

## **PLANNING COMMITTEE: MINUTES**

Date: Thursday 6<sup>th</sup> November 2014

Time: 10.00 – 10.40

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors P Brown (substituting for Cllr J Reynolds), D Connor (Chairman), W Hunt, S Kindersley, A Lay, M Loynes (substituting for Cllr K Reynolds), M Mason, J Scutt and M Smith

### **94. APOLOGIES AND DECLARATIONS OF INTEREST**

Apologies for absence were received from and J Reynolds (Chairman) (Cllr P Brown substituting), D Jenkins, B Ashwood, K Reynolds (Cllr M Loynes substituting).

Councillor Connor declared an interest in the Westry Anaerobic Digestion Plant as his brother in law worked at the plant. This did not represent a Disclosable Pecuniary Interest and he therefore did not have to leave the meeting for that application.

### **95. MINUTES – 9<sup>TH</sup> OCTOBER 2014**

The minutes of the Planning Committee meetings held on 9<sup>th</sup> October 2014 were agreed as a correct record and signed by the Chairman.

### **96. NEW INTERNAL ACCESS ROAD AT WESTRY ANAEROBIC DIGESTION PLANT, WISBECH ROAD, WESTRY, MARCH, PE15 0BA LPA REF: F/2008/14/CW FOR: LOCAL GENERATION LIMITED**

The Committee considered an application for a new internal access road and the improvement of internal vehicle circulation at the Westry Anaerobic Digestion Plant.

An objection to the new internal access road had been raised by the Internal Drainage Board (IDB). Middle Level Commissioners (MLC) as engineering consultants to the IDB considered that the applicant had not provided adequate information to demonstrate a viable scheme that met the IDB's requirements and current design standards for water level/flood risk management systems. The MLC had objected to the proposal because they considered there was insufficient information to determine:

- the current surface water management at the existing property and how it would be affected by the proposal.
- the future long term maintenance of adjacent private watercourses
- the detrimental effects of surface water run-off from the site on the neighbouring properties and the surrounding area.

No further objections to the plans had been raised.

Councillor Steve Count as the Local Member for the Westry area submitted his views via an email, in which he stated that while he had no objections to the proposal overall, he was concerned by the comments of the IDB and wished for an objection to be recorded alongside theirs. Cllr Count requested that these matters be resolved prior to approval being considered. He asked that approval was not granted on the promise that the matters would be dealt with and that these matters were dealt with first. Once they had been Cllr Count would remove his objection.

Officers provided an overview of the Westry Anaerobic Digestion Plant and how the internal access road was designed to route traffic around Fenmarc potato packing plant thereby preventing Heavy Goods Vehicles having to queue on the main road before entering the site.

The residents of Westry Villa had raised concerns over the plans, however, these had been addressed by the applicant and the residents were happy with the revisions made.

Officers advised the Committee that since the publication of the report there had been numerous discussions had taken place with MLC, and the applicant had provided further information that mitigated their concerns. The drainage scheme proposed had now been approved by MLC, however they have stated their objection still stood due to one outstanding issue regarding a byelaw application for Consent for Works In and Around Watercourses.

Officers advised that the byelaw application fell entirely under the MLC's remit. It did not form part of the planning process and was a separate application that Cambridgeshire County Council had no control.

Cambridgeshire County Council's Legal Officer advised the Committee that he had spoken to Councillor Count just prior to the meeting. Councillor Count believed that it was now for the Members of the Committee to decide whether they were satisfied or not with the application.

Frank Hayes, the applicants' agent, spoke in support of the application, and raised the following points.

- Westry Anaerobic Digestion Plant used waste food and from it produced energy and soil conditioner.
- The new access road was required to separate traffic from Fenmarc Potato Packing Plant and supported the customer needs with ease of access and supported the growth of the business. Both Fenland District Council and March Town Council had approved of the scheme.
- Work had been carried out with the IDB in order to make the scheme work. The only objection remaining from the IDB was regarding a byelaw application that was not a matter for the Committee.
- The benefits of the Westry Anaerobic Digestion Plant included local employment and the plant being a source of renewable energy. He requested that because of these benefits the scheme be approved.

Members of the Committee sought assurance from the applicant that the residents of Westry Villa had been fully consulted during the process and that the concerns they had raised in their letter had been addressed. The applicant informed the Committee that the residents of Westry Villa had been fully consulted and had approved of the changes made to the plans following their input.

A member requested to see a copy of the proposed landscaping scheme for the site and Officers advised that it would be provided.

Members expressed frustration that the IDB had taken so long in putting forward their objections. It was felt that if they had been raised sooner then the need to take the application to Committee could have been avoided and considerable cost to the tax payer saved. They requested a letter be sent by the Chair and Vice Chair to the IDB highlighting the importance of lodging objections to development proposals in a timely manner. **ACTION**

The Committee resolved unanimously to approve grant planning permission, in accordance with the conditions set out in **Appendix 1** to these minutes, subject to the amendments tabled by officers.

## **97. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS**

The Committee received a report on decisions made under delegated powers between 29<sup>th</sup> September and 28<sup>th</sup> October 2014.

The Committee resolved to note the report.

## **98. DATE OF NEXT MEETING: THURSDAY 11<sup>TH</sup> DECEMBER 2014**

Chairman

1. The development hereby permitted shall be commenced not later than three years from the date of this permission.

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

2. Approved plans

The development hereby permitted shall be carried out in accordance with the following documents and drawings:

- Planning Supporting Statement (received: 18 August 2014)
- Flood Risk Statement (received: 05 September 2014)
- Preliminary Ecological Appraisal (received: 18 August 2014)
- Site Location Plan ST10728-101 (received: 03 September 2014)
- Plan and General Arrangement of Proposed Access SL004424/200 rev G
- Typical Drainage Details SL04424/206 Rev A
- Typical Drainage Details SL04424/207
- Typical Drainage Details SL04424/208
- Interceptor Details SL04424/209
- Culvert Details SL04424/210
- Drainage Calculations, prepared by HBPW Consulting Ltd, dated 16 October 2014

*Reason: To define the site and protect the character and appearance of the locality in accordance with policy LP16 of Fenland Local Plan 2014 and CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (2011)*

3. Landscaping planting and management scheme

No development shall commence until a detailed landscape planting and management scheme has been submitted to and approved in writing by the Waste Planning Authority. Such scheme shall include the number, height, species and spacing of new plants, details of the close boarded fence and details of the ecological appraisal and the recommendations of the Middle Levels Commissioners Environmental Officer in the consultation response dated 04/11/2014. The approved planting shall be implemented in full in the first available planting season. The approved fence shall be erected before the new road is brought into use.

*Reason: In the interests of landscape character protection and residential amenity in accordance with policy LP16 of Fenland Local Plan 2014 and CS33 & CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (2011)*

4. If within a period of 5 years from the date of planting of any tree, that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, 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, unless otherwise agreed in writing by the Waste Planning Authority.

*Reason: In the interests of landscape character protection and visual*

*amenity in accordance with policy LP16 of Fenland Local Plan 2014 and CS33 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (2011)*

5. Protection of trees during works

The existing trees to be retained as shown on the landscaping plan submitted under condition 3 shall be protected in accordance with section 5.5 of BS5837:2012 – Tree Protection Plan.

*Reason: In the interests of biodiversity enhancement and protection and in accordance with policy LP16 of Fenland Local Plan 2014 and CS33 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (2011)*

6. Operating Hours

No delivery or despatch of waste shall take place outside the hours of 0700 to 2300.

*Reason: In the interests of residential amenity in accordance with policy LP16 of Fenland Local Plan 2014 and CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (2011)*

