

Agenda Item No: 4

SECTION 73A PLANNING APPLICATION TO DEVELOP LAND IN RELATION TO UNIT 1 WITHOUT COMPLYING WITH CONDITION 7 (HOURS OF OPERATION FOR UNIT 1) OF PLANNING PERMISSION REFERENCE F/2004/16/CW and F/2010/16/CW, WHICH ARE PURSUANT TO PLANNING PERMISSION F/2019/02/CW (PROPOSED ERECTION OF TWO INDUSTRIAL BUILDINGS FOR THE GRANULATION AND BALING OF WASTE PLASTICS FOR RECYCLING).

AT: UNIT 1 AND 2, EASTWOOD END INDUSTRIAL ESTATE, WIMBLINGTON, CAMBRIDGESHIRE PE15 0QN

APPLICANT: Recyplas Limited

APPLICATION NO: F/2003/18/CW

To: **Planning Committee**

Date: **1 November 2018**

From: **Assistant Director Environment & Commercial**

Electoral division(s): **March South & Rural**

Purpose: **To consider the above planning application.**

Recommendation: **That permission is granted subject to the conditions set out in paragraph 10.1**

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1.0 INTRODUCTION/BACKGROUND

- 1.1 Units 1 and 2 at Eastwood End Industrial Estate were granted permission in 2002 for the erection of two buildings for the recycling of waste plastics (reference: F/2019/02/CW). The two units are now operated separately by different owners, with Recyplas operating from Unit 1 and Datashredders operating from Unit 2.
- 1.2 The original area covered by the planning permission includes both Unit 1 and Unit 2 Eastwood End Industrial Estate, which is why the application red line plan matches the original F/2019/02/CW permission area. In the past the operators of Unit 1 and Unit 2 have both submitted separate applications, rather than submitting one joint application, specifying their own half of the application area as the site within their control. Following previous legal advice it was concluded that the best way to deal with these applications was to consider the two applications separately with separate recommendations, to allow each to be considered on its own merits. Consequently the past permission (F/2004/16/CW and F/2010/16/CW) has been issued for the whole red line area with two sets of conditions, referring to each unit separately.
- 1.3 This application seeks retrospective planning approval to extend the permitted operational hours for the processing of waste plastic to 24/7 working, but only within the confines of the existing Unit 1 building.

2.0 THE SITE AND SURROUNDINGS

- 2.1 The application site encompasses land occupied by an existing waste recycling industrial use identified as Unit 1, Eastwood End Industrial Estate which takes its primary access off Hook Lane which in turn links to Eastwood End. Hook Lane lies some 130 metres (142 yards) from the junction with the A141 Chatteris to March A Class road, being approximately 2 kilometres (approximately 1.2 miles) south of March. The site also has a vehicular egress route out to the west onto a private road serving other nearby industrial premises and providing an access route to the grain storage site which lies to the east of the application site.
- 2.2 The site is bounded to the east by large buildings and a number of tall storage silos associated with the Fengrain storage and distribution site, which also has a vehicular access onto Eastwood End. A substantial existing hedge within the application site forms the southern boundary of the site. Further land in industrial use lies to the north and west of the site, sharing access from the private access road.
- 2.3 The application site covers an area of 1.3 hectares (3.2 acres) with the Recyplas Ltd use of 1 hectare (2.47 acres) consisting of a large portal steel framed and clad industrial building which contains the processing equipment and office/reception facilities. There is also a formal car park for staff and visitors with access from Hook Lane. The Unit 1 building is located in the middle of the site. Two cooling plants are located just outside of the building, being used to regulate the temperature of the operating machinery within the

building. The south western quarter of the site is set to grass bounded by substantial trees and hedgerows along the boundary with Eastwood End/Hook Lane. Outside the existing building is an open yard used for the temporary storage of waste plastic film and bags containing finished plastic granules awaiting transfer off-site to plastic manufacturing facilities. Forklift trucks are used to move the waste materials around the site and to off load the incoming waste and load finished products onto highway vehicles in the open yard.

- 2.4 The closest dwellings are a single building (Eastwood End farm) 15 metres (16 yards) to the west across a private road. The nearest residential properties are located on the western edge of a residential area known as Eastwood End. The nearest houses are between 80 to 100 metres (between 87 to 109 yards) from the Unit 1 building.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The planning application seeks approval to extend the working hours within the confines of the existing industrial building known as Unit 1 which is used for the separation and compounding of waste plastic and the filling on one tonne bags with the finished product in the form of plastic granules suitable for re-use in new products.
- 3.2 Whilst operations in the external areas of the site outside these buildings will continue to accord with the original hours of working condition, the applicant advises that processing operations within the confines of Unit 1 (the separation and compounding operations) have been exceeding the permitted working hours due to an increase in demand for plastic recycling. The applicant company now wishes to address this matter formally by requesting revised working hours for operations within the Unit 1 building only.
- 3.3 The existing planning condition (no.7) relating to permitted working hours states:

No operations of machinery, including the vehicular delivery and removal of material, shall take place outside the hours of 0730 to 1800 Mondays to Fridays, and 0730 to 1300 on Saturdays. No operations, including the delivery and removal of materials, shall be undertaken on Sundays or Bank and Public Holidays.

