching or meeting area.
- 3.2 This would be attached to a two storey classroom block, which would be central to the proposed extension. It would provide stairways at each end of the block, providing eight north facing classrooms on two floors. This would also provide south facing rooms at ground floor and toilets. At first floor there would be toilets, an office, a break out area and a group room facing south. A lift, and the second stairwell, the latter being proposed as south facing, would also be provided within the two storey block. The proposed height above adjacent ground level to the top of the parapet of the flat roofed two storey block is 8.7 metres (28.5 feet), with the roof height being approximately 7.5 metres (approximately 24.6 feet).
- 3.3 To the west of the new two storey block a 'Main Hall' is proposed that would bridge the height difference between the two storey block and the new proposed one storey preschool/early years block. The flat roofed Main Hall would be approximately 7 metres (approximately 23 feet) in height above adjacent ground levels to the top of its parapet, with roof lights protruding a little above. The proposed pre-school block would provide two classrooms with additional kitchen, storage, office and WC facilities. It would accommodate the existing on-site preschool facilities, which are currently provided in the on-site mobile.
- 3.4 The extension would be mainly brick, with the pre-school and the link block and entrance being proposed as a dark facing brick and the two storey teaching block extension in a multi-buff facing brick. The Main Hall is proposed to be clad with rain screen cladding in vertical panels with staggered joints. Aluminium cladding is proposed for the roof. Use of coloured window panels adjacent to the clear window glazing is also indicated within the Design and Access Statement.
- 3.5 It is proposed to increase cycle parking to 120 combined cycle and scooter spaces. There are two proposed new pedestrian access points from New Road towards the south western end of the site frontage; the western most pupils entrance to the parent waiting area and proposed pupil's cycle park, and the second a new central primary school entrance.

- 3.6 It is proposed that the temporary mobile classroom would be removed upon completion of the construction of the project. This would enable the reinstatement of the 9 car parking spaces that it currently occupies. One additional disability parking space is proposed, which would result in a total of two disability car parking spaces being included within a total proposed provision of 36 car parking spaces.
- 3.7 Two mini-football pitches and an 80 metre (19.7 yards) summer running track are proposed to be provided on the existing playing field. Also, a multi-use sports area (MUGA) is proposed centrally on the northern part of the site. Fencing, 3 metres (9.8 feet) in height is proposed to be erected surrounding the MUGA. Sapling trees, which are proposed to be removed to facilitate the MUGA would be relocated to the east avoiding a clear emergency access route to the playing fields.
- 3.8 An electrical substation is proposed to be placed in the South East corner of the Site, to the right of the school main vehicular entrance. Alterations to existing school playgrounds replacing existing surfacing with safer play surfacing, erecting fencing and erecting new canopies to provide outdoor teaching space are proposed together with new hedges, trees planting and the repositioning of the habitat area.

4.0 PLANNING HISTORY

4.1 The following planning permissions are the most relevant for this application.

Application Reference	Description	Decision/ Decision date
F/2005/17/CC	The erection of a 7 bay mobile classroom building, access ramp, play deck with canopy and paved path for a temporary period until 31 August 2022 to enable the existing preschool to be relocated into the temporary accommodation.	GRANTED 31/08/2017
F/02007/07/CC	Demolition of mobile classroom and erection of 3 extensions for a new children's centre and locality base with 24 car parking spaces, plus 2 external play areas.	GRANTED 13/11/2007
F/00195/94/CC	Erection of a single storey extension,	GRANTED 01/09/1994
F/00798/89/CC	Extension to classroom	GRANTED 18/07/1989
F/00690/78/CC	Erection of new primary school	GRANTED 23/01/1979

5.0 CONSULTATION RESPONSES (SUMMARISED) AND PUBLICITY:-

- 5.1 **Fenland District Council:** No objection (Consultation response dated 30/07/18).
- 5.2 Fenland District Council Environmental Health Officer: No objections remain subject to appropriate planning conditions to control the management of the school site for noise and construction activities, and the protection of ground contamination etc. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses regarding the three relevant subject matters.

Noise impact –

Consultation response dated 09/08/18 – "The applicant has submitted with the application an 'Acoustic Feasibility Report' which seems to consider the acoustic performance and ventilation of the proposed extension based on the guidance given in Building Bulletin 93 for school's acoustic criteria. Whilst the details and assessments are acceptable in such context, the report fails to assess the potential noise impact at a sensitive residential receptor from such intensification of the existing school which seems inevitable from the scheme. More importantly, noise from any proposed building services plant needs to be assessed in accordance with the guidance given in BS 4142 2014 and appropriate mitigation measures considered (if necessary) to prevent loss of amenity at the noise sensitive location. This can be addressed by a compliance condition, however the applicant may nuisance in the future. The noise from use of outdoor areas, increase in vehicles etc. All these need to be considered in the context of potential impact on residents."

Consultation response dated 07/12/18 – "I have consider the report (Document Reference: 102078-MLM-ZZ-XX-RP-U-0004) and consider that information to be sufficient.

As the report states, noise will and is expected to be experienced from the expansion of a school. We look that all developments remain within the WHO community guideline noise levels, and although this development will exceed these levels, it is very reasonable to request that the noise from this site can be managed by the school by hours of use, or retrospective installation of acoustic barrier if justified. It is expected that the use of this site will be limited, and typically be used only during school hours, within term time, with a number of seasonal acceptances to this. It would be reasonable to expect the school to utilise the MUGA throughout the school day not just to break times as stated in the report and I have factored this into my considerations.

Although the noise levels are predicted to rise beyond the WHO community guidelines, it would be proportionate to manage this through a condition on the permission that requires the school, in response to justified noise complaints through the Local Planning Authority, to investigate and where justified mitigate excessive noise disturbance.

The development of the MUGA close to the boundary of residential properties will result in a concentrated noise source close to receptors, but also this will also act as a level of protection to these properties from other site activities, as use of a MUGA can be managed. I would recommend that a site management condition would be an appropriate

control and level of protection to both the residents and the school, rather than a noise level condition."

Construction/Demolition Management – No Objection remaining

Consultation response dated 09/08/18 – "The applicant needs to submit Construction Environmental Management Plan to consider the effect of dust, construction noise/vibration, deliveries to site and construction hours to ensure adequate protection is afforded to neighbouring residents who may be exposed to significant pollution during the construction phase. This will need to be submitted and approved prior to commencement of the development."

Consultation response dated 16/08/18 – "I have reviewed the Construction Management Plan submitted in connection with the above scheme, ref:EA-17-045/ce01 dated 27/06/18. The contents are satisfactory in address my previous concerns, therefore I have no further concerns to raise with respect to construction management."

• Ground Investigation – No Objection remaining

Consultation response dated 09/08/18 – "Having reviewed the submitted ground investigation report, recommend that planning condition be imposed with respect sound gas and contamination not previously detected during previous investigation works." Construction response dated 20/08/18 – "I have had a look at the ground investigation report in particular aspect relating to ground gas issues raised in my previous consultation response. Environmental Health are satisfied with the contents and therefore we have no further concerns to raise."

- 5.3 **Environment Agency:** No objection (Consultation response dated 31/07/18). The Environment Agency made the following comments: -
 - "The above location falls within 250 metres of a former waste disposal site; we recommend that you consult your Environmental Health Team regarding this matter. The applicant should be informed that the responsibility for the safe development and secure occupancy of this development rests with them."
- 5.4 <u>CCC Transport Assessment Team:</u> No remaining objection subject to appropriate planning conditions to secure the need for a Travel Plan and mitigation measures through appropriate planning conditions. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses.

<u>Initial consultation response dated 20/08/18</u> based on Transport statement (Revision E) dated June 2018.

- Road safety review assessment area considered reasonable but unsure where data taken from. The last 60 months data should be provided obtained from the County Council.
- Baseline Trip Generation Travel plan to provide an opportunity to encourage staff to switch from cars to more sustainable travel methods.
- Projected Trip Generation Primary School pupil capacity would increase from 150 pupils to 420 pupils and staff from 20FTE to 35FTE. "The development trip generation has been calculated in accordance with the existing modal split data for the school. This is acceptable for use."

- Parking Beat Survey Parking beat survey needed.
- Parking provision Post-development there would be 36 spaces inclusive of 2 disabled spaces. "This is considered reasonable for the development."
- Servicing Traffic Deliveries arranged to avoid peak times.
- Wider Impact "The County Council do not accept AADTF data on its own as a valid methodology for assessing the impact of the development on the capacity of the surrounding highway network.

To determine the wider impact of the development, the applicant was requested by the Council to undertake traffic surveys at the following locations:

- 1. New Road/B1093 priority junction
- 2. B1093/A605/Syers Lane roundabout
- 3. New Road/Bellman's Road priority junction
- 4. A605/Bellman's Road priority junction
- 5. B1093 Station Road/Station Road priority junction
 - i. It is noted trip distribution will be based in accordance with traffic survey data. The traffic surveys requested by the County Council have not been undertaken due to the school holiday period. As such, the impact of development traffic on the capacity of the surrounding highway network cannot be determined.

The development will add to the existing on-street parking demand on New Road associated with school drop-off and pick-up. Future drop-off parking demand associated with the development is anticipated to exceed the existing parking capacity available on New Road. Therefore, until such a time as the parking beat survey and traffic survey data has been submitted and reviewed, the applicant must demonstrate how they propose to mitigate the impact of the anticipated overcapacity of school drop-off and pick-up parking on New Road during the school peaks."

 Travel Plan – "CCC has not commented on any detail of the School Travel Plan at this stage. The Travel Plan will need to be subject to a condition should approval be given."

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

<u>Consultation response dated 7th November 2018</u> – Consultation response based on Transport Assessment (Revision F) dated October 2018.

