

## **PLANNING COMMITTEE: MINUTES**

Date: Thursday 9<sup>th</sup> October 2014

Time: 10.00-11.50am

Place: Kreis Viersen Room, Shire Hall, Cambridge

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

Also present: Councillor M Rouse

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

Apologies for absence were received from Councillors B Ashwood and K Reynolds. There were no declarations of interest.

### **89. MINUTES – 4<sup>TH</sup> AND 8<sup>TH</sup> SEPTEMBER 2014**

The minutes of the Planning Committee meetings held on 4<sup>th</sup> and 8<sup>th</sup> September 2014 were agreed as a correct record and signed by the Chairman.

### **90. VARIATION OF CONDITION 12 OF PLANNING PERMISSION H/05016/12/CW TO EXTEND THE HOURS HCVs DIRECTLY ASSOCIATED WITH SKIP HIRE BUSINESS MAY ENTER OR LEAVE THE SITE AT: WOODFORD WASTE DISPOSAL, STATION ROAD, WARBOYS, HUNTINGDON, PE28 2TX APPLICANT: WOODFORD RECYCLING SERVICES LTD LPA REF: H/5007/14/CW**

The Committee considered an application for a variation of Condition 12 to planning permission H/0516/12/CW to extend the hours when HCVs directly associated with the operation of the skip hire business may enter or leave the site. The outcome of consultations, planning policies, planning history and land use planning considerations were all taken into account. Plans and photos were shown, illustrating the location of the site in relation to neighbouring properties and the highway network.

Mark Farren, the applicant spoke in support of the application. He advised that Woodford Waste Management had taken into account concerns raised by some neighbours and he understood that a 06.30am start for operations was too early and that 07.00am was more appropriate. The company wished to maintain a good relationship with the community and has successfully managed vehicles using Fenside Road to comply with planning permissions during the operation of the landfill site. Following the closure of the landfill site in October last year there has been a dramatic reduction in the levels of traffic to and from the site. The business was now focussed on the recycling aspect and operates a small fleet of vehicles that would not have any adverse impact on neighbours during the hours proposed.

Mr Farren further advised that the extra half hour in the morning would enable vehicles to get to client sites earlier by avoiding traffic, and the additional time at the end of the day will allow for delays and traffic build up in the evening. The application also included a Saturday morning operation which was a service competitors are able to offer and being unable to do

so created a significant disadvantage to the business. The additional operating hours would bring the company in line with key competitors which was crucial if the business was to grow and develop. Over £2M had been invested in the site and the change of hours would enable the modern facilities to be utilised fully and will create more jobs that will boost the local economy. Rubber sleeves would be fitted to all skip chains to minimise the noise levels from the vehicles in response to feedback from the planning application process.

In response to Member questions Mr Farren advised that

- The company operated 5 vehicles from the site and employed 19 people.
- Prior to the ending of the landfill operation at the site there were 50 articulated vehicles a day that entered the site which equated to 100 movements a day. These were third party vehicles that would all travel down Fenside Road. This had reduced to 2-3 articulated vehicles a week.
- Skip lorry drivers would receive training on being aware of noise and all hooks would be securely fastened to the lorry to prevent noise.
- All vehicles were operated as single vehicles. All loads were netted and there was a wheel wash on site. There were also CCTV cameras in operation across the site and all vehicles are tracked via GPS to ensure compliance.

Dr Rona Allery, a local resident, spoke in objection to the proposed variation. She explained she lives along Fenside Road approximately 400 yards from the site. Lorries drove along Fenside road at speed, and the poor road surface made them rock, exacerbating the noise problem. The rattling from chains meant that residents were woken up at 7.30am 5 days a week, and this was intolerable. Complaints had been raised with the applicant regarding the movement of lorries at 6.30am, but despite assurances from Woodford Recycling service that it would not occur again, the problem continued.

The additional traffic generated during the trial period has made the road unsafe for dog walkers on Saturdays and evenings as there was no pavement. It has also made the access to the countryside for ramblers, cyclists and horse riders hazardous.

In response to Member questions Dr Allery advised that:

- Since the landfill operation had ended a significant reduction in traffic has taken place.
- The Site Liaison Group was generally ineffective and it would help if it had more power and influence.