Between the hours of 0600 and 0730 and 1800 and 2200 Mondays to Fridays and between 0600 and 0730 on Saturdays, only manual sorting and manual baling of waste plastic material within the confines of building labelled Unit 1 on Proposed [Site Plan and Location Plan], drwg no. 4963/01E, dated May 2013 (received: 02/02/2017)', and the arrival and departure of personal staff vehicles shall be permitted.

The planning condition was imposed to protect the amenity of surrounding and local residents in accordance with development plan policies.

- 3.4 The applicant company has requested that Planning Condition 7 be re-worded to allow waste processing as follows:

Processing within the confines of Unit 1 – 24 hrs 7 days per week (including bank holidays and Sundays).

External site activities in yard and other buildings to remain in accordance with first paragraph of the current planning condition n0. 7 of F/2010/16/CW 0700 -1800 Mondays to Fridays and 0730 to 1300 on Saturdays. There shall be no working on bank holidays or on Sundays.

- 3.5 There will be no change to operations outside of the Unit 1 building. At 1800 hours Mondays to Fridays and 1300 hours on Saturdays the site will effectively close and so will the external doors to Unit 1. Processing will then continue to run within the confines of the Unit 1 building only. Only staff cars will enter/leave the car park associated with shift work.
- 3.6 Recyplas's operations on the site partially accord with the original planning conditions as far as the processing of waste material only takes place within the confines of Unit 1. The retrospective nature of the application arises from the fact that they have been processing material and using machinery to prepare, process and bag material outside of the permitted hours and days of operation. This application seeks to formally vary the working hours to allow 24/7 operation within the confines of Unit 1.
- 3.7 The applicant advises that they need to extend their machine processing hours to keep up with demand and to reduce the amount of material being stored on site awaiting processing. Their specialist machinery is designed to run 24/7, the plant line takes up to 6 hours to shut down and cool off and it must be manned at all times which means it is impossible to shut it down each night of the week and be ready for the next working day.
- 3.8 The works receives plastic waste film and dispatches finished goods (1 tonne sacks of plastic granules) during standard daytime industrial hours. The site utilises an existing vehicle weighbridge at Fengrain to weigh in-coming loads of waste and out going loads of finished product. On arrival, the delivery vehicles take the route down the private road off Eastwood End to access the route to the weighbridge. Having been weighed, the vehicle then enters the site via the entrance off Hook Lane to be off-loaded. Once empty the vehicle proceeds via the second access onto the private road and back to the weighbridge for re-weighing. Upon completion of weighing the empty vehicle leaves the area via Hook Lane / Eastwood End to its junction with the A141. A similar pattern of vehicle movements are carried out by vehicles arriving to collect loads of finished product. The empty wagon is weighed first and then re-weighed following loading within the site prior to departure. The Fengrain weighbridge is open between the hours of 0700 to 1700 hours Mondays to Fridays only. Consequently all deliveries of waste plastic film and all export of finished product can only be carried out between these times.

- 3.9 The applicant has advised that there will be no additional vehicle movements during the night shift. During the permitted daytime working hours Recyplas has 1 lorry visit the site to deliver raw materials for processing and collect sacks of processed plastic for distribution. One lorry can carry 18 sacks, which is more than the plant can produce in one day. Hence the proposed development will not increase lorry movements.
- 3.10 The applicant has advised that the night shift creates an additional 7 jobs for local people.
- 3.11 In support of the planning application the applicant has engaged the services of a specialist acoustic engineer. MAS Environmental Ltd has carried out three noise assessments at the application site since August 2017. The surveys have included a longer term 24 hour survey undertaken between 4th and 9th February 2018. This longer survey aimed to establish typical background noise levels and obtain comparisons between background and Recyplas noise levels. This noise monitoring was supplemented by a further night time survey on 3/4th April 2018.
- 3.12 The results of the survey show that the measured background noise level is 32/33dB LA90 15 min. Background sound levels were found to be mainly dictated by noise from fans at Fengrain though distant road traffic noise also contributed.
- 3.13 During the night time noise monitoring in April, a series of on/off testing was undertaken to establish the main sources of noise. This testing looked at noise emissions associated with the external chiller units and the two processing machines within the Unit 1 building. Noise levels generated by the site were measured in the region of 38-41dB LAeq, 15 min.
- 3.14 From the testing, the acoustic consultant recommended that a noise limit of 36dB LAeq, 15 min during night time would be a reasonable noise limit to be set for this site bearing in mind the mixed residential and commercial nature of the local area. Such a noise limit should apply at the boundary of nearby residential dwellings which would facilitate ease of access for monitoring. Compliance with this noise level will require Recyplas to mitigate current levels of noise.
- 3.15 The acoustic consultant's report identifies that the Recyplas noise is characterised as including low frequency energy which is regarded as more annoying than those sources of noise that do not. For lower frequency noise a limit of 60dB(C), LAeq,15min and compliance with the linear spectral noise levels is appropriate. Consequently the consultant recommends that additional noise limits are needed to control low frequency noise impact and that a staged approach should be undertaken in respect of any further noise mitigation.
- 3.16 In late June 2018 the noise consultant provided an addendum report to the original report produced in April 2018 that summarises the results of a further overnight noise survey that was undertaken on the 14th/15th June 2018. This

new survey was undertaken following the replacement of the external chiller No.2 unit and modifications to machine 2 inside the building. All plant was turned off at the start of the survey to measure background sound levels. The results showed that the background levels are highly variable and largely influenced by road traffic flow.