- Site Audit Pedestrian and cycle access to the school is quite good. Existing infrastructure available at the nearest bus stop should be outlined.
- Projected Trip Generation The future drop-off demand is proposed to drastically exceed the existing drop-off capacity, mitigation is required to avoid drop off and pick-up parking over-spilling onto the surrounding highway network.
- Traffic Impact Assessment The travel surveys are acceptable for use within this
 assessment. The use of TEMPRO is an acceptable method of calculating future
 growth. The capacity assessment results should be provided for both junctions for
 the School PM peak and Network PM peak scenarios and full model outputs

- submitted. The junction capacity assessments cannot be agreed until the above issues have been addressed.
- Parking Beat Survey "Whilst the survey does demonstrate there is sufficient capacity within the total study area to accommodate drop-off and pick-up parking as existing demand peaked at 90 vehicles, the study does not go into detail outlining where parking occurs. Furthermore, this is not made clear in the outputs either, as the location of each zone is not identified. As the increase in vehicular drop-offs and pick-ups will increase exponentially, the County Council have concerns regarding the existing capacity for drop-off and pick-up along New Road. Therefore, additional information is required."
- Proposed Design and Mitigation Measures "The proposed car and cycle/scooter parking provision is considered reasonable for the development."
 - "A Park & Stride initiative has been proposed by the applicant as a measure to mitigate the impact of the development. The potential Park & Stride location identified is the Manor Centre Car Park which is located circa 960m from the school and has a capacity of 102 car parking spaces. The anticipated walking route from the car park to the school comprises walking north up Station Road/Inhams Road followed by east along New Road to the school. Parking analysis surveys undertaken at the car park in the pick-up and drop-off periods highlighted there is sufficient capacity available at Manor Centre to accommodate an additional 79 vehicles. Such Park & Stride location however has not been agreed with Fenland District Council. The Park & Stride incentive therefore cannot be considered until such a time as a suitable location has been agreed.
 - A voluntary exclusion zone of 400m has been proposed by the applicant as a measure to reduce drop-off and pick-up parking on New Road. Whilst the Voluntary Exclusion Zone is a positive measure to address drop-off and pick-up congestion, it is not enforceable and therefore cannot be used as a key approach to mitigate the impact of the development. This is because parents are anticipated to abuse the measure in bad weather conditions or when they are in a rush."
- Travel Plan CCC has not commented on any detail of the School Travel Plan at this stage. The Travel Plan will need to be subject to a condition should approval be granted.

CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

<u>Consultation response dated 23rd November 2018</u> – Consultation response based on Transport Assessment (Revision G) dated November 2018 and additional information submitted by agent.

- Road Safety Review "The latest 60 months available accident data from the County Council has been provided. No accident cluster sites were identified. This is acceptable for use."
- Traffic Impact Assessment "Junction capacity assessments have been undertaken for the future year scenario of '2025 + Development' at the following junctions for the AM peak, School PM peak, and Network PM peak:
 - 1. New Road/Bellman's Road priority junction

- 2. A605 Eastrea Road/Bellman's Road priority junction
- 3. New Road/B1093 priority junction
- 4. B1093/A605 Eastrea Road/Syers Lane roundabout (AM peak only)
- 5. B1093 Inhams Road/Station Road priority junction (AM peak only)

Both the B1093/A605 Eastrea Road/Syers Lane roundabout and Inhams Road/Station Road priority junction have been modelled for the AM peak only under the '2025 + Development' scenario. This is agreed. It is noted the AM peak contained the highest peak traffic flows therefore providing a robust assessment. Whilst junction capacity assessments have not been undertaken for both a '2018 Baseline' and a '2025 Baseline' scenario, it is agreed the capacity assessment of the junctions under anticipated to operate within capacity in the '2025 + Development scenario'. The development is therefore not anticipated to generate future junction capacity pressures on the surrounding highway network."

- Parking Beat Survey "As vehicle trips are anticipated to increase significantly as part of the proposals; particularly on New Road, mitigation should be secured to prevent highways issues associated with vehicle intensification on New Road through encouraging sustainable travel to the school."
- Proposed Design and Mitigation Measures "The proposed car and cycle/scooter parking provision is considered reasonable for the development."
 "The mitigation package fashioned by the Local Highway Authority (a pedestrian island crossing) will help make a sustainable travel a more attractive option for existing and future pupils. As such it will contribute towards reducing the highway impact of the development through improving safety and encouraging sustainable travel."
- Travel "CCC has not commented on any detail of the School Travel Plan at this stage. The Travel Plan will need to be subject to a condition should approval be given."

CCC are content with the additional information provided and the Transport Assessment Team has therefore confirmed that the application can proceed to determination subject to the proposed mitigation measures being secured through a Travel Plan and appropriate planning conditions.

5.5 <u>CCC Highways Development Management Team:</u> - No objection remaining subject to suitably worded planning conditions and informatives to address the proposed extension to the footway, uncontrolled pedestrian crossing, turning head, vehicular access, on-site parking and kerbs, and the wider mitigation measures that will need to come through the S278 highway works. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses.

Consultation response dated 23/08/18 -

Transport Statement/Travel Plan: "The increase in vehicular drop off and pickups will increase exponentially. The applicant will need to demonstrate that the existing highways network can cope with the additional increase in vehicular traffic. New Road is not a through road and therefore drop offs and pickups will have to turn around within the vicinity of the school site. The increase in vehicular activity warrants some form of

improvement in the way of drop-off parking areas/turning arrangements that will better facilitate and mitigate for the development impact."

Vehicle access and parking: "Vehicle to vehicle visibility splays will need to be provided each side of the access commensurate with the posted speed limit with no obstruction over 0.6m.

Vehicle to pedestrian visibility splays will need to be provided at the access 2m x 2m with no obstruction over 0.6m.

The access is being intensified by the proposal and will therefore require improvements. The access will need to be widened to 5.5m for the length of the car park with 6m kerb radii installed at the access. More generous geometry may be required if longer wheel base vehicles are proposed to use the access such as buses, coaches and catering vehicles etc. A swept path plan detailing two way vehicle movements though the access for the largest vehicle proposed to use the site will be required.

I note that the application is providing 36 vehicle spaces inclusive of two disabled spaces, 72 cycle parking spaces and 48 scooter spaces within the site and I concur with the comments made by CCC Transport Planning."

Pedestrian access: Barriers will need to be installed at the kerb edge for the pedestrian accesses to prevent pedestrians from conflicting with motor vehicles on New Road. The pedestrian access indivisibility should also be improved. The applicant should reduce the foliage around the accesses to provide better visual improvements between the two points.

Pedestrian and cycle improvements: With the increased movements of walking and cycle movement proposed I will need to know catchment areas and pedestrian desire lines in order to ascertain whether the existing pedestrian routes are suitable for the increased development traffic/footfall.

The proposal will require additional improvements to pedestrian infrastructure around the surrounding area. Uncontrolled pedestrian crossing points will need to be installed at Bellman's road/new road junction and Bellman's Road/A605. The applicant should note that this may require the need for islands to be installed subject to a RSA1 review. Cycle improvements should also be provided throughout New Road.

Consultation response dated 08/01/18 – Consultation response based on Transport Assessment (Revision G) dated November 2018 and additional information from agent. "The proposed footway extension and turning offer suitable mitigation for the increase demand for the school resulting from the development. The longer footway and turning arrangements will provide improvements to the kerb side parking and provide safe passage for school pedestrian traffic to and from the school. The delivery of the turning head on New Road requires third party land (FDC)."

"The main school vehicular access will need to be widened to 5m with 6m radius kerbs so it is suitable for two way vehicle flow. This is required due to the increase demand for vehicular parking at the school and the constrained access onto New Road (especially during school drop off/pick up). Details of which should be secured by condition.

CCC confirmed no highways objections subject to suitably worded conditions and informatives. Conditions about the proposed extension to the footway, uncontrolled pedestrian crossing, turning head, vehicular access, on-site parking and kerbs.

- 5.6 <u>CCC Road Safety Officer:</u> No objection (Consultation response dated 22/08/18). The road safety officer is satisfied that the school travel plan is up to date and fully reviewed and states that the school has again achieved national Bronze Level Accreditation which demonstrates the schools engagement with safer sustainable school travel.
- 5.7 <u>Lead Local Flood Authority:</u> No objection remaining subject to development being linked to the approved Flood Risk Assessment and Drainage Strategy. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses.

<u>Consultation response dated 17/08/18</u> – Originally objected for the following reason. Infiltration testing showed that infiltration features were not planned to be located in the best geological area of infiltration.

Consultation response dated 02/11/18 – The re-submitted Flood Risk Assessment & Drainage Strategy, (Peter Dann Consulting Engineers, Ref: NRWPS-PDL-ZZ-XX-RP-S-003_FRA & Drainage Strategy Rev B, Dated 22 October 2018) demonstrates "that surface water from the proposed development can be managed through a combination of infiltration and discharge into a surface water sewer in New Road. A partially permeable geocellular tank will be installed under the permeable paving on site, which will receive all of the surface water from the proposed development. The surface water is then restricted to 2.5l/s into an Anglian Water surface water sewer." Based on this the Lead Local Flood Authority removed their objection.

- 5.8 **Anglian Water:** No Objection but made the following comments (Consultation response 31/12/18).
 - "Section 1 Assets Affected. There are no assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.
 - Section 2 Wastewater Treatment. The foul drainage from this development is in the catchment of Whittlesey Water Recycling Centre that will have available capacity for these flows.
 - Section 3 Used Water Network. The sewerage system at present has available capacity for these flows via a gravity discharge regime to manhole 8602 without further consultation. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.
 - Section 4 Surface Water Disposal. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is currently unacceptable. Evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. Infiltration logs have also been reviewed and are acceptable. However, the proposed surface discharge rate is currently unacceptable and must meet our minimum self-cleansing rate. We would therefore

recommend that the applicant needs to consult with Anglian Water. We request that the agreed strategy is reflected in the planning approval."

- 5.9 <u>Middle Level Commissioners</u>: No response received by CCC. However within the Flood Risk Assessment & Drainage Strategy 22/10/18 a response can be viewed in Appendix J of that document that was sent direct to the applicant Kier.
- 5.10 Rights of Way: No comment (Consultation response dated 20/12/18).
- 5.11 <u>CCC Ecology and Wildlife:</u> No objection remaining subject to appropriate mitigation measures being secured by planning condition. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses.

<u>Consultation response dated 08/08/18</u> – The Ecology and Wildlife officer originally objected to the application due to the lack of a third Bat survey detailing all mitigation, avoidance and enhancement measures that would be required. The officer did however approve the details set out in the Preliminary Ecological Appraisal relating to avoidance and mitigation measures for nesting birds, hedgehogs and amphibians.

Consultation response dated 14/08/18 - After proactive work with the agent and the submission of the third Bat survey the Ecology and Wildlife officers' original objection was removed subject to a condition that ensures that the measures set out in section 8.3 of the Bat EIA Report (Aug 2018) are adhered to, including a check for bats by an ecologist immediately prior to commencement of any building demolition works and that the roof is soft-stripped under ecological supervision.

- 5.12 <u>Cambridgeshire Police Design Team:</u> No objection due to early consultation and advice given and measures suggested being implemented (Consultation response dated 03/08/18).
- 5.13 **Sport England:** No objection. Audit trail to show how concerns addressed shown in the following breakdown of consultation responses.

Consultation response dated 03/08/18. Consultation response based on originally submitted documents 25/10/18. Sport England is satisfied that the proposed development meets the following Sport England Policy exception but have requested a condition: -

E5 – 'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'

Consultation response dated 29/11/18. After additional design and layout details submitted on 12/10/18. "Sport England are satisfied with the details submitted and will not require a condition requiring full details of the proposed MUGA."