Members of the Committee:

Asked where residents go when they have concerns over the operation of the centre. It was explained that issues should be raised with the applicant in the first instance. If residents felt that the company was in breach of its conditions then they could contact the Planning Authority. It was noted that the rubber covers for the chains were a condition, and if they degraded and made too much noise, then it would be an enforcement issue for the Authority. It was noted that the Site Liaison Group related to the site's landfill use, not the skip hire/recycling business, and that the Group comprised local stakeholders including Parish Councillors and an Environmental Health Officer. However, the issue of extending operating hours had been raised at the Site Liaison Group.

- Members noted that they were being asked to agree a variation and that a 7:00am start is not unreasonable to bring it line with competitors. Members acknowledged the concerns of residents but noted that usage of Fenside Road has dropped significantly since the landfill operation had ceased. Members felt that the operator would not want to have to return to the committee to explain why the company was not complying with the conditions.
- A member wished it to be made clear in the minutes that 07.00am was acceptable as a start time but 06.59am would not be.

The Committee resolved unanimously to approve the variation to the planning permission, in accordance with the conditions set out in **Appendix 1** to these minutes.

**91. ERECTION OF A THREE-FORM ENTRY PRIMARY SCHOOL WITH ASSOCIATED INFRASTRUCTURE INCLUDING NEW PUBLIC HIGHWAY AND PEDESTRIAN FOOTPATHS  
AT: LAND NORTH OF CAM DRIVE AND SOUTH OF KING EDGAR CLOSE, ELY  
LPA REF: E/03005/14/CC  
FOR: CAMBRIDGESHIRE COUNTY COUNCIL**

The Committee considered an application to construct a new primary school in Ely. The outcome of consultations, planning policies, planning history and land use planning considerations were all taken into account. Plans and photos were shown, illustrating the location of the site. A proposed amendment to conditions 1 and 6 of the application was tabled. The amendment related to Ash Dieback (condition 1) and allowing the use of the sports pitches for construction vehicles while the buildings are being finished (condition 6).

The school was required to meet the demand for school places in the Ely area. The site as a whole would be developed further with an additional 1,200 houses to be built on the area surrounding the school.

The school would have 21 classrooms, a total of 630 children and 68 staff. A new public highway was to be constructed alongside the site with a pick up and drop off area. There were also pedestrian and cycleways. The “c” shaped building was orientated to take advantage of natural daylight. It had natural ventilation and is of a sustainable design. The only concern raised by residents had been around historical access to the rear gardens of houses on King Edgar Close via Butts Drove and this had been resolved.

David Fletcher, the applicant’s agent, spoke in support of the application. He advised that following detailed discussions over the course of the last 2 years, the school was now in its first stage of development. It was critical to have the planning permission in place and the school built for September 2015 in order to ensure there was sufficient capacity for children to be able to attend school. The agent sought 50% of the cycle parking to be covered with an option to review if more is required. However, the County Council considered in the interest of promoting sustainable travel options that all cycle parking should be covered.

In response to Member questions, the agent explained:

- That there was no school bus provision for the school and the expectation was that the only buses and coaches that would arrive at the site would be for trips and outings. Therefore the “drop off” area could be utilised as it would not coincide with peak times.

- With regard to the provision of sports while the school was being built, in reference to the recommended amendment to Condition 6 , it was explained that the school would only have small numbers of pupils to begin with. P.E. would be taught in the school hall and by May 2016 the playing field will be available.
- Originally the application proposed 77 car parking spaces however it was deemed that this was too many and would not promote sustainable travel and was reduced to 67. This provides a space for all but one member of staff, however, of the 68 staff members to be employed by the school, 8 will be part-time

Local Member County Councillor Rouse spoke on the application. He said that it is a very good open space. There is acceptance that there is a balance to be struck between providing a high quality school development and the need to build it quickly to meet current demands. The developers have been very supportive. The school places were desperately needed and were being provided in mobile units in other schools. The plans show that the school would be a key building within a community development.

Comments raised by the Committee included:

- There was little point in only having 50% roof coverage for the cycle park – it should all be covered.
- It was disappointing to find that the roof was not fully covered in photovoltaic cells, and ground source heat pumps installed on the extensive fields. The Members suggested an opportunity had been missed to ensure that the school does not have energy costs in the future. Officers explained how the school would be mainly funded by Section 106 funding, but there were considerable upfront costs for the Council. It was agreed that a scheme to improve the sustainable elements of the scheme would be included in the Conditions, and that the exact wording would be delegated to officers in consultation with the Chairman and Vice-Chairman.