- 3.17 The June 2018 sound testing confirmed that following the modifications and chiller replacement, a good reduction (2-3 dB) in noise emissions had been achieved when measured on Eastwood End near existing housing. The noise emission from Recyplas was measured near the housing at 34dB. The modifications and chiller replacement have also resulted in an overall reduction in lower frequency noise. The results of the testing indicate that no further mitigation is needed at the site at present.
- 3.18 The noise consultant advises that the site should continue to operate in a manner that reduces noise emissions where possible e.g. keeping windows and doors closed during night time working, choosing low noise level plant when replacements are necessary. Noise can be further controlled through a noise management scheme which should set out a complaints procedure. Recyplas noise levels that are in compliance with the noise limits recommended may slightly affect the character of the area during the night time but not such that there is a perceived change in the quality of life. As such noise will arise at or below the lowest observed adverse effect level.

4.0 PLANNING HISTORY

- 4.1 Planning permission F/2019/02/CW was granted in November 2002 and permitted the use of Units 1 and 2 for the granulation and bailing of waste plastics for recycling. Previous to this planning permission, the site was in commercial office and industrial use, permitted by Fenland District Council.
- 4.2 The November 2002 permission had included no restrictions on the types or quantities of waste that could be accepted and processed at the site. Restrictions in terms of on-site waste material only comprised of a condition restricting the storage and processing of all raw and processed material to inside the building (condition 8).
- 4.3 Following planning permission F/2019/02/CW being granted in 2002 as one original planning unit, the two units were split into separate ownership and were operated separately.
- 4.4 In 2006 permission (F/2015/05/CW) was granted for a variation of condition 7 of the original permission (F/2019/02/CW) to amend the operating hours in respect of Unit 1 only.
- 4.5 On 22nd February 2017 a planning application (F/2004/16/CW) was considered in relation to Unit 1 for a variation of Condition 8 which restricted storage of materials to inside the building only. Permission was granted to the use of an external area for materials storage subject to conditions. At the

same time changes were also sought in relation to Unit 2 (under application reference F/2010/16/CW), but these are not considered relevant in relation to this planning application.

- 4.6 The following is a summary of the relevant planning permissions for the original planning unit (which includes both Unit 1 and Unit 2):

Application Ref	Description	Decision
F/2004/16/CW and F/2010/16/CW	To develop land in relation to Unit 1 without complying with condition with Condition 8 and in respect of Unit 2 to develop land without complying with condition 8 – both restricting materials storage to inside buildings	Granted 22 nd February 2017
F/2015/05/CW	Variation of condition 7 of planning application F/2019/02/CW to extend hours of use.	Granted 25 July 2006
F/2019/02/CW	Proposed erection of two industrial buildings for the granulation and bailing of waste plastics for recycling.	Granted 20 Nov 2002
F/97/1067/F	Erection of workshop, stores, offices and associated facilities; formation of parking areas, including the formation of a new vehicular access to Hook Lane and change of use of existing building to spray shop	Granted 18 May 1998
F/95/0536/F	Erection of workshop, stores, offices and associated facilities and the formation of parking areas, including the formation of a new vehicular access to Hook Lane	Granted 10 Nov 1995
F/94/0710/F	Erection of workshop, stores, offices and associated facilities and the formation of parking areas, including the formation of a new vehicular access to Hook Lane	Withdrawn 24 Aug 1995
F/93/0232/F	Erection of stores and workshop with offices and paint shop (for B1 uses) including installation of a sewage treatment plant	Granted 04 Oct 1993
F/1309/89/RM	Erection of stores and workshop with offices and paint shop (for B1 uses) including installation of a sewage treatment plant	Granted 21 Feb 1990
F/0778/88/O	Plots for industrial use with 2 new access points onto Bridge Lane, construction of private roadway and landscaped area (the existing bungalow to be used in conjunction with adjacent industrial plot)	Granted 21 July 1988

- 4.7 Historically environmental issues associated with the unauthorised external storage of waste have been experienced at the site which culminated in the serving of a Breach of Condition Notice in 2010 on the previous occupiers of

the adjacent Unit 2. Advice was also given to the current applicant company in 2012 regarding this matter and in February 2015 a Breach of Condition Notice was served which, following discussions, brought forward a planning application which was subsequently approved in February 2017 which permitted external storage, subject to conditions.

