

PLANNING COMMITTEE: MINUTES

Date: Thursday 17th July 2014

Time: 10.00-11.10am

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors B Ashwood, D Connor (Vice Chairman), W Hunt, D Jenkins, S Kindersley, A Lay, M Mason, J Reynolds (Chairman), K Reynolds, J Scutt and M Smith

71. APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies for absence or declarations of interest.

72. MINUTES – 12 JUNE 2014

The minutes of the Planning Committee meeting held on 12th June 2014 were agreed as a correct record and signed by the Chairman.

73. CONSTRUCTION AND OPERATION OF AN INERT WASTE RECYCLING FACILITY LOCATION: LAND ADJACENT TO ROYSTON SEWAGE TREATMENT WORKS, OFF A505, ROYSTON APPLICANT: WINTERS HAULAGE LTD LPA REF: S/0461/14/CW

The Committee considered an application to construct and operate a waste recycling facility for inert construction and demolition waste. The outcome of consultations, planning policies, planning history and land use planning considerations were all taken into account. The proposed facility would be constructed on land adjacent to an existing sewage treatment works, on a rural area remote from residential properties. Plans and photos were shown, illustrating the location of the site, and its situation in relation to the sewage treatment works, road and to the nearest residential properties (330-380 metres distant). The two objections received were from Royston Town Council and Bassingbourn-cum-Kneesworth Parish Council.

There were no public speakers on the application.

One Member commented that whilst being satisfied with the proposed use of the site, he had concerns regard the site egress on to the A505, which would usually involve heavily laden HCVs, directly on to a dual carriageway with a 70mph speed limit. The Member was not reassured by Hertfordshire County Council's Highways team's assessment of the proposal, and felt that it would have been helpful to obtain third party advice on this matter. The rest of the Committee supported the Member's concerns on the highways issues, particularly the need for an acceleration lane. Officers advised that the relevant highways authority had been consulted on highways issues, and that authority would consider: (i) highways capacity and (ii) the accident record and the potential for future accident, subject to the proposed access and egress improvements. One possibility was an advisory road sign for vehicles coming out of the site and e.g. a stop or give way sign.

Other comments raised by the Committee included:

- disappointment was expressed that applicants were not available to answer questions on their application and provide information about the processes that would be undertaken on site, and the detail on HCV movements, e.g. whether the HCVs that were delivering materials would also laden on departure. Officers provided some detail on the vehicle movements and the likely operations on site;
- observed that nearby Royston, was well served by public transport, including a train station, so staff did not have to drive to the site;
- raised issues on the environmental impact of the site, particularly to the proposed housing development, and asked whether it was the intention to retain the boundary trees shown in one of the photos: it was confirmed that this was the intention. Another Member expressed similar concern, particularly regarding the size of the proposed building (especially the height), and suggested that further tree/hedgerow planting and landscaping was required;
- noted that a weighbridge was included in the proposals for the site.

Members agreed that additional Conditions should be included: an additional Condition strengthening the proposed planting/landscaping requirements, and the condition relating to site access improvements should be strengthened. It was further agreed that the detailed proposals to meet these Conditions should come back to Committee at a later date.

The Committee resolved unanimously to planning application, subject to the conditions set out in **Appendix 1** to these minutes.

**74. IMPORTATION BY RAIL OF SUITABLE RESTORATION MATERIAL OVER A PERIOD OF FIVE YEARS TO PARTIALLY INFILL AN EXISTING QUARRY VOID AND PROVIDE FOR THE RESTORATION OF WESTERN AND NORTHWESTERN AREAS TO A COMBINATION OF AGRICULTURE AND NATURE CONSERVATION AFTER USES AND ALL ASSOCIATED WORKS INCLUDING RAILWAY REFURBISHMENT AND THE RETENTION AND CONTINUED USE OF EXISTING WEIGHBRIDGE, OFFICE AND WORKSHOP
AT: BARRINGTON QUARRY, HASLINGFIELD ROAD, BARRINGTON
FOR: CEMEX UK OPERATIONS
LPA REF: S/01080/10/CW**

In accordance with his powers under Section 100B(4)(b) of the Local Government Act 1972, the Chairman admitted to the agenda the above late item. The report was not available at the time of agenda despatch as the applicant had not become aware of the implications of the problem until recently, in its contract negotiations in relation to the hire of mainline freight locomotives to haul the waste trains to Barrington.