5.14 Whittlesey Town Council: - Recommends Refusal (Consultation response dated 06/09/18). The Town Council supports the additional school places in Whittlesey, however recommends refusal of the application because of transport issues. The Town Council suggested the field to the east of the school could be used as a parking area and a drop off area. It also considers that the road infrastructure within this area will be unable to cope.

PUBLICITY

5.15 The application was publicised in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015. Copies of the planning application and accompanying documents were made available for public inspection at Shire Hall and submission documents and consultee responses are available to view on the planning department's web site. Three site notices were displayed on 31 July 2018. Owing to the fact that this is a major planning application, we advertised the application in the local press on 8 August 2018. Occupiers of properties closest to the application site were also notified about the application on 30 July 2018.

6.0 REPRESENTATIONS (SUMMARISED):

- 6.1 Three representations were received raising the following concerns (in summary):
 - No turning area for public transport;
 - No safe location for public transport to pick up/ drop off children. Currently children stand on the corner of New Road and Bellman's Road waiting for the bus;
 - What will happen with an increase in children and more buses;
 - Road speed limit and children's safety;
 - Lack of speed restriction signs;
 - One representation raised concerns about the 'Park and Stride' scheme, concerned this would take part in school time and at a cost to the school;
 - Nowhere for parents to pick up/drop off children;
 - Increased traffic movements/congestion;
 - No pedestrian crossing facilities;
 - Lack of parking/waiting area for parents;
 - Recycling Centre just past the school often closes for movement of containers causing tail backs of traffic past the school, sometimes at times when children are being picked up and dropped off;
 - The users of the Council allotments also park on the road, reducing the roads capacity further;
 - Possible use of the already limited car park at Lattersey Nature Reserve for parents parking, preventing nature reserve users from using the car park;
 - Construction hours and days:
 - One local resident commented on the publicity of the application and thought that local residents hadn't been adequately informed. The application was advertised in line with our procedures and legislation as per paragraph 5.15 above;
 - Concern over localised flooding and drainage.

7.0 PLANNING POLICY AND GUIDANCE

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant development plan policies are set out in paragraphs 7.9 to 7.10 below.
- 7.2 The National Planning Policy Framework (July 2018) and Planning Practice Guidance (PPG) are also material planning considerations.
 - National Planning Policy Framework (July 2018) (NPPF)
- 7.3 The NPPF has at its core, a presumption in favour of sustainable development. (Paragraph 11).
- 7.4 Paragraph 91 sets out how new development should aim to "achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs."
- 7.5 Paragraph 94 attaches great importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities; and encourages local authorities to take a positive and collaborative approach to meeting the educational needs of communities and to give great weight to the need to create, alter or expand schools.
- 7.6 Paragraphs 96 & 97 promotes access "to a network of high quality open spaces and opportunities for sport and physical activities" these areas can only be built on under certain circumstances such as when "an assessment has been undertaken which has clearly shown the open space, building or land to be surplus to requirements." Or "the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a sustainable location" or "the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."
- 7.7 Paragraph 102 promotes sustainable transport and encourages the promotion of walking, cycling and the use of public transport.
- 7.8 Paragraphs 124, 127, 128 and 131 emphasise the importance of good design in sustainable development.

Fenland Local Plan 2014

- 7.9 The following policies from the above plan are of relevance:-
 - LP1 A Presumption in Favour of Sustainable Development;
 - LP2- Facilitating Health and Wellbeing of Fenland Residents

- LP3 Spatial Strategy, the Settlement Hierarchy and the Countryside;
- LP6 Employment, Tourism, Community Facilities and Retail;
- LP11 Whittlesey;
- LP12 Rural Areas Development Policy;
- LP13 Supporting and Mitigating the Impact of a Growing District;
- LP14 Responding to Climate Change and Managing the Risk of Flooding in Fenland;
- LP15 Facilitating the Creation of a More Sustainable Transport Network in Fenland:
- LP16 Delivering and Protecting High Quality Environments across the District;
- LP17 Community Safety;
- LP19 The Natural Environment.

<u>Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy</u>
<u>Development Plan Document (adopted July 2011) (M&WCS)</u>

7.10 Whilst not a mineral or waste planning application the following policies from the above plan are of relevance:-

Policy CS27 - Minerals Consultation Areas

Policy CS30 – Waste Consultation Areas

Emerging planning policy

7.11 Cambridgeshire County Council and Peterborough City Council have started a review of the Minerals and Waste Development Plan which will be known as the Minerals and Waste Local Plan. It has completed its first consultation stage in the form of the Minerals and Waste Local Plan Preliminary Plan (May 2018); and it is anticipated that consultation on a full Draft Minerals and Waste Local Plan will take place in March/April 2019. As an emerging draft Local Plan this document will only carry limited weight. The M&WCS and the Mineral and Waste Site Specific Proposals (M&WSSP) plan remain in force until the new Local Plan replaces them.

8.0 PLANNING CONSIDERATION

Justification, Need and the Principle of Development

8.1 The agent states in paragraph 2.5 of the Planning Statement that there is a projected demand for school places in Whittlesey. The existing primary school was stated as at July 2018 to host approximately 110 pupils aged 4-11 years with accommodation to accommodate up to 150 pupils together with the pre-school mobile unit which was granted temporary planning permission 31 August 2017, reference F/2005/17/CC until 31 August 2022. Also at paragraph 6.2 of the Planning Statement the planning agent draws attention to Whittlesey's designated status as a Market Town in the Fenland Local Plan 2014 and draws attention to the presumption in favour of development taking place within the settlement boundary. Section 2 of the Design and Access Statement explains that the

school used to be a 0.5 form entry until planning permission F/2005/17/CC increased the capacity of the school to a 1 Form Entry by freeing up the use of an additional classroom within the school by moving the pre-school into the mobile classroom. However this accommodation is temporary and it is stated that the school also needs to expand to 2 Forms of Entry. It is anticipated that there will be a demand for more school places in the future in Whittlesey owing to proposed housing development. This is clearly set out in Policy LP11 of Fenland Local Plan (Adopted May 2014) "The strategic allocation as a whole is expected to deliver around 500 dwellings."

- 8.2 Fenland Local Plan Policy LP3 Spatial strategy, the settlement Hierarchy and the Countryside, states that the majority of the district's new housing, employment growth, retail growth and wider service provision should take place in Market Towns such as Whittlesey. The local plan also discusses the fact that Investment in social and physical infrastructure capacity will be required to support future growth in Whittlesey. It is considered that the extension is in compliance with the above policy.
- 8.3 The proposed extension would increase the primary schools capacity from 150 school pupil places and 52 pre-school places to 420 primary school pupil places and 52 pre-school spaces. Paragraph 94 of the NPPF attaches great importance to ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities; and encourages local authorities to take a positive and collaborative approach to meeting the educational needs of communities. It is considered that the proposed extension would comply with this policy by providing school places.

Design, Community Involvement, and Residential Amenity

- 8.4 The proposed extension is linear in form and would be 96 metres (105 yards) in length. The footprint of the proposed extension has been broken down into three separate elements with different heights and differing materials. Together with the Main Hall and the proposed pre-school having each been set back slightly, these techniques will assist to reduce the mass and visual impact of the proposal. Additionally, cross-sections show that the proposed extension would be built at a level approximately 0.5 metres (approximately 1.6 feet) lower than that part of New Road nearest to the proposed extension. Revised plan 'Proposed site elevations P0580-A-230 revision 3 dated 30/01/19' shows that the height of the two storey houses opposite the school are in direct relationship with the two storey extent of the proposed primary school.
- 8.5 Two different contrasting bricks have been proposed for the proposed extension with rain screen cladding proposed for the Main Hall as outlined in paragraph 3.4 above. As part of the applicant's community involvement process prior to submitting the application a public exhibition is stated to have been held on 28 March 2018. Amongst the public feedback reported in paragraph 4.8 of the Planning Statement it is noted 'The proposed elevations should comprise local brick'. This may refer to bricks produced by the Whittlesey brickworks and/or to the local vernacular. A mix of brick types including light and dark multi bricks have been used on the residential development in the vicinity and the school is built of relatively modern red bricks. It would not be appropriate to recommend a condition requiring the use of particular brickworks in these circumstances,

which would serve to limit market forces. However, given that there is limited detail only in relation to the types of external facing materials, it is recommended that a materials condition be imposed should planning permission be granted to require the details of the external materials to be used to be agreed (see draft condition 7). Paragraph 127 of the NPPF states that planning decisions should ensure developments are "sympathetic to local character". Policy LP16 Delivering and Protecting High Quality Environments Across The District requires amongst other criteria:-

- '(d) makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.'
- 8.6 In terms of the proposed sustainability measures built into the design of the proposed school extension, the applicant's Planning Statement (paragraphs 6.36 6.37) sets out their proposed sustainability measures in order to be able to achieve a BREEAM standard of 'Very Good', which is in line with the County Council's expectations in relation to new school buildings. Measures such as the use of solar photovoltaics on the new flat roof of the central two storey block, concealed by a high parapet and the use of LED lighting will ensure that the proposals are also in accordance with Policy LP14 of the Fenland Local Plan. To ensure that such measures are delivered, particularly in relation to Energy and Water measures, and to ensure the details of such measures are understood, officers have recommended appropriate planning conditions (see draft conditions 25, 26 and 27)
- 8.7 Consideration has been given to the design of the proposed extension in relation to its surroundings. Policy LP16 of the Fenland Local Plan also provides among other criteria that development should not adversely impact on the amenity of neighbouring uses such as noise, light pollution, loss of privacy and loss of light. It is stated in the planning statement that consideration was given to residential amenity in the working up of the design and that the built footprint of a two storey main building and the fact that the proposed extension of the school would be sited along the southern boundary would mean that the extension would have negligible impact on residential amenity. The location of the intended built extension would not adjoin residential development. Proposed tree planting along the front of the school would reduce the potential for overlooking to occur between the school and dwellings beyond New Road. Both the school and the houses across new Road are set back from the road giving adequate distance between, to overcome issues of overlooking through windows. The second storey southern face of the two storey block is not proposed to have school classrooms overlooking the road so as to further reduce risk of overlooking to neighbours opposite as set out in paragraph 3.2 above. Neither the Fenland Environmental Health Officer nor local neighbours have raised any concerns about overlooking and planning officers are content that this matter has been given full consideration when assessing the proposed design.