- 4.8 A further application to extend the building on Unit 2 land to provide undercover storage and enclose a baler machine was approved in 2017.
- 4.9 In July 2017 officers received an allegation that Recyplas Ltd was operating machinery on a Sunday, contrary to condition 7 of F/2010/16/CW. The company explained that the work on site was the cleaning of machinery and officers advised that this was not permitted under the terms of the condition.
- 4.10 Officers continued to receive sporadic complaints alleging that out of hours operations were taking place at Recyplas and initial investigations confirmed that on the dates in question sound tests were taking place at the site in connection with the noise reports being prepared to submit with this application to amend the working hours at the site.
- 4.11 Officers undertook out of hours monitoring after the completion of the first set of sound testing and confirmed that a breach of condition took place on 12 September 2017. Recyplas were advised that further confirmed breaches would result in officers considering the initiation of formal enforcement action. Out of hours monitoring took place on 11 October 2017 and officers found no breach of planning control to pursue. However, in the Spring of 2018 the complainant continued to allege that Recyplas were working outside of the hours restricted by condition.
- 4.12 On 22 March 2018 further officer monitoring confirmed that another breach of condition had taken place. In April 2018 a planning contravention notice was served on Recyplas to gather evidence in relation to the breaches of condition 7 on operating hours.
- 4.13 In response to the Planning Contravention Notice on 21st May 2018, Recyplas Ltd submitted the current application to increase the working hours at the site and notwithstanding the consideration of this application, officers continued to monitor the site. On 28 June and 13 September 2018 officers found no evidence of a breach of the operating hours.
- 4.14 The complainant continues to allege that out of hours working is regularly taking place at Recyplas and is aware that if the current application is approved then it will allow 24/7 working inside Unit 1 at the site, subject to conditions. If the current application is refused and there is further evidence of breaches of condition then officers will consider whether it is necessary and expedient to pursue formal enforcement action.

5.0 PLANNING POLICY AND GUIDANCE

- 5.1 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 5.10 to 5.12 below.

National Planning Policy Framework (July 2018) (NPPF)

- 5.2 The NPPF has at its core, a presumption in favour of sustainable development, approving development proposals that accord with an up-to-date development plan (para 11 (c)). Paragraph 80 of the NPPF advises that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.3 Paragraph 180(a) of the NPPF requires decision makers to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

National Planning Policy for Waste (October 2014) (NPPW)

- 5.4 A key component of the NPPW is the principle of moving waste “up the ‘waste hierarchy’ of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort” (paragraph 008).
- 5.5 Paragraph 007 of the NPPW states that when determining planning applications waste planning authorities should “concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced”. Paragraph 183 of the NPPF is written in similar terms and applies the same principle.

Waste Management Plan for England (December 2013) (WMPE)

- 5.6 The WMPE also highlights the priority for minimising the use of resources and moving waste up the waste hierarchy (page 11), and emphasises that the Environment Agency is the main regulator of waste management in England (page 15).

Noise Policy Statement for England

- 5.7 In 2010 the Government published the Noise Policy Statement for England. Which aims to secure the effective management and control of environmental noise within the Government Policy on sustainable development by mitigating and minimising adverse impacts on health and quality of life. There is a need

to integrate consideration of the economic and social benefit of the activity with proper consideration of the adverse environmental effects.

Planning Practice Guidance (PPG)

5.8 The following sections of the PPG are relevant to this application:

- Retrospective planning applications (paragraphs 12, reference 17b-012-20140306 – retrospective applications must be considered in the normal way.

Planning Practice Guidance on Noise

5.9 Practice Guidance on Noise was published in March 2014. If a observed adverse effect is observed the planning process should be used to avoid this effect occurring by use of appropriate mitigation whilst taking account of the economic and social benefit of the activity causing the noise.

Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (adopted July 2011) (MWCS)

5.10 The following policies are of relevance:

CS29 The Need for Waste Management Development and the Movement of Waste

CS30 Waste Consultation Areas

CS32 Traffic and Highways

CS33 Protection of Landscape Character

CS34 Protecting Surrounding Uses

CS39 Water Resources and Water Pollution Prevention

Cambridgeshire and Peterborough Minerals and Waste Development Plan Site Specific Proposals Development Plan Document (adopted February 2012) (MWSSP)

5.11 The site falls within the following designations in the Site Specific Proposals document:

Shown as an existing Waste Site with a Waste Consultation Area as Map ref **W8AC – Hook Lane, Wimblington**

Fenland Local Plan (adopted May 2014) (LP)

5.12 The following policies of the Fenland Local Plan are of relevance:

LP1 A Presumption in Favour of Sustainable Development

LP2 Facilitating Health and Wellbeing of Fenland Residents

LP14 Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP16 Delivering and Protecting High Quality Environments Across the District

6.0 CONSULTATION RESPONSES AND PUBLICITY:-

- 6.1 *Fenland District Council Planning* – In response to the initial consultation the District Council “*raised an objection to the development on the grounds that Policies LP2 and LP16(e) (l) of the Local Plan seek to ensure that proposals do not adversely impact on the amenity of neighbouring users and that schemes identify, manage and mitigate against any existing or proposed risk from sources of noise. The application as submitted provided insufficient evidence to confirm that there would not be a significant detrimental impact on residential amenity of the surrounding dwellings, in respect of noise and disturbance from a 24/7 operation on site*”.