The Committee resolved unanimously to grant planning permission, in accordance with the conditions set out in **Appendix 2** to these minutes, as amended at the meeting, and subject to further changes in Conditions by officers in consultation with the Chairman and Vice-Chairman.

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

The Committee received a report on decisions made under delegated powers between 26<sup>th</sup> August and 29<sup>th</sup> September 2014.

The Committee resolved to note the report.

## **93. DATE OF NEXT MEETING: THURSDAY 6<sup>TH</sup> NOVEMBER 2014**

Chairman



## APPENDIX 1

Condition 12 be varied to include a clause (v) as set out below:

*HCVs associated with the operation of the skip hire business*

*(v) Notwithstanding (i) above, HCVs directly associated with the operation of the skip hire business shall enter or leave the site between the hours 0700 to 1900 Mondays to Fridays and 0700 to 1300 hours on Saturdays only. There shall be no such vehicle movements on Sundays or Public Holidays.*

New Condition to be added

*No HCVs associated with the skip hire business shall leave the site unless the skip lifting chains are equipped with well-maintained noise-absorbing covers*

*Reason: In the interests of the amenity of local residents (Cambridgeshire & Peterborough Minerals & Waste Core Strategy policy CS34)*

All other conditions attached to **H/05016/12/CW**

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

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 not proceed except in accordance with the details set out in the application documents as amended by the conditions of this decision notice:

- P01 Rev A, Site Location Plan, dated 09/05/14
- P02 Rev 1, Site Location Plan—showing housing development, dated 08/05/14
- P03, Ground Floor and Roof Plans, dated 08/05/14
- P04, Elevations and Sections, dated 15/05/14
- P05, 3D Visuals, dated 13/05/14
- HBL-LS01 Rev T4, External Works Proposals, dated 15/04/14
- HBL-LS02 Rev T4, External Works Proposals, dated 15/04/14
- HBL-LS03 Rev T2, Proposed Levels, dated 15/04/14
- HBL-LS04 Rev T2, Proposed Levels, dated 15/04/14
- HBL-LS05 Rev T3, Elevations – South, dated 07/05/14
- HBL-LS06 Rev T3, Elevations – West, dated 07/05/14
- HBL-LS07 Rev T3, Planning Proposals, dated 14/08/14
- HBL-LS08 Rev T3, Planning Proposals, dated 15/05/14
- 0316-GA-001 Rev P6, Highways Arrangement, dated August 2014
- 0316-GA-002 Rev P3, School Boundary
- 10-4430\_XX-DR-D200 Rev P2, Drainage Arrangement, dated March 2014
- 14-2208-CBJ-R0, Street Lighting Highways Construction Plan, dated 9/05/14
- 131435/E/2601 Rev P2, Proposed External Lighting Layout, dated May 2014
- Lighting Proposal/Calculation Summary, dated 9/05/2014
- Planning Statement, dated May 2014
- Design and Access Statement, Rev E, dated 16 May 2014
- Transport Statement, dated 28 July 2014
- Statement of Sustainable Design and Construction Rev P1, dated April 2014
- Landscape and Biodiversity Management Plan Rev A, dated June 2014
- Extended Phase 1 Habitat Survey and Preliminary Protected Species Survey, dated May 2014,
- Drainage Strategy, dated August 2014
- Flood Risk Assessment Rev A, dated May 2013
- BRE SMARTWaste Plan, dated May 2014
- Storage Assessment, dated 06/05/14
- Construction Management Plan, dated August 2014
- Ely Primary School - Site Setup Plan
- External Finishes Schedule Rev A, dated 11/08/14
- Ely PS Planting Schedule

*Reason: To define the permission and to ensure that the development is carried out in compliance with East Cambridgeshire Core Strategy policies CS1, CS6, CS7 and CS9*

3. Travel Plan

The development shall not be occupied until a Travel Plan incorporating a Parking Management Strategy has been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority. The approved plan/strategy shall be implemented in full.

*Reason: To ensure the safe and efficient operation of the highway and promote sustainable travel (policies S6 and S7)*

Construction noise, vibration and dust

4. No construction work or construction collections from or deliveries to the site shall take place other than between the hours of 0800 to 1800 on Monday to Friday and 0800 to 1300 hours on Saturdays. No construction works or collection/deliveries shall take place on Sundays, Bank or Public Holidays.

*Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and to protect the amenities of nearby residential properties (policies CS6 and EN8)*

Artificial lighting

5. Prior to the erection of any lighting at the development site the final locations and positioning of street lighting as shown on the Street Lighting Highways Construction Plan, drawing no 14-2208-CBK-R0, shall be submitted to and agreed in writing by the County Planning Authority.

*Reason: In the interests of highway safety and residential amenity impact (policies S6 and EN8)*

Sports pitches and netball courts provision and use

The sports pitches and netball courts shown on drawings HBL-LS01 Rev T4 and HBL-LS02 Rev T4 shall be available for use within 8 months of occupation of the development hereby approved.

*Reason: To ensure the school has sufficient sports pitch provision (policy CS7)*

Highway safety and safer routes to school

6. The cycle/footways, pick-up/drop-off spaces, Toucan pedestrian crossings points and associated traffic calming on Cam Drive and Lynn Road, shown on drawing no 0316-GA-001 Rev P6, shall be available for use prior to the occupation of the development hereby approved.

*Reason: In the interests of highway safety and to provide safer routes to school (policies CS6, CS7, CS8 and S6)*

Flood Risk and Surface Water Drainage

7. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) ref. 1439-FRA Rev. A prepared by MTC dated May 2014 and the following mitigation measures detailed within the FRA:
- The temporary drainage scheme shall not be removed until such time as the related permanent surface water conveyance and attenuation infrastructure has been constructed. It will need to be demonstrated that the final drainage scheme (that is related to this parcel) has been designed to safely convey and attenuate the surface water from all the catchments draining into it; and
  - The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may be subsequently be agreed, in writing, by the local planning authority.



*Reason: To ensure a satisfactory method of surface water drainage and prevent flooding (policies CS6 & EN7)*

Cycle parking

8. The cycle and scooter parking facilities shown on drawings HBL-LS01 Rev T4 and HBL-LS02 Rev T4 and in the Transport Statement, dated 28 July 2014, shall be covered and available for use prior to the occupation of the development hereby permitted.

*Reason: To encourage use of bicycles and scooters by pupils and discourage the use of private cars (policies S6 and S7)*

9. Plant noise

The specific rated noise level emitted from plant or machinery located in the site shall not exceed the existing background noise level or 35dB, whichever is the higher. The noise levels shall be measured and /or calculated at the boundary of the nearest noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS4142.

*Reason: To avoid unreasonable disturbance to nearby residential properties (policy EN8)*

Landscaping and biodiversity enhancement and maintenance

10. 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, or, in the opinion of the County Planning Authority, becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted in the same place during the next available planting season, unless the County Planning Authority gives its written consent to any variation.

*Reason: In the interest of landscape character and nature conservation (policies CS6 and EN6)*

Fire Hydrants

11. The development shall not be occupied until a scheme for the provision of fire hydrants has been submitted to and approved in writing by the County Planning Authority in consultation with the Fire and Rescue Service.

*Reason: To ensure that there is a sufficient and accessible water supply for fire fighting (policies CS6 and EN2).*

Renewable energy and sustainability measures

12. The photovoltaic panels shown on drawings P04 and HBL-LS05 Rev P3 shall be fully installed and operational prior to the occupation of the development and shall be maintained in accordance with the manufacturer's recommended maintenance programme. The photovoltaic panels shall remain fully operational in accordance with the maintenance programme for the duration of the development.

*Reason: In the interests of reducing carbon dioxide emissions and the provision of renewable energy (policies EN3 & EN4)*

13. Within 1 year 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: In the interests of reducing carbon dioxide emissions and promoting the principles of sustainable construction and efficient use of buildings (policies EN3 and EN4)*

#### Informatives

Your attention is drawn to the Environment Agency's letter dated 21 July 2014 in which it highlights its requirements for dealing with surface water drainage and sewerage at the site.

The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works. The developer should contact the Highway Authority, or its agent, to arrange construction of any works within, or disturbance of, or interference with, the Public Highway, and that all costs associated with such works shall be borne by the developer.

The developer should contact the Highway Authority, or its agent, to arrange construction of any works within, or disturbance of, or interference with, the public highway, and that all costs associated with such works shall be borne by the development.

The development will not be permitted to drain roof water over the public highway, or across it in a surface water channel, but must make arrangement to install a piped drainage connection.

No window or door will be allowed to open over a highway and no foundation or footing for the structure will be allowed to encroach under the public highway.

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

The County 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.