- 8.8 Within the Public Exhibition attendance feedback stated in the Planning Statement (paragraph 4.8) there was concern raised over the planting of trees to the rear of the school, this was expected to adversely affect residential amenity by overshadowing. This feedback was considered and the landscape proposals revised to incorporate less planting at the rear of the school. In addition, three smaller trees are proposed to replace the small cluster of trees existing in the south-western corner of the site. This is considered to reduce the impact on residential amenity of overshadowing. There is a need for the trees for shading of pupils and a need for no net loss of habitat for local ecology, so officers consider that all elements have been balanced out to ensure that the scheme is still policy compliant whilst being sensitive to the concerns of the local residents.
- 8.9 Noise was also raised as a concern at the Public Exhibition and by one neighbour's consultation response. The level of noise both during and after the construction process was of concern. During the construction phase noise is controlled by Kiers Construction Environmental Management Plan. Kier state in their Construction Environmental Management Plan Rev 3 dated 11/04/19 that they are fully committed to keeping noise at a minimum, and will do this by imposing set site working hour restrictions, regularly servicing plant machinery and using silencing or boxing on generators. They also state that there will be signage to be able to contact site mangers if a problem arises and a feedback box so that residents can write to the construction company directly about any problems. During construction such measures are capable of being controlled by planning condition (see draft conditions 8, 9, 10 and 11). Noise surveys were also carried out on the current site and were compared to predicted noise levels and analysed in the Technical note produced by the MLM group dated 26/10/18. The conclusions made within the Technical note were:
 - The nearest sensitive receptor to the proposed MUGA is approximately 20 metres (approximately 21.9 yards) from the Northern boundary and using noise maps in the AGP Acoustic Guidance it is anticipated that noise level could be approximately 4db above the guideline value of 50db this is below the threshold of significant adverse impact. It was also considered that the expected MUGA noise levels are equal to the lower range of ambient levels measured outside of break and lunch time periods. "Taking all aspects into account, MUGA noise is likely to be audible at the nearest residential receptors however significant adverse impact would not be expected due to the absolute levels expected and the comparison against existing levels at the residential receptors; MUGA noise is not expected to be at a greater level than noise already experienced."
 - "It is understood that the number of pupils in the new school is expected to increase by an approximate factor of four; from 105 to 420. Theoretically speaking, and considering the unrealistic assumption that the source of noise is concentrated to a "point" and that all students made noise simultaneously, this increase in number of pupils using the outdoor areas could correspond to an increase of up to 6dB in the overall noise level produced during the times in which the external areas are in use. However, in practice the pupils would be spread and distributed around a large area and as a result, the anticipated increase in the overall noise levels generated is expected to be lower than 6dB."

The Fenland Environmental Health Officer did not have any objection to the application based on the findings of this technical note but requested a site management condition to deal with any noise complaints (see draft condition 28).

8.10 The above demonstrates how the application, and in particular the assessment of the design, community involvement and residential amenity elements of the proposals, is broadly in compliance with Paragraphs 124, 127, 128 and 131 of the NPPF 2018, the Planning Practice Guidance (particularly in relation to the assessment of noise) and Policy LP16 of the Fenland Local Plan 2014.

Open Space and Recreation

- 8.11 It is planned for two mini football pitches to be marked on the grassed area remaining, as well as a new 80 metre (87.5 yards) running track and for a new Multi Use Games Area (MUGA). The implications of the MUGA and outdoor space, particularly in relation to noise on residential amenity has already been acknowledged and assessed in the section on 'Design, Community Involvement and Residential Amenity' above. This section is therefore assessing the compliance with open space and recreational use, particularly from a Sport England perspective.
- 8.12 Paragraphs 96 & 97 of the NPPF promote access "to a network of high quality open spaces and opportunities for sport and physical activities" these areas can only be built on under certain circumstances. It is considered that the application complies with sub paragraph "97 b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a sustainable location". The plans were also acceptable to Sport England who had no objection under E5 of Sport England's Playing Field Policy, 'The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.'. Therefore the application is considered to be in compliance with paragraphs 96 and 97 of the NPPF 2018, guidance contained in the Planning Practice Guidance, and Policy LP16 of the Fenland Local Plan 2014.

Access, Traffic, Highways and Safety

- 8.13 Policy LP15 of the Fenland Local Plan 2014 provides that development will only be permitted where it does not have an unacceptable transport impact. The concerns from local residents, Whittlesey Town Council and the local member is to do with traffic, highways and safety, both during and after construction. The main concerns raised were to do with pupil drop off/pick up and the lack of room on the public highway; the fact that New Road is a dead end and there is a problem with vehicles turning around after drop off/pick up; public transport drop off / pick up which is meant to be at the corner of Bellmans Road and New Road; the lack of turning area for public transport to turn around if it drops off outside the school; the increase in traffic on the local highway; and a lack of safe road crossing facilities for pedestrians.
- 8.14 The applicant has provided additional information, which has satisfied the highways and Transport Assessment Officers that the proposal can be satisfactorily accommodated on

the site. The Highway Authority and the Transport Assessment Team worked with the applicant to ensure that mitigation schemes were designed to address all their concerns as follows:

- Vehicular access improvements to the current school car park This would allow safer entry / exit of the school car park for larger vehicles and for buses to be able to turn around if required to do so.
- Turning Head at Lattersey Nature Reserve Plan Offsite S278 Highway Improvement Works: General Arrangements Drawing 10-7969_ZZ-DR-C1900 Revision P5. A proposed turning head within the front entrance to the Lattersey nature reserve car park has been agreed with Highways as an acceptable mitigation measure for the issue of vehicles turning around along New Road. This area would need to be adopted as public highway as it currently belongs to Fenland District Council. To stop large vehicles using the car park as a turning circle a height restriction barrier that is currently at the front of the car park will be moved and reinstated further back. The turning head works have been agreed in principle by Fenland District Council and consent has been provided for works to provide the turning head to be carried out on their land subject to the adoption of this land by County Highways for future maintenance. County Highways has also confirmed its agreement to this approach.
- Extension to public Footway including uncontrolled pedestrian crossing facilities –
 Plan Offsite S278 Highway Improvement Works: General Arrangements Drawing 107969_ZZ-DR-C1900 Revision P5 The proposal is to have a 2 metre wide footpath with
 new footpath edgings from its current extent along new Road opposite the school to
 Lattersey Nature Reserve. This would allow extra space for pick up and drop off and
 safety for pupils being dropped off/picked up.
- Park and Stride from Manor leisure Centre This will be provided using Freedom Leisure managed Manor Leisure Centre car park owned by Fenland District Council. It involves parents/carers dropping children off in the Manor Leisure Centre Car Park where school staff would then greet them and escort them from this location to the school premises. Freedom have confirmed in writing to their agreement for school staff and children/parents using the leisure centre lobby to wait in cases of bad weather. At collection time staff would walk children back to the Leisure Centre car park to their parents/carers. This is an established walk route that the children do regularly for their swimming lessons. This would mitigate congestion along New Road and the lack of parking/waiting area outside the school and negate the need to turn around on New Road.
- Extension for Keep clear road markings and pedestrian guard rail To prevent parents from dropping off children directly outside of the school and keep pupils safe it was proposed by County Highways that the applicant would need to extend the keep clear/zig zag lines outside of the school. This has been agreed by the applicant and is conditioned below. Pedestrian guard railings were also agreed for outside all new pedestrian entrances to the school to safeguard pupils entering and exiting the school.
- Car and cycle parking As the Transport statement explains in paragraph 7.1.1 the number of car parking spaces has been set to cater for all projected staff, this will ensure no overspill car parking will occur. This is not withstanding the intention to promote more sustainable modes of travel by staff. There is no set primary school standards for cycle

- provision but the applicant states in the Transport statement that 120 new cycle scooter spaces will be provided which is a significant increase and that they will be encouraging staff and pupils to utilise this facility.
- Voluntary Exclusion Zone This proposal was put forward by the applicant but whilst it is seen to be a positive measure by the Transport Assessment Team it is not enforceable and therefore cannot be used as a key approach to mitigate the impact of the development.
- 8.15 The above mitigation measures have been secured by a combination of planning conditions and informatives (where linked into the S278 process) and can be evidenced in draft planning conditions 15, 16 and 17, and informatives 1, and 2.
- 8.16 In relation to the concerns surrounding construction traffic, the applicant has supplied a Construction Method Statement and has agreed to the construction working hours and delivery restrictions set out in draft conditions 8, 9, 10 and 11, which have been agreed with both the Highway Authority and the Environmental Health Officer at Fenland District Council.
- 8.17 Owing to these proposed mitigation strategies and the fact that the statutory consultees, the County's Transport Assessment Team and County Highways have all withdrawn their objections and agreed to the mitigation initiatives it is considered that the application is now in compliance with Paragraph 102 of the NPPF 2018 and Policy LP15 of the Fenland Local Plan 2014.

Car and cycle parking

- 8.18 The proposal includes 1 new car parking space, which will result in a total of 36 car parking spaces, which includes the 9 car parking spaces that will be returned to that use from the removal of the temporary mobile classroom once the extension works are completed. Taking into account the staffing levels proposed of 35 and that the parking standards set out in Fenland's Local Plan (Appendix A) do not have specific regard to primary schools, the applicant has informed their car parking spaces on the results of the Travel Plan. Therefore whilst a specific number is not evident in planning policy terms, and noting that a total of 36 car parking spaces for 35 staff may seem quite generous, when taking into consideration the existing parking problems in the area, officers are content that the car parking provision is in line with the needs of the development. The implementation and retention of such spaces can be secured by a planning condition (see draft condition 14).
- 8.19 The proposal includes 120 new cycle / scooter parking spaces. Taking into account the pupil levels proposed of 420 and that the parking standards set out in Fenland's Local Plan (Appendix A) do not have specific regard to primary schools, the applicant has informed their cycle / scooter parking on the result of the Travel Plan. The 120 new cycle / scooter parking spaces are proposed to be split for 72 cycles and 48 scooter. The applicant has noted that whilst this is higher than the modal shift under the existing Travel Plan, the applicants are committed to the promotion of sustainable travel. These cycle

and scooter parking spaces can be secured by a planning condition (see draft condition 13).

8.20 Taking account of the car and cycle provision put forward by the applicant and noting the response from the Transport Assessment Team, officers are content that the proposals are in compliance with Paragraph 102 of the NPPF 2018 and Policy LP15 of the Fenland Local Plan 2014.

Flood Risk and Surface Water Drainage

- 8.21 The application site is located in Flood Zone 1, on the basis of the flood defences in place. However, as acknowledged in the applicant's Planning Statement (paragraph 4.8) the area is prone to flooding and as the existing drainage is restricted they have taken pre-application advice with both the Middle Level Commissioners and other flood and water specialists to ensure that the design has taken such matters fully into account. Policy LP14 of the Fenland Local Plan 2014 states that all applications must have a drainage strategy and this must show that suitable consideration has been given to surface water drainage and appropriate arrangements for attenuating surface water run off can be accommodated within the site.
- 8.22 Anglian water considered the surface discharge rate unacceptable as first proposed 2.5l/s and that it must meet their minimum self-cleansing rate 5.0l/s. After further discussions with Anglian Water, the Lead Local Flood Authority and the middle level commissioners the agent submitted a revised Flood Risk Assessment on the 23rd of January 2019 with an agreed revised discharge rate. There are no further objections from the aforementioned consultees, subject to the approved Flood Risk and Drainage document being conditioned, alongside future maintenance arrangements (see draft conditions 23 and 24) and an informative added for Anglian Water to recommend that the applicant maintains discussions with them as part of wider consents necessary.