Subsequently having reviewed the Addendum to the Noise Report dated 27th June 2018 and receiving confirmation from the Environmental Protection Officer that the implemented mitigation measures that have now been undertaken have resulted in acceptable noise emissions, the council’s earlier objection was withdrawn subject to relevant conditions being imposed and full consideration of any additional disturbance as a result of a 24/7 operation onsite (traffic movements etc.).

- 6.2 *Environment Protection Officer (EPO) FDC* – confirmed that they “*have reviewed the updated Noise Report [Addendum to the Noise Report] prepared by MAS Environmental which assesses the impact of noises from night time operation [following implementation of mitigation]. The report concludes that the business operation can operate subject to specified noise mitigation measures*”. On the basis of the submitted information the EPO supports the consultants conclusion and therefore “*recommends appropriate noise compliance conditions be imposed to any approval given within confines of the applicant’s proposed noise mitigation measures as set out in the report RecyMit180418 dated 18th April 2018*”, which includes an outline of a Noise Management Plan to minimise noise impact.

- 6.3 *Wimblington Parish Council* –The Parish Council objected to the planning application and stated that “*Eastwood End has always been a residential area with a number of older properties. For over a year now residents have been complaining about the constant noise emitting from the Recyplas site. During the current hot weather residents find it difficult to open their windows for fresh air due to the business noise. Environmental personnel have witnessed out of hours working contrary to Condition 7. This retrospective planning application demonstrates disregard for planning conditions and the local residents. Parish Council has concerns that if this application is granted for the applicant to work 24/7 including Bank Holidays and Public Holidays, not only would it make living at Eastwood End very noisy, it will set a precedent for other businesses on the Industrial Estate to request longer working hours. It is Parish Council’s opinion that this residential area has been subjected to the over-development of the Industrial site during the past 15 years. An increase in production from working 24/7/365 days of the year will undoubtedly increase heavy vehicle movements in and out of the site using the already badly damaged road Eastwood End*”.

- 6.4 *Environment Agency* – no objection. The EA confirmed that the site operates under an exemption from the waste permitting regulations and all relevant objectives apply to all exemptions and must be complied with along with the specific exemption conditions. They specifically stated that “*Relevant objectives in relation to waste are to ensure that the waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment. In particular without: causing risk to water, air, soil, plants or animals; causing nuisance through noise or odours; or adversely affecting the countryside or places of special interest. If sites cannot meet the terms of relevant objectives and the conditions of their exemption they risk having the exemption deregistered*”.

Publicity:

- 6.5 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 Fenland Citizen on 6th June 2018. This was in addition to 2 site notices put up on 31st May 2018

7.0 REPRESENTATIONS

- 7.1 A total of seven representations from five individual residents raising objection to the increase in working hours have been received from local residents occupying the two nearest residential properties to the site.
- 7.2 In summary strong objections are raised in respect of the overnight working both during weekdays but also at weekends and on Bank Holidays. The site has been the subject of complaints that planning conditions relating to working hours have been breached. Local residents are suffering disturbance with an adverse effect on health and well-being including a lack of undisturbed sleep. Approval of the application would not be in the interests of the health and quality of life for local residents.
- 7.3 Furthermore, there is objection that the proposal amounts to an unacceptable intensification of the existing use. Eastwood End Industrial Estate is overdeveloped and approval of the application to operate overnight, weekends and Bank Holidays would set a precedent which other businesses in the area would see as an opportunity to extend their operations which would have a major adverse impact on the local community and the development of further residential communities within the local area. The proposed extension to working hours will increase the production capacity of the use resulting in more lorry movements.
- 7.4 Finally attention has been drawn to the fact that the records held by the Environmental Protection Office at Fenland District Council show that there is a history of noise complaints made about the site.

- 7.5 A full copy of all the representations will be placed in the Members' Lounge at least one week before the meeting.

8.0 PLANNING CONSIDERATIONS

- 8.1 The previous approvals granted by the Waste Planning Authority establishes the principle of the acceptability of a recycling industrial use on this land. The principle of moving waste up the hierarchy to encourage recycling is supported by both national policy and MWCS Policy CS29. The location of the site and waste recycling operations are therefore supported in principle, subject to the consideration of other planning policies and material planning considerations.
- 8.2 The current permitted hours of working at the site are from 0600 to 2200 hours Mondays to Fridays and 0600 to 1300 hours on Saturdays albeit that working between 0600 to 0730 and 1800 to 2200 hours Mondays to Fridays and 0600 to 0730 on Saturdays is restricted to manual sorting and baling within the building only. The company has been using machinery outside of these hours although out of hours monitoring indicates that activities have not always exhibited a consistent pattern. The planning application seeks to regularise the unauthorised activity and it is important that the impact on the local environment is carefully considered.
- 8.3 Local residents have advised that they have previously suffered disturbance from noise from the site at night. Concerns have been raised that approval of the application could result in continuing noise emissions which would adversely affect their residential amenity.
- 8.4 In support of the planning application the applicant commissioned noise assessments that were undertaken by noise consultants. A noise survey was undertaken between 4th – 9th February 2018 whose primary aim was to establish typical background noise levels and obtain comparisons between existing background and Recyplas source noise levels. The results of the survey identified higher noise levels from the site than estimated from a previous survey undertaken in 2017. This prompted further surveys to identify key sources of noise at the site which were undertaken on 27th March and on 3rd- 4th April 2018.
- 8.5 Monitoring established a typical existing background sound levels in the area measuring between 31- 37 dB LA90, 15 min which was mainly influenced by noise from fans at Fengrain, although distant road traffic noise also contributed to some extent.
- 8.6 The noise consultant's report advises that Recyplas noise levels at the assessment locations are generally measured in the region of 38-41 dB LAeq, 15 min. They consider that a noise limit of 36 dB LAeq, 15 min during night time being close to typical background levels at 34 dB or above, would be an appropriate night time limit. The limit should apply at the boundary of residential dwellings to allow monitoring to be undertaken. The consultant's