Councillor Kindersley declared a non-statutory disclosable interest in accordance with paragraph 10.1 of the Members' Code of Conduct, as Chairman of the Barrington Light Railway Sub-Group.

The Committee considered a minor amendment to Schedule 2 of the existing Section 106 planning obligation to the above application. At the time when the application had originally been considered in 2011, a small number of "low emission" (T2 specification) Class 66 freight locomotives had been available, and one of the Conditions of the Planning permission granted in 2011 was that these specific low emission locomotives were used.

However, since 2011 new freight railway locomotives had also entered service on the national network which had environmental performance equal to or better than Class 66 locomotives. Consequently it was recommended that as technology moved forward, it was unreasonable to restrict the choice of freight locomotive to be used solely to Class 66. It was therefore recommended that the terms of Schedule 2 Clause 2 be amended to read: *“they will use reasonable endeavours to source railway locomotives to haul the waste trains reflecting modern best practice by using “low emission” conforming to Euro Stage 3A/T2 specification or equivalent”*, enabling better or equivalent technology to be used.

It was noted that the process would be to allow officers 21 days to consult with the relevant statutory organisations, and then take a decision, in consultation with the Committee Chairman and Vice Chairman.

The Committee resolved unanimously to note the intention of the Head of Growth and Economy, acting in consultation with the Chairman and Vice Chairman of the Planning Committee and following a public consultation on an exception basis, to make a minor amendment to Clause 2 of Schedule 2 of the planning obligation dated 5th August 2011 to remove specific reference to a Class 66 locomotive whilst retaining reference to the use of low emission compliant locomotives which would help minimise emissions to the air.

75. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

The Committee received a report on decisions made under delegated powers between 7th June and 7th July 2014.

The Committee resolved to note the report.

76. DATE OF NEXT MEETING: THURSDAY 4th SEPTEMBER 2014

Chairman

Planning Conditions for S/0461/14/CW

Commencement of Development

1. The development hereby permitted shall be commenced within three years from the date of this permission.

Reason: To comply 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.

General Provisions

2. The development hereby permitted shall not be carried out except in accordance with the details submitted by way of the planning application dated 18 February 2014 and the following accompanying information and drawings:
 - Planning Statement dated December 2013
 - Flood Risk Assessment ref. 132144-R1(0) – FRA dated December 2013, prepared by RSK LDE Ltd.
 - Transport Statement ref. CCE/E5121/TS-01 dated November 2013, prepared by Cannon Consulting Engineers
 - Odour Impact Report ref. 0601/SP104(001) Version 2 dated 03-12-13, prepared by Anglian Water Ltd.
 - Preliminary Wildlife Assessment relating to Land adjacent to Royston Treatment Works, ref. DMB/722451/R19/KL, dated September 2009, prepared by MLM Environmental Ltd.
 - Preliminary Contamination Assessment Report relating to Land adjacent to Royston Treatment Works, ref. DMB/722451/R20, dated August 2009, prepared by MLM Environmental Ltd.
 - Drawing no. 2414 Rev. 3 – Site Layout (dated 27/01/2014)
 - Drawing no. 2416 Rev. 0 – Proposed Building (Plan and Section) (dated 28/11/2013)
 - Drawing no. 2417 Rev. 0 – Proposed Building (Front and Side Elevations) (dated 28/11/2013)
 - Drawing no. 2424 Rev. 0 – Proposed Vehicle Movement Drawing (dated 11/12/2013)

The general layout of the site shall be maintained in accordance with the above drawings for the duration of the development hereby permitted.

Reason: To define the permission and to ensure that the development is carried out in compliance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34.

3. A copy of this planning permission, including all documents hereby permitted and any documents approved in accordance with this permission (or amendments approved pursuant to this permission) shall be displayed in the site office and shall be made known to any person given responsibility for the management or control of operations on the site.

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with the permission and in a satisfactory manner in the interests of the amenity of the area. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)

External finish of material processing building

4. The development hereby permitted shall not commence until the applicant has submitted details of the details of the colour and the external finish of the material processing building for the approval of the Waste Planning Authority. The material processing building shall be constructed and maintained in the approved external colour finish throughout the duration of the development hereby permitted.