Landscape and Ecology

- 8.23 The applicant submitted a landscape drawing and associated Planting Schedule that has been accepted by the Wildlife Officer. These documents include the species to be used for the native hedge planting and the development may therefore be carried out in accordance with these details (see draft condition 19). Assessment of the removal of some of the existing landscape, including the removal of an existing conifer hedge (running along the eastern and part of the northern edge of the existing playground) was also reviewed, as the applicant's confirmed that it was necessary to allow access and direct sight lines to the proposed fenced MUGA.
- 8.24 In relation to ecology and biodiversity benefits, the Wildlife Officer has also approved the submitted information subject to appropriate planning conditions and informatives to ensure that the proposed mitigation is followed (see draft conditions 4, 5, 6, 19, 20 and 21 and informatives 5 and 6). The number, locations and specifications of the bird and bat boxes were considered acceptable and in line with planning policy.

8.25 On the basis of the landscape and ecological / biodiversity benefits assessed it is considered that subject to the proposed planning conditions the proposal is in accordance with paragraphs 118 and 170 of the NPPF, and Policy LP19 of the Fenland Local Plan 2014

Lighting

8.26 Officers have assessed the submitted lighting details shown on the External lighting Layout plan Drawing number 1726/E604 dated May 2018 from the perspective of both residential amenity and also in relation to wildlife, particularly bats. Subject to the lighting being controlled by planning condition (see draft condition 22) it is considered that the proposed lighting is acceptable and in accordance with Policy LP16 of the Fenland Local Plan 2014.

Mineral and Waste Consultation Areas

- 8.27 The proposed development falls within both a Mineral Consultation Area (M&WCS Policy CS27) and a Waste Consultation Area (M&WCS Policy CS30) which means that it is for the applicant to demonstrate that the proposals will not prejudice the relevant protections. The applicant has assessed this in paragraphs 6.20 to 6.24 of their Planning Statement and have concluded that the proposals will neither prejudice the use of the existing Whittlesey Recycling Centre or potential areas of sand and gravel in neighbouring areas.
- 8.28 Officers agree that the proposals will not prejudice the operations of the nearby Recycling Centre and noting the built up area involved is unlikely to prejudice the extraction of sand and gravel in the future. As such, the proposals are considered to be compliant with M&WCS Policies CS27 and CS30.

Contamination

8.29 Whilst no contamination has been found at the site, following guidance from both the Environment Agency and the Environmental Health Officer at Fenland District Council, officers have added a condition to address any unexpected contamination that may be found during construction (see draft condition 29).

9.0 CONCLUSION

- 9.1 It is considered that the purpose of the school extension is to provide much needed additional school places within Whittlesey. This is supported by paragraph 72 of the NPPF (2018). Whilst the concerns regarding transport and highway safety are acknowledged by officers, this proposal has the full support of the statutory consultees and subject to the necessary transport related mitigation measures outlined in paragraphs 8.14 to 8.21 of this report is capable of being made acceptable in land use planning terms.
- 9.2 The principle of the school extension in this location involves apportioning weight and balancing the objectives of the NPFF and local planning policies, after taking account of the mitigation measures sought. Taking into consideration all of the mitigation measures

- to be provided, together with the need for school places in Whittlesey, officers would therefore recommend approval of this application.
- 9.3 For the above reasons it is considered that subject to the recommended conditions and informatives, the proposal is compliant with national and local planning policy and guidance and should be supported.

10.0 RECOMMENDATION AND CONDITIONS

10.1 It is recommended that planning permission be 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 precommencement conditions. Condition 5 below requires further information to be submitted, or works to be carried out, to protect the environment and ensure sustainable methods of operation during the construction of the development and is therefore attached as a pre-commencement condition. The developer may not legally commence development on site until this condition has been satisfied.

Commencement

The development hereby approved shall be commenced not later than 3 years from the date of this permission. Within 14 days of the commencement of the development hereby approved, the County Planning Authority shall be notified in writing of the date on which the development commenced.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the planning and compulsory Purchase Act 2004.

2 Occupation of the development

Within 14 days of the first occupation of any part of the development hereby permitted, the County Planning Authority shall be notified in writing of the date on which the development is first occupied.

Reason: In order to be able to establish the timescales for the approval of details reserved by conditions in accordance with Policy LP2 and LP16 of the Fenland Local Plan May 2014.

3 Approved documents

The development hereby permitted shall be carried out in accordance with the application dated 3 July 2018 and the following plans and documents (received 3 July 2018, unless otherwise stated); and as amended by the information approved as required by the following conditions: -

- Location Plan Drawing Number P0580-A-200 Revision 01 dated 20.06.2018
- Proposed Demolition Plan Drawing Number P0580-A-215 Revision 01 dated 18.06.2018
- Proposed Demolition Roof Plan Drawing Number P0580-A-216 Revision 01 dated 18.06.2018
- Proposed Site Plan Drawing Number P0580-A-220 Revision 02 dated 03.07.2018
- Proposed Roof Plan Existing Building Drawing Number P0580-A-222 Revision 01 dated 21.06.2018
- Proposed Ground Floor Plan New Build Drawing Number P0580-A-223 Revision 01 dated 21.06.2018
- Proposed First Floor Plan New Build Drawing Number P0580-A-224 Revision 01 dated 21.06.2018
- Proposed Roof Plan New Build Drawing Number P0580-A-225 Revision 01 dated 29.06.2018
- Proposed Site Elevations Drawing Number P0580-A-230 Revision 03 dated 30/01/19
- Proposed Elevations Drawing Number P0580-A-231 Revision 03 dated 02.07.2018
- Proposed Sections Drawing Number P0580-A-232 Revision 02 dated 29.06.2018
- Proposed Fire Strategy Drawing Number P0580-A-235 Revision P1 dated 21.06.2018
- Proposed Fire Strategy First Floor Drawing Number P0580-A-236 Revision 01 dated 21.06.2018
- External Works Proposal Drawing Number HPL-LS01 Rev P8 dated 02.07.2018
- Planting Proposals Drawing Number HPL-LS02 Rev P2 dated 02.07.2018
- Tree Protection (Proposed) v4 dated 02/07/2018.
- Proposed External Works Construction Details Drawing Number 10-7969_XX-DR-C1030 Rev T2 dated 05.10.18
- Proposed External Works Plan Drawing Number 10-7969_XX-DR-C1000 Rev T2 dated 05.10.18
- Proposed Drainage Plan 10-7969_XX_DR D2000 T3 dated 22.010.19 received 23.01.19;
- Proposed Drainage Details 10-7969_XX_DR-D2030 T2 dated 22.01.19 received 23.01.19;
- MUGA Proposals Drawing Number HPL-LS05 Rev P1 dated 13.09.18
- Flood Risk Assessment and Drainage Strategy Rev B dated 22 October 2018.
- Ecological Impact Assessment Bats by Greenwillows Associates Ltd dated August 2018
- Transport Assessment by Scott White and Hookins dated November 2018
- School Travel Plan Update by Scott White and Hookins dated October 2018
- Responses to 1598 TA Review dated 07.11.18
- Technical Note 001 on the Noise Impact by MLM Group dated 26 October 2018

- Offsite S278 Highway Improvement Works: General Arrangements Drawing Number WCPS-PDL-EX-ZZ-DR-C-1900 Rev P1 dated 06.11.18
- Off Site Access S278 Works Drawing Number WCPS-PDL-EX-ZZ-DR-C-1101 Rev P2 dated 28/01/19
- Revised Highway mitigation plan10-7969_ZZ-DR-C1900 Rev P5 dated 22.01.19 received 23.01.19
- School bus procedures dated January 2019

Reason: To define the site and protect the character and appearance of the locality in accordance with policies LP1,LP2, LP3, LP6, LP11, LP13, LP14, LP15, LP16, LP17 and LP19 of the Fenland Local Plan May 2014.

4 Roof Stripping and Demolition – Bats

No demolition or roof stripping shall be carried out until the roofs of all existing buildings to be altered or demolished have been inspected by a licenced Ecologist and soft-stripped in the presence of a licenced Ecologist in strict accordance with the details in the Ecological Impact Assessment: Bats Report August 2018.

<u>Reason:</u> To minimise impact upon bats and ensure that there is no net loss in biodiversity in accordance with Policy LP19 of the Fenland Local Plan May 2014.

5 Amphibian Protective Fencing

No development shall commence until the amphibian protective fencing has been erected as shown within the greenwillows associates ltd letter dated 24/01/2019. The protective fencing shown within the greenwillows associates ltd letter dated 24/01/2019 shall be thereafter retained for the full duration of the development to which it relates.

Reason: To prevent protected species and other notable amphibians including Great Crested Newts entering the working area and leading to harm in accordance with Policies LP16 and LP19 of the Fenland Local Plan May 2014.

6 Tree Protective Fencing

No development shall commence upon any part of the Multi Use Games Area (MUGA); or the reinstatement of the car park; or the erection of any part of the electricity sub-station facility until the tree protective fencing has been implemented in full in relation to that part of the development as shown on Tree Protection (Proposed V4) drawing dated 02/07/2018. All protective fencing shall be thereafter retained for the full duration of the development to which it relates.

Reason: In the interests of landscape character and nature conservation in accordance with Policies LP16 and LP19 of the Fenland Local Plan adopted May 2014.

External Facing and Roofing Materials

7 No development shall commence on the construction of the extension hereby permitted above ground level until full details of facing and roofing materials shall have been submitted to and approved in writing by the County Planning_Authority. The development shall be constructed in accordance with the approved details.

Reason: To protect the character and appearance of the locality in accordance with policy LP16 of the Fenland Local Plan May 2014.

Construction / Demolition Delivery and Collection Hours

8 No construction or demolition related deliveries to or from the site, or removal of waste or materials to or from the site, shall take place during school term time between the hours of 8.30am – 9.30am and 2.30pm and 3.30pm – 4pm Mondays to Fridays.

Reason: In the interests of highway safety and to protect the amenity of occupiers of nearby properties in accordance with Policies LP11, LP15 and LP17 of the Fenland Local Plan May 2014.

Construction and Demolition Works

All construction work, including the operation of plant and the demolition of buildings shall only be carried out between the following permitted hours and as restricted by Condition 8 above:

08:00 to 18:00 daily on Mondays to Fridays;

08:00 to 13:00 on Saturdays;

And, at no time on Sundays, Bank or Public Holidays.

Reason: In the interests of highway safety and to protect the amenity of occupiers of nearby properties in accordance with Policies LP2 and LP16 of Fenland Local Plan May 2014.