report concludes that to meet such a limit Recyplas Ltd will need to mitigate current levels of noise.

- 8.7 The consultant also draws attention to the finding that low frequency energy is a feature of the noise measured at the Recyplas site. They acknowledge that sources of noise that contain significant low frequency energy are more annoying than those that do not. They recommend that additional noise limits are put in place to control low frequency noise impact.
- 8.8 On the basis of these survey results, the retrospective nature of the application and taking into consideration the planning enforcement history of the site it is clear that the nearest residents have been exposed to elevated levels of noise at night and that potential for disturbance would result if this were to continue.
- 8.9 Following the results of the noise survey undertaken in March and April 2018 the applicant has acted to mitigate noise emissions from the site. The site operator has taken one externally sited chiller machine out of use and replaced it with a smaller new unit with lower noise attributes. Other modifications have been made to equipment within the building.
- 8.10 Following modifications to the plant and the replacement of chiller No.2, the noise consultants carried out a further survey on 14th and 15th June 2018. The results of noise monitoring show that a good reduction in noise emissions has been achieved amounting in combination to a 3 dB decrease to 35-37 dB when measured at the junction of Hook Lane and Eastward End. The noise levels at a location close to the nearest houses was measured at 34 dB.
- 8.11 Both noise monitoring reports have been considered by the Environmental Protection Officer at Fenland District Council who has recommended that, if approved the decision should include a noise condition restricting the night time noise in line with the consultant's report. The limit value is equivalent to the representative night time background noise level experienced locally and thus night time and weekend operation of the industrial process carried out within the confines of the building with the doors shut would not result in detriment to local amenity in accordance with government guidance and MWCS Policy CS34.
- 8.12 It is clear from noise monitoring that background noise levels are influenced by the nature of site equipment in use, time of night, weather conditions including wind direction, the presence of other sources such as agricultural activity and road traffic noise on local roads and A141. Consequently there is a range of noise levels that are experienced locally.
- 8.13 It is noted that the applicant has taken ameliorative action in response to the results of initial noise monitoring. This has encompassed the replacement of an external chiller unit and modifications to the internal plant. This improvement process should continue going forward so that the site can operate well within any night time environmental noise limits set. The Environmental Protection Officer (EPO) has recommended that a planning

condition be imposed to secure regular monitoring of noise by the site operator to act as a catalyst for site improvements in addition to responding to any justified local complaints. The inclusion of a suitable planning condition has been recommended (see draft condition 31). The proposed draft planning conditions have the support of the EPO of the District Council.

- 8.14 A local concern has been expressed about any potential increase in HCV traffic movements that might be generated by an increase in working hours. The applicant has advised that the proposed change in working hours will not increase processing capability or vehicle movements but will allow the company to keep outside storage under control by being able to process material quicker and being more re-active. HCV traffic movements into and out of the site use a nearby weighbridge at Fengrain to weigh the vehicles, which is only open during the day. Operation of the external yard where lorries are unloaded and loaded will still only take place during the existing permitted hours (0730 – 1800 hrs Mondays to Fridays and 0730 to 1300 hrs on Saturdays). The proposed development supports 7 jobs during the night shift and thus a number of cars would enter and leave the site at shift change times.
- 8.15 The site operates under an Exemption from the Environmental Permitting Regulations administered by the Environment Agency which specifies an annual production limit. Even if the proposed development was ultimately to result in a very marginal increase in HCV movements (1 to 2) the site access has been laid out to the required standards and there is acceptable visibility at the junction of Hook Lane with Eastwood End for emerging goods vehicle traffic as they turn towards the A141. Having reviewed this report the Highways Officer has not identified any particular concerns on highway capacity or road safety grounds. The use of an existing industrial access by any small increase in daytime lorry movements would not result in a significant adverse impact on residential amenity which would justify withholding consent.
- 8.16 Concern has been raised by some local residents about plastic smells from the process impacting on local amenity. Whilst on a recent site visit a slight odour was just detectable in the site car park adjacent to Unit 1 building, it was not however noticeable outside of the boundaries of the site. The situation should be kept under review by the council's officers and if such impacts are established then referral to the Environment Agency should be considered in respect of the conditions on the site's Exemption.
- 8.17 The Parish Council and others express the view that the Eastwood End Industrial Estate is overdeveloped, to the detriment of local residential amenity. Industrial uses nearby have been established for many years and the environmental impact of industrial activity, whilst clearly noticeable, should not result in unacceptable conditions for local residents provided such uses operate within the constraints imposed by the relevant regulatory bodies.
- 8.18 Concerns have also been raised that approval of this application would act as a precedent which would make resisting other applications for longer working

hours at nearby industrial uses difficult to resist. It is a general planning principle that applications for planning permission must be determined on their individual merits, having full regard to the policies of the Development Plan. Approval or otherwise of a planning application cannot create a precedent that would override the provisions and application of Development Plan policy and such fears are unfounded and can be given no weight in the decision making process.