Reason: In the interests of visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

Height of material storage bays

5. The height of the material storage bays on the site shall not exceed 3 metres.

Reason: In the interests of visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

Retention of screen planting and supplementary understorey planting along the southern boundary

6. The existing trees along the southern boundary of the site shall be retained for the duration of the development. If any tree along the southern boundary of the site 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 replanted in 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 to screen the site from views from the south. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

7. The development hereby permitted shall not commence until a scheme to strengthen the existing vegetation by understorey planting and infilling of any gaps in the existing tree line along the southern site boundary has been submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented during the first available planting season following the commencement of development. If any new planting along the southern boundary of the site is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Waste Planning Authority, seriously damaged or defective, another plant of the same species and size as that originally planted shall be replanted in 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 to screen the site from views from the south. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

Site access improvements

8. The development hereby permitted shall not commence until details of the proposed access improvements at the junction with the A505 have been submitted for approval by the Waste Planning Authority acting in consultation with Hertfordshire County Council as Highway Authority. The submitted scheme shall consider the need for an improved deceleration lane and provision of an acceleration lane at the junction.

Reason: In the interest of highway safety. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS32)

9. The development shall not be brought into use until the proposed access improvements at the junction with the A505 have been constructed in accordance with the details approved under Condition 8 above.

Reason: In the interest of highway safety. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS32)

Hours of operation

10. No operations, including the arrival, departure, loading or unloading of vehicles or the running of engines, shall take place at the site outside the hours of

0700 - 1700 Monday to Friday; and
0800 - 1200 on Saturdays.

No operations shall take place at any time on Sundays, Bank Holidays and Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

Environmental Protection

11. All plant and machinery shall operate only in the permitted hours and shall be fitted with silencers and such systems shall be maintained in accordance with the manufacturers' recommendations.

Reason: To protect the amenities of the locality and nearby residences. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

12. The development hereby permitted shall not be brought into use until a dust management scheme has been submitted in writing and approved by the Waste Planning Authority. Operations at the site shall at all times be carried out in accordance with the approved scheme.

Reason: To minimise the adverse effects of dust and to protect the amenities of the locality. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

13. All operations shall be carried out in a manner which minimises the emissions of dust from the site. All internal roads and vehicle movement areas shall be constructed from compacted material. All internal roads, vehicle movement areas and dry exposed

materials shall be watered as necessary in dry and windy conditions to prevent dust becoming airborne.

Reason: To minimise the adverse effects of dust and to protect the amenities of the locality. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

14. No external lighting shall be installed on the site.

Reason: To protect the appearance of the area/the environment and wildlife from light pollution and to protect the darkness of night skies. (South Cambridgeshire Local Development Control Policies DPD Policy DP/1)

Highways

15. The number of heavy commercial vehicle movements generated by the development hereby permitted shall not exceed 46 per day (23 movements in and 23 movements out) per day. A daily written record of all heavy commercial vehicle movements shall be maintained at the site for a minimum of 12 months and on request made available to the Waste Planning Authority for inspection.

Reason: To limit the daily number of heavy commercial vehicle movements in the interest of highway safety. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS32 and CS34)

Waste Types

16. No materials other than inert and non-hazardous, construction, demolition, commercial and industrial wastes shall be brought to the site. No waste from private householders eligible to be taken to a household waste recycling centre (civic amenity site) shall be accepted at the site.

Reason: To define the waste types permitted to be brought to the site and prevent pollution of the surface and ground water, and because waste materials outside of these categories raise environmental and amenity issues which would require additional consideration. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

17. No material stockpiles on the site shall exceed a height of 3 metres as measured from the base of the stockpile.

Reason: In the interests of visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)

Cessation of activities and restoration of the site

18. In the event that the development ceases to operate for a period of 18 months, the Waste Planning Authority may request that a written scheme for the clearance and restoration of the site is submitted for the approval of the Waste Planning Authority within 2 months of the date of the request. Site restoration shall include the removal of all waste material and recycled material, all buildings, plant and machinery and all internal roads and the re-landscaping of the site. The approved scheme shall be fully implemented within 12 months of the date of approval.

Reason: To provide for the clearance and restoration of the site in a satisfactory manner and timescale. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS25)

INFORMATIVE:

Hertfordshire County Council as Highway Authority has no objection to the proposal subject to the conditions set out above and the applicant entering a Section 278 Agreement in respect of the junction improvement works within the highway.

Compliance with paragraphs 186 & 187 of the National Planning Policy Framework

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 and the applicant has responded positive to the advice and recommendations provided by consultees. Proactive consultation took place with statutory consultees, which resulted in overall support for the development proposal.