Construction Method Statement

10 The extension hereby permitted shall only be implemented in full compliance with the Construction Environmental Management Plan (CEMP) submitted by KIER, dated 27/06/18.

Reason: To protect the amenity of nearby properties, existing biodiversity on site and the wider environment in accordance with Policies LP2, LP16 and LP19 of the Fenland Local Plan May 2014.

Traffic Management Plan

The extension hereby permitted shall only be implemented in compliance with the "Transportation and Traffic Management Plan" dated 07.06.2018.

Reason: In the interests of highway safety and to protect the amenity of nearby properties in accordance with Policies LP2, LP15, LP16 and LP17 of the Fenland Local Plan May 2014.

Hard Court Areas and Sports Pitch Provision

The extension hereby permitted shall not be occupied until the hard court areas and sports pitch provision as shown on the Proposed Site Plan drawing number P0580-A-220 Rev 02 dated 03.07.2018; the MUGA Proposals drawing number HPL-LS05 Rev P1 dated 13.09.2018; the Proposed External Works Plan drawing number 10-7969-XX-DR-C1000 Rev T2 dated 05.10.18 and the Proposed External Works Construction Details drawing number 10-7969-XX-DR-C1030 Rev T2 dated 05.10.18 shall have been constructed, and marked out in accordance with the approved details.

The hard court areas and sports pitch provision shall be made available for use, and thereafter retained as sports provision only.

Reason: To ensure the school makes adequate safe provision for outdoor sports facilities in accordance with Policies LP2 and LP16 of the Fenland Local Plan May 2014.

Cycle Racks and Scooter Parking

The extension hereby permitted shall not be occupied until the cycle and scooter provision detailed on the Proposed Site Plan drawing number P0580-A-220 Rev 02 dated 03.07.2018 shall have been installed in its entirety and made available for use. The cycle and scooter parking provision shall thereafter be retained in accordance with the approved details for its specific use.

Reason: To promote sustainable travel in accordance with Policies LP2 and LP15 of the Fenland Local Plan May 2014.

Car Parking

The extension hereby permitted shall not be first occupied until the parking spaces as shown on Proposed Site Plan drawing number P0580-A-220 Rev 02 dated 03.07.18, Offsite S278 Highway Improvement Works: General Arrangements Drawing Number WCPS-PDL-EX-ZZ-DR-C-1900 Rev P5 dated 22/01/19 shall have been demarcated, levelled, surfaced, drained and provided in their entirety. Thereafter they shall be retained in their entirety for their specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policies LP2, LP15 and LP17 of the Fenland Local Plan May 2014.

Off- site works

The extension hereby permitted shall not be first occupied until a 1.8m wide footway; an uncontrolled pedestrian crossing; a turning head and vehicular access improvements have been constructed in their entirety and laid out in accordance with the approved details shown on the Offsite S278 Highway Improvement Works: General Arrangements Drawing Number WCPS-PDL-EX-ZZ-DR-C-1900 Rev P5 dated 22/01/19 and with constructional details to have been previously submitted to and approved in writing by the County Planning Authority.

Reason: In the interests of highway safety in accordance with Policies LP2, LP15 and LP17 of the Fenland Local Plan May 2014.

School access

The extension hereby permitted shall not be first occupied until the existing school access has been laid out in accordance with drawing number WCPS-PDL-EX-ZZ-DR-C-1101 Revision P2 dated 28/01/19 and constructed in accordance with detailed plans to be submitted and approved in writing by the County Planning Authority.

Reason: In the interests of highway safety in accordance with Policies LP2, LP15 and LP17 of the Fenland Local Plan May 2014.

Highways

17. The extension hereby permitted shall not be first occupied until details of the road markings restricting school parking along New Road in relation to the land immediately adjacent to the school and details of pedestrian guard railings at the site pedestrian access points have been submitted to and approved in writing by the County Planning Authority.

Prior to the occupation of the extension hereby permitted the approved road markings and pedestrian guard railings shall be implemented in full in accordance with the approved details and retained thereafter.

Reason: To restrict parking in the immediate vicinity of the school in the interest of Highway safety in accordance with Policies LP2, LP15 and LP17 of the Fenland Local Plan May 2014.

School Travel Plan

Within nine months of first occupation of any part of the extension hereby permitted, a revised School Travel Plan shall be submitted to, and approved in writing by, the County Planning Authority. The approved School Travel Plan shall include mitigation measures including the provision of, when required, a Park and Stride Scheme using the Manor Leisure Centre Station Road car park and building; an implementation timetable and details relating to its review and the approved updated School Travel Plan shall be implemented in full in accordance with the agreed timetable.

Reason: To ensure the safe and efficient operation of the highway and promote sustainable travel in accordance with Policies LP2, LP15 and LP17 of the Fenland Local Plan May 2014.

Hard and Soft Landscaping and Biodiversity Implementation and Management

The extension hereby permitted shall not be first occupied until the hard and soft landscaping, and biodiversity enhancements referred to in the Landscaping and Biodiversity Management Plan June 2018 and in accordance with Planting proposals Drawing Number HPL-LSO Rev P2 dated 02/07/18, and Planting Schedule P2 received 03.07.18 have been carried out in their entirety.

Reason: In the interests of landscape character and nature conservation in accordance with Policies LP16 and LP19 of the Fenland Local Plan May 2014.

Replacement Planting

20 If within a period of five years from the date of its planting any tree, shrub or seeding fails or is removed other than in accordance with the approved details, that tree, shrub or seeding, or any tree, shrub or seeding planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place, unless the County Planning Authority has given prior written consent for any variation.

Reason: To ensure there is a net gain in biodiversity and in the interests of the visual appearance in accordance with LP16 and LP19 of the Fenland Local Plan May 2014.

Protection of Mammals

21 During construction works all open construction trenches shall be capped overnight or a means of escape from the construction trenches shall be provided to ensure the protection of mammals on site.

Reason: In the interests of preventing mammals from being trapped in accordance with Policies LP16 and LP19 of the Fenland Local Plan May 2014.

Lighting

No new lighting shall be installed except in accordance with the lighting details approved and shown on the External lighting Layout plan Drawing number 1726/E604 dated May2018. All new lighting installed shall thereafter be retained and operated only in accordance with the approved details.

Reason: To prevent inappropriate light pollution, unacceptable loss of residential amenity and to minimise impact upon bats in accordance with policies LP2, LP16 and LP19 of The Fenland Local Plan May 2014.

Foul and Surface Water Drainage

- 23 The development hereby permitted shall not be first occupied until the foul and surface water drainage scheme as shown the following drawings:-
 - Proposed External Works Plan 10-7969_XX_DR-C1000 T2 dated 05.10.18
 - Proposed External Works Construction Details 0-7969_XX_DR-C1030 T2 dated 05.10.18
 - Proposed Drainage Plan 10-7969_XX_DR D2000 T1 dated 05.10.18;
 And
 - Proposed Drainage Details 10-7969_XX_DR-D2030 T1 dated 05.10.18;

shall be constructed in full accordance with the approved details.

Reason: To prevent an increased risk of flooding and protect water quality in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

Maintenance of surface water drainage scheme

The approved scheme and timetable for maintenance of the surface water drainage scheme contained within Appendix K of Flood Risk Assessment and Drainage Strategy Rev B dated 22 October 2018 shall be implemented in full in accordance with the approved details.

Reason: To prevent an increased risk of flooding and protect water quality in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

BREEAM

- 25 Within 6 months of the commencement of development:
 - i) evidence that the development is registered with the Building Research Establishment (BRE) under BREEAM (either a BREEAM Buildings; scheme or a bespoke BREEAM) and a Design Stage Assessment Report showing that the development will achieve a BREEAM overall assessment of Very Good shall be submitted to the County Planning Authority; And
 - ii) a BRE issued Design Stage Certificate demonstrating that the development has achieved a BREEAM rating of within an overall assessment of Very Good shall be submitted to, and approved in writing by, the County Planning Authority. A completed pre-assessment estimator will not be acceptable. Where the design stage certificate shows a shortfall in credits for BREEAM Very Good, a statement shall be submitted identifying how the shortfall will be addressed.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

BREEAM Post-Construction Review

Within 12 months of the first occupation of the development a certificate following a post-construction review shall be issued to the County Planning Authority by an approved BREEAM Assessor indicating that a BREEAM rating of Very Good or better has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: To ensure that the development is sustainable and makes efficient use of energy, water and materials in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

Details of Photovoltaics

The development hereby permitted shall not be first occupied until details of the photovoltaics shown on New Build Roof Level Plan, Drawing Number WCPS-SBA-01-RF-DR-A-0012, Revision: P06, dated 31.05.2018, shall be submitted to, and approved in writing by the County Planning Authority. The photovoltaics shall be installed in their entirety in accordance with the approved details.

Reason: To ensure that the development is sustainable in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

Site Noise Management and Mitigation Plan

- The extension hereby permitted shall not be first occupied until details of a noise management and mitigation plan has been submitted to and approved in writing by the County Planning Authority. The plan shall include, but not be limited to:
 - (a) any proposed mitigation measures or limitations of hours of use to ensure that noise levels are controlled within the site;
 - (b) details of where on site the register of any noise complaints will be kept and updated with actions taken for inspection by the County Planning Authority; and
 - (c) the details of noise complaint procedures, and the measures the applicant will take in the event noise limits assessed in the planning application have been exceeded such as further mitigation measures that could be introduced.

Occupation of the extension shall not be permitted until all of the provisions of the approved noise management and mitigation plan are approved in writing by the County Planning Authority . The approved mitigation measures shall be thereafter retained and activities shall take place in full accordance with the approved noise management and mitigation plan thereafter.

Reason: To limit the effects on local amenity and to control the impacts of the development in accordance with Policy LP16 of the Fenland Local Plan May 2014.

Unexpected Contamination

29 If, during development, contamination not previously identified is found to be present at the site then no further development, shall be carried out until the applicant has submitted a remediation strategy detailing how this unsuspected

contamination shall be dealt with and obtained written approval from the County Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To prevent the increased risk of pollution to the water environment, in accordance with Policies LP1 and LP14 of the Fenland Local Plan May 2014.

Informatives

- 1. This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.
- 2. The applicant should note that the nature of the highway works proposed will necessitate the completion of a Short Form 278 Highway Works Agreement between the developer and the LHA prior to commencement.

Surface Water Run off

3. The pipe between manholes SWMH 05 and SWMH 06, SWMH 20 and SWMH 22 and SWMH 23 appears to be positioned beneath a building. It is acknowledged that this system will be adopted, this practice contradicts the principles outlined in Paragraph 8, section C3.1 of Sewers for Adoption 7th Edition – A Design & Construction Guide for Developer which states that: 'surface water sewers and lateral drains should not normally be constructed under any building...Where it is not reasonably practicable to route the sewer around the building, surface water sewers with a nominal internal diameter of no more than 100mmmay be laid under a building, provided that the sewer takes the drainage from no more than one rainwater pipe...'