- 8.19 Concerns have also been raised about future compliance monitoring regarding the environmental impact of site operations at night. The site operator has advised that the site has a CCTV monitoring system in use for security and other purposes. Images are recorded (and retained for 30 days) and can thus be made available to regulatory bodies for checking in the event of complaint or concerns being received regarding elevated noise because the main building doors are open or work taking place outside of the confines of the building during the night or on Sundays. The operator has indicated his approval for a planning condition to be added to require any modification to the CCTV scheme necessary to ensure that the operation of the main access doors to Unit 1 can be monitored to ensure that they are kept closed during night time operations (see draft condition 31).

9.0 SUMMARY AND CONCLUSION

- 9.1 It is important that if operations undertaken within the Unit 1 building are to continue overnight and at weekends and bank holidays then the amenity considerations for local residents are respected and noise levels reduced to an acceptable level and thereafter maintained in accordance with MWCS Policy CS34 'Protecting Surrounding Uses'.
- 9.2 It is clear that local residents have experienced noise problems on occasions in the past and there is thus a need to bring night time operations under closer control. Whilst the application is retrospective the recent noise monitoring and related mitigation work undertaken by the applicants has yielded positive benefits in respect of reduced noise emissions and is welcomed. The applicant should continue the periodic noise monitoring and review of mitigation works particularly as industrial processes change and new or replacement fixed machinery and equipment is brought into use. This approach has the support of the District Council's EPO.
- 9.3 To ensure that the amenity of local residents is respected it is recommended that additional noise controls are secured by planning condition to include limitations on night time noise experienced at the nearest residential property (see draft condition 29), in line with the noise consultant's report. It is also recommended that noise emissions are regularly monitored and any further mitigation works carried out as necessary (see draft condition 31). These matters can be secured through planning conditions (see recommended draft Conditions 29, 30 & 31) requiring the submission, approval and implementation of an on-going noise monitoring scheme.

- 9.4 The amended hours of operation are also set out in the amendments to Condition 7 set out in the recommendation below.
- 9.5 In respect of noise mitigation the site operator has indicated a willingness to replace reversing alarms used on his forklift trucks with a quieter white noise device. This change can be secured through modification of a planning condition and has been included in the recommendation (see draft Condition 11).
- 9.6 The Highways Officer has not objected to the development on highway grounds and all HGV movements and operations within the external yard will continue to take place within the permitted daytime hours.

10.0 RECOMMENDATION

- 10.1 It is recommended that planning permission be granted for the revised planning application, subject to the following conditions,

Unit 1

1. Implementation

This permission comes into effect on the date of this decision notice.

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

2. Site Area and conditions related to Unit 1

This set of conditions for Unit 1 shall only relate to the land edged green on the Site / Location Plan, drwg no. 5744/01, dated Sept 2017.

Reason: *To define the site and to define the conditions of this permission to the Unit 1 site.*

3. Approved Plans

The development hereby permitted shall be carried out in accordance with the application form dated 21/05/2018 and the following information and plans (received 15 May 2018 unless otherwise stated):

- Planning Statement and Flood Risk Assessment B by Peter Humphrey Associates Ltd (received 27 June 2018);
- RECYplas Fire Policy (received: 19 August 2016);
- Fire Prevention Plan by Peter Humphrey Associates Ltd (received 23 January 2017);

- Site / Location Plan, drwg no. 5744/01, dated Sept 2017;
- Existing Layouts, drwg no. 4482/EX01, dated November 2009 (received 02 December 2009) [relating to approved landscaping scheme];
- Noise Impact Assessment by MAS Environmental dated 18th April 2018;
- Addendum Report, Noise survey 14th-15th June 2018 by MAS Environmental dated 27th June 2018 (received 27 June 2018).

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

4. Fire Safety

[New fire hydrants have been provided to serve the development and therefore this condition is no longer required.]

5. Construction Materials

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order then in force, the building labelled Unit 1 on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' shall remain on site constructed in metal cladding Goosewing Grey BS10AOS, and trims and guttering in Mint Green BS14C37, unless prior written agreement of the Waste Planning Authority has been provided.

Reason: *To ensure that the development does not adversely affect the character and appearance of the locality in accordance with policy CS33 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011).*

6. Archaeology

The area shown as 'Grass' on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' shall remain free from development. It shall also not be disturbed by any heavy machinery or vehicles, development or storage.

Reason: *To ensure that the development avoids an area of the site known to contain archaeological remains in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP18 of Fenland Local Plan (May 2014).*

7. Hours of Operation for Unit 1

No working in the external yard and the Raw Material Store building shall be undertaken outside the hours of 07.30 to 18.00 hrs Monday to Friday and 07:30 to 13:00 hrs on Saturdays. There shall be no working in the external yard and the Raw Material Store building on Sundays or Bank and Public Holidays.