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 flow within the water course is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Anglian Water – connection to the public sewer or surface water disposal advice

4. If the applicant intends to connect to the public sewer notification of intention to connect is required under S106 of the Water Industry Act and consent will be required

by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

The surface water disposal rate must meet Anglian Water's minimum self cleansing rate of 5.0l/s.

Bird breeding

5. The operational set up should avoid the bird breeding season February to August inclusive to avoid damage to nesting species. If this is not practicable then a nesting bird survey should be undertaken by an experienced ecologist prior to the site clearance commencement to identify whether active nests are present. If any nests are found they should be clearly marked and avoided until after the young have fledged and left the nest.

Bats

6. As a precautionary measure any lead flashing should be stripped by hand prior to any large scale work commencing. If bats are found to be present then work should cease until further advice is sought from a licensed ecologist on how to proceed. The Ecology Officer has stated that a European Protected Species Licence will be required under separate legislation.

Historic Landfill

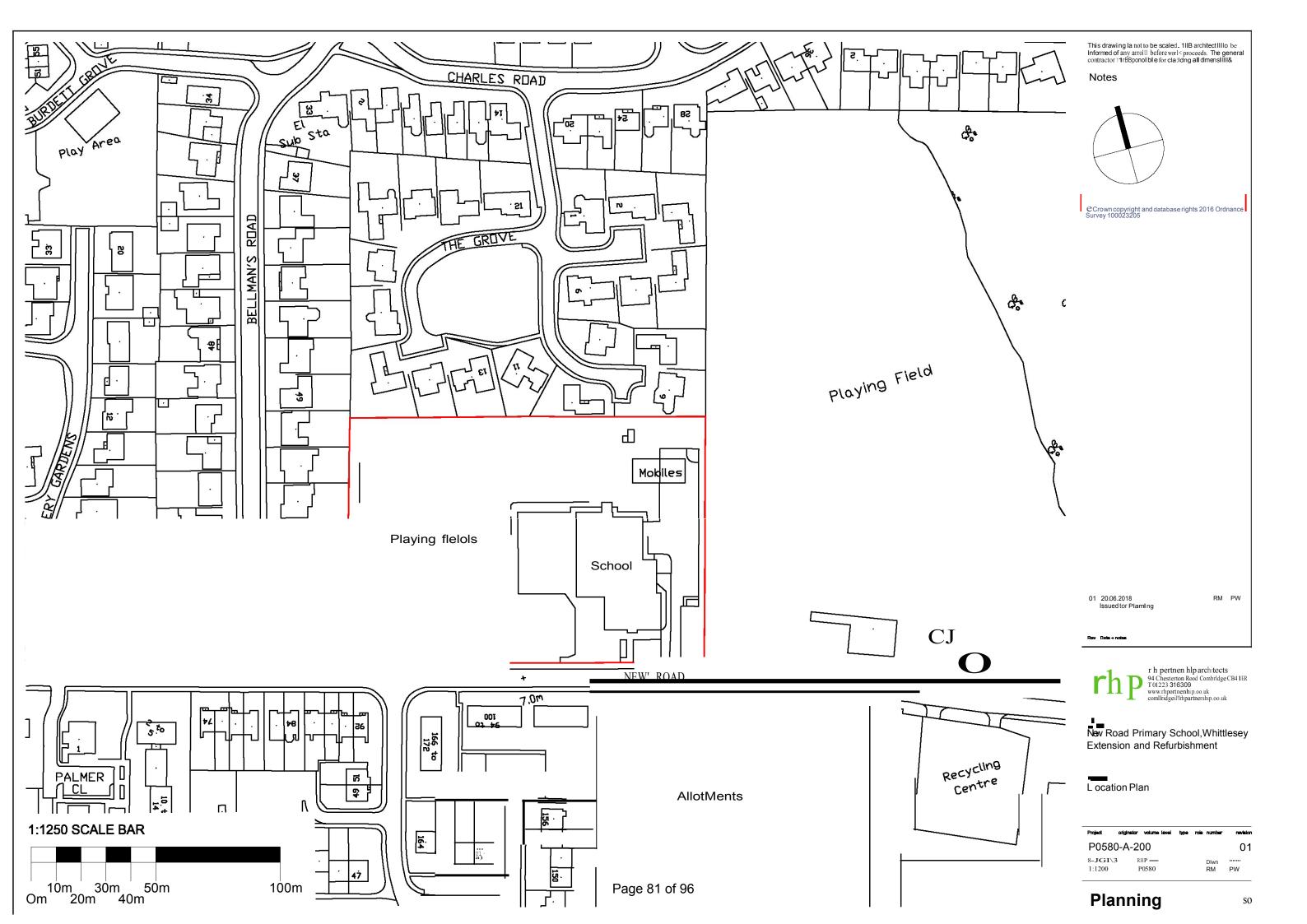
7. The applicant's attention is drawn to the fact that the development site is within 250 metres of a former waste disposal site and it is your responsibility to ensure the safe development and secure occupancy of the development. Should the applicant need further information with regard to the landfill site, they are advised to contact the County Council as the Waste Disposal Authority for this information.

Compliance with paragraph 38 of the National Planning Policy Framework

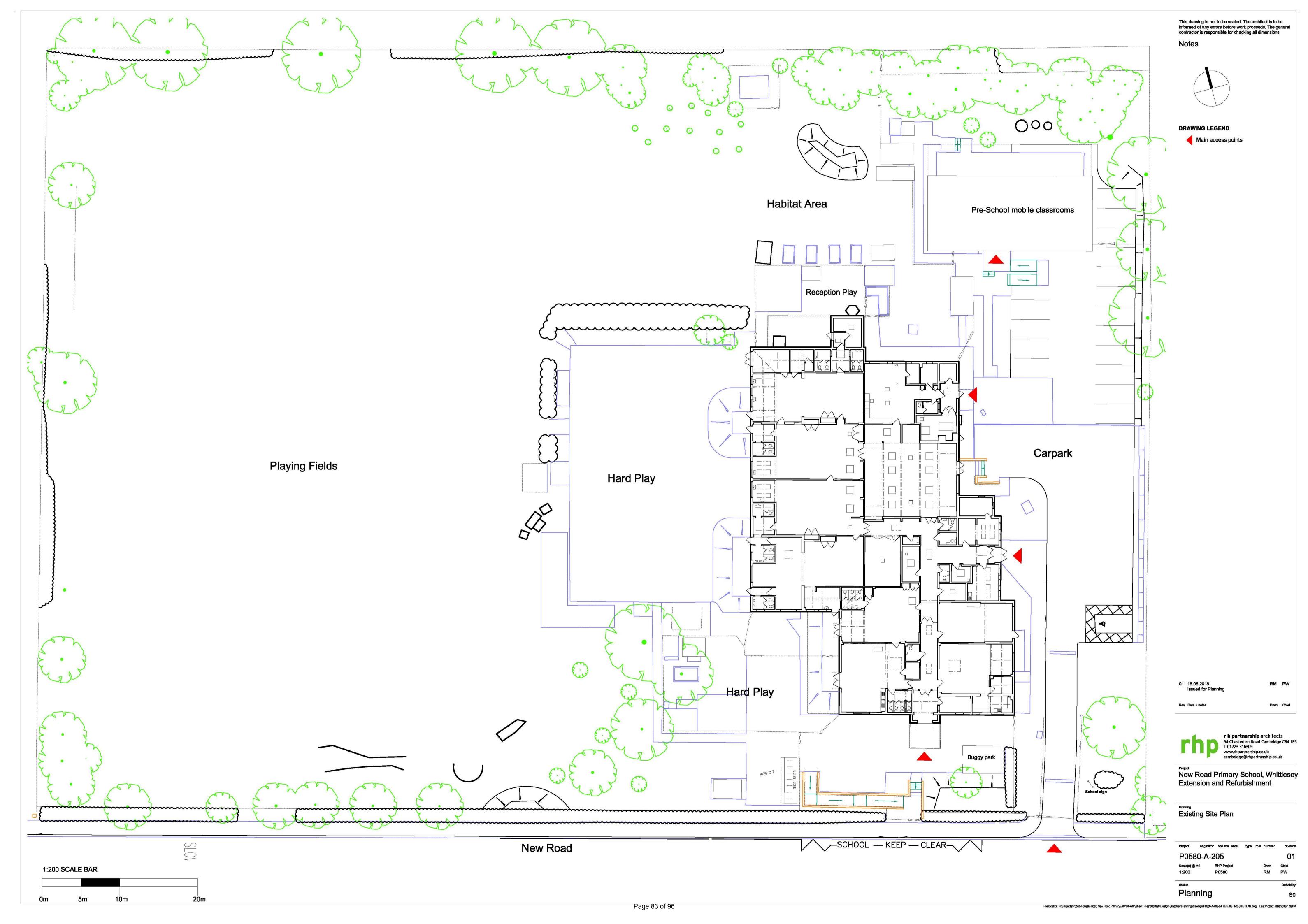
Officers have worked with the applicant in a positive and creative way to ensure that all possible mitigation measures have been reviewed to address the land use planning concerns raised. The final proposal has sought to ensure that the economic, social and environmental conditions of the area are maintained whilst delivering much needed school places for children in Whittlesey. The changes made by the applicant have ensured the support of all statutory consultees.

Source Documents	Location
Link to the National Planning Policy Framework (July 2018)	
https://www.gov.uk/government/publications/national-planning-	
policy-framework2	
Link to the Cambridgeshire and Peterborough Minerals and Waste	
Core Strategy:	
https://www.cambridgeshire.gov.uk/business/planning-and-	
development/planning-policy/adopted-minerals-and-waste-plan/	
Link to the Fenland Local Plan	
https://www.fenland.gov.uk/media/12064/Fenland-Local-Plan	
Adopted-2014/pdf/Fenland_Local_Plan-Adopted_2014.pdf	

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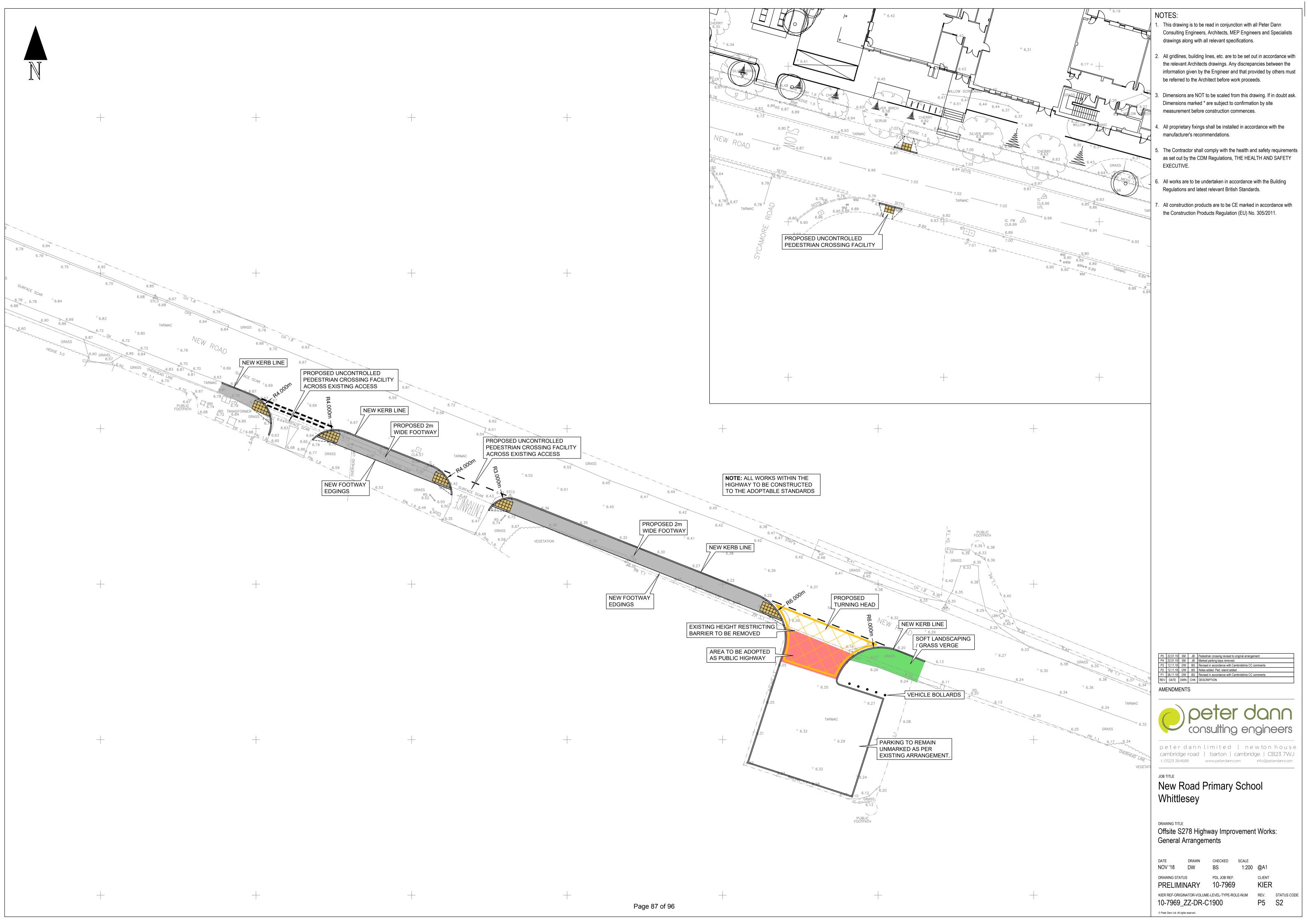
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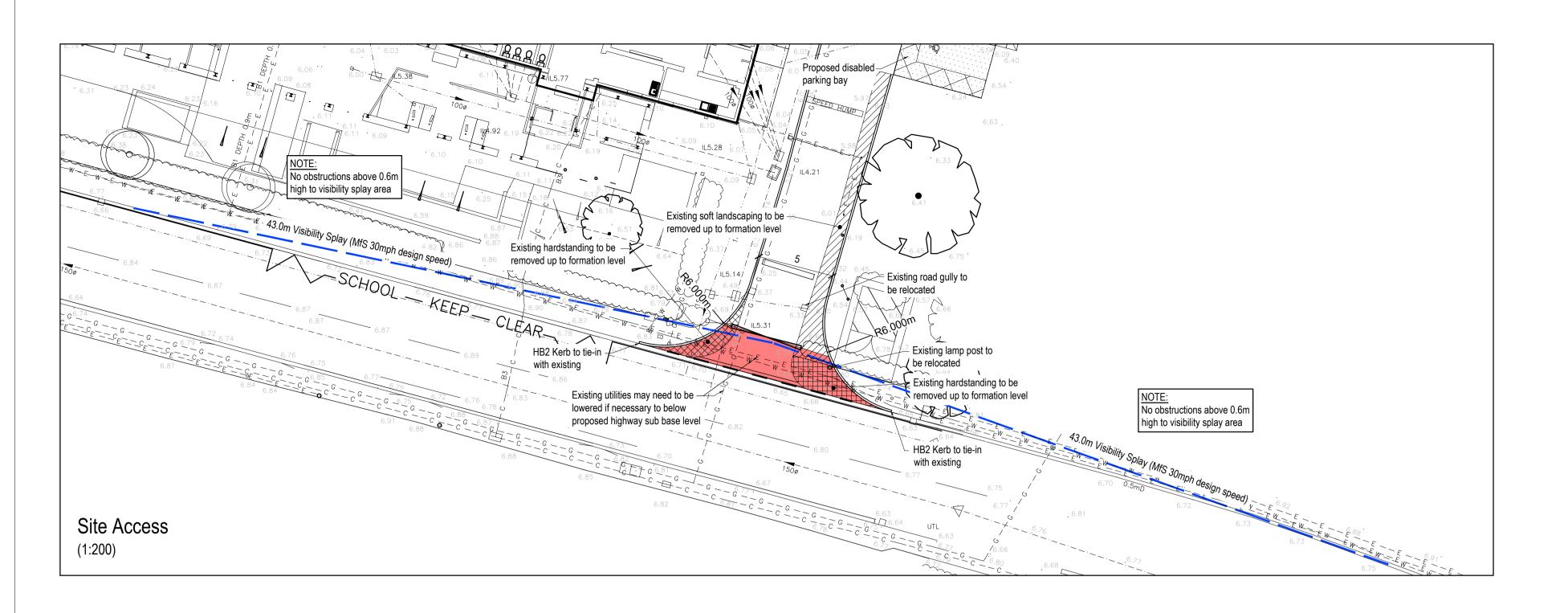
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NOTES:

- This drawing is to be read in conjunction with all Peter Dann
 Consulting Engineers, Architects, MEP Engineers and Specialists
 drawings along with all relevant specifications.
- 2. All gridlines, building lines, etc. are to be set out in accordance with the relevant Architects drawings. Any discrepancies between the information given by the Engineer and that provided by others must be referred to the Architect before work proceeds.
- Dimensions are NOT to be scaled from this drawing. If in doubt ask.
 Dimensions marked * are subject to confirmation by site measurement before construction commences.

2.4m x 43.0m Visibility Splay (MfS 30mph design speed)

P2 28.01.19 EH JB Drawing revision updated for planning.
P1 11.01.19 EH JB Preliminary issue

REV DATE DWN CHK DESCRIPTION

AMENDMENTS



peter dann limited | new ton house cambridge road | barton | cambridge | CB23 7WJ t: 01223 264688 www.peterdann.com info@peterdann.com

JOB TITLE

New Road Primary School Whittlesey

DRAWING TITLE
Off Site Access S278 Works

DATE DRAWN CHECKED SCALE
DEC '18 EH JB 1:200 @A1

DRAWING STATUS PDL JOB REF. CLIENT
PRELIMINARY 10-7969 KIER

KIER REF-ORIGINATOR-VOLUME-LEVEL-TYPE-ROLE-NUM REV. STATUS CODE
WCPS-PDL-EX-ZZ-DR-C-1101 P2 S2

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Summary of Decisions Made Under Delegated Powers

To: Planning Committee

21 February 2019

From: Joint Interim Assistant Director,

Environment & Commercial

Electoral division(s): All

Purpose: To consider the above

Recommendation: The committee is invited to note the report

Officer contact:

Name: Vikki Etheridge
Post: Planning Co-ordinator

E-mail: vikki.etheridge@cambridgeshire.gov.uk

Tel: 01223 715518

1.0 INTRODUCTION

- 1.1 At the committee meeting on 31 January 2005 it was 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 Joint Interim Assistant Director Environment & Commercial) 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:

https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/.

2.0 SUMMARY OF DECISIONS

- 2.1 Six applications have been granted planning permission under delegated powers during the period between 03/12/2018 to 12/02/2019 as set out below:
 - 1. **S/0095/18/CC** Development of Waterbeach Community Primary School from a 2 form entry school to a 3 form entry (630 places) including a two storey teaching block extension with a single storey link, front entrance, additional car and cycle/scooter parking provision and external landscaping works.

Location: Waterbeach Cp School, High Street, Waterbeach, CAMBRIDGE, CB25 9JU

Decision granted 6/12/2018

For further information please contact Jack Millar on 01223 703851

2. **S/0088/18/CM** – Extraction of sand and gravel, restoration using inert material and inert waste recycling

Location: Mitchell Hill Farm, Twentypence Road, Cottenham, CAMBRIDGE, CB24 8PP

Decision granted 13/12/2018

For further information please contact Jane Stanley on 01223 743812

3. S/0099/18/CC – Section 73 planning application to expand the existing 360 place junior school, to include a two storey extension, two single storey extensions, 3 canopies to the reception area classrooms, additional car parking, cycle and scooter parking, and the creation of an artificial sports pitch to enable it to expand to a 630 place primary school with amended wording to Condition

24 (Station Road Footpath Widening), to allow footpath widening to be completed by 31st October 2019 of planning permission S/0243/17/CC.

Location: Histon and Impington Junior School, The Green, Histon, Cambridge, CB24 9JA

Decision granted 21/12/2018

For further information please contact Kirsty Carmichael on 01223 703216

4. **S/0104/18/CC** – Section 73 planning application to develop land without complying with condition 1 of permission S/0198/16/CC, to allow retention of the mobile Library building until 31st December 2021.

Location: Sawston Village College Library, New Road, Sawston, Cambridgeshire, CB22 3BP

Decision granted 8/1/2019

For further information please contact Tracy Rockall on 01223 699852

5. **S/0103/18/CC** – Planning application for the erection of one 5-bay mobile classroom 15m x 8.1m to accommodate the after school club for a temporary period until 31st August 2023.

Location: Bassingbourn Primary School, Brook Road, Bassingbourn Cum Kneesworth, SG8 5NP

Decision granted 31/1/2019

For further information please contact Tracy Rockall on 01223 699852

6. F/2011/18/CW – Section 73 planning application to develop land without complying with conditions 9 & 10 of planning permission F/2000/17/CW (Continuation and extension of mineral extraction and waste disposal & management activities granted 21 May 2018) to allow 80,000 cubic metres of clay to be extracted for unspecified engineering projects

Location: Witcham Meadlands Quarry, Block Fen Drove, Mepal, CB6 2AY

Decision granted 11/2/2019

For further information please contact Helen Wass on 01223 715522

Source Documents	Location
Applications files	SH1315, Shire Hall, Cambridge, CB3 0AP

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