All goods vehicle movements associated with the delivery of waste materials for recycling, delivery of plant and equipment and the collection of finished product or disposal of any waste residues shall only enter and leave the site during the hours of 07.30 to 18.00 hrs Monday to Friday and 07:30 to 13:00 hrs on Saturdays. There shall be no unloading or loading of vehicles undertaken on Sundays or bank holidays.

Waste processing within the confines of Unit 1 can be carried out 24 hrs 7 days per week (including bank holidays and Sundays), and the arrival and departure of personal staff vehicles to accommodate such operations shall also be permitted.

Reason: *To protect the amenity of surrounding and local residents in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

8. Environmental Protection

No processing of waste shall take place outside of the building labelled Unit 1 on Site / Location Plan], drwg no. 5744/01, dated Sept 2017.

Reason: *To ensure that noisy activities are confined to the building, to reduce problems of wind blown litter; and to protect the character and appearance of the locality in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

9. Noise Insulation

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order then in force, the building labelled Unit 1 on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' shall remain on site constructed with 180mm composite insulation board for noise mitigation purposes as approved by the Waste Planning Authority by letter dated 10 November 2003.

Reason: *To protect the amenity of the occupiers of nearby properties and avoiding any change to the noise insulation of Unit 1 in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

10. Silencers

All plant and machinery shall operate only in the permitted hours for Unit 1 as set out in condition 7, and shall be silenced at all times and such systems maintained in accordance with the manufacturers' recommendations.

Reason: *To minimise disturbance to neighbours and the surrounding area in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

11. Reversing Vehicles

Within one month of the date of this decision notice all forklift trucks working on the site shall be fitted with White Noise reversing beepers. The reversing equipment shall thereafter be used and maintained in working order in accordance with the manufacturer's instructions.

Reason: *To protect the amenity of surrounding and local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and Policy LP16 of the Fenland Local Plan (May 2014)*

12. Dust

Dust shall be suppressed at the Unit 1 site in accordance with the details approved by the Waste Planning Authority by letter dated 10 November 2003, including the installation of the water bowser. The suppression equipment shall be maintained in accordance with the manufacturer's instructions and available for use at all times.

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

13. Lighting

No lighting shall be installed at the site except in accordance with 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017'.

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

14. Drainage and Pollution Control

Surface water at the site shall be discharged into the adjoining riparian drain and into March East Internal Drainage Board, and not soakaways in accordance with the approval from the Waste Planning Authority dated 30 July 2009.

Reason: *To ensure the satisfactory drainage of the site, to protect the groundwater and minimise the risk to flooding in accordance with policy CS39 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP14 of Fenland Local Plan (May 2014).*

15. Building Ventilation

Except within the hours of 1800 to 0730 Mondays to Saturdays and 1300 hours on Saturdays and 0730 on Mondays the building labelled Unit 1 on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' shall be ventilated via the main doors as approved by the Waste Planning Authority by letter dated 10 November 2003.

Reason: *To control emissions from the development in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

16. Incineration

No burning of waste shall be undertaken on the Site.

Reason: *To safeguard the residential amenity of the area and to avoid a potential fire risk in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

17. Boundary Treatment

The 2.4 metre palisade fence as shown on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' which borders the site and separates it from Unit 2 shall be retained on site for the duration of the development and maintained to the satisfaction of the Waste Planning Authority.

Reason: *In the interests of visual amenity and reduction of wind-blown litter in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014) and to help define the boundary between Units 1 and 2.*

18. Landscaping

The landscaping shown on 'Existing Layouts, drwg no. 4482/EX01, dated November 2009 (received 02 December 2009)' approved by letter dated 3 December 2009 shall be maintained on site for the duration of the development.

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

19. Landscaping Implementation

The approved landscaping scheme has been implemented on site for over 5 years and therefore this condition is no longer required.

20. Importation of Waste

The approved landscaping bunds have been implemented on site for over 5 years and therefore this condition is no longer required.

21. Onsite Loading-Unloading

The permanent space to be reserved on the Site to be able to:

- enter and leave in forward gear
- park clear of the public highway
- load and unload clear of the public highway

as shown on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' and the space shall be used for no other purpose.

Reason: *In the interests of highway safety in accordance with policy CS32 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011).*

22. Onsite Parking Unit 1

The permanent space to be reserved on the Site for:

- turning
- parking
- loading and unloading

of HCVs as shown on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' and the space shall be retained on site and thereafter used for no other purpose.

Reason: *In the interests of highway safety in accordance with policy CS32 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011).*

23. Onsite Parking Unit 2

This condition relates to land on the Unit 2 part of the site and is therefore not relevant to Unit 1.

24. Storage of Material outside Unit 1

a) The area shown as 'Raw material (Bail form)' on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' is the only area outside of Unit 1 where raw material is permitted to be stored and the material shall only be in bale form.

b) The permitted raw plastic waste material shall be baled in a plastic cover at a maximum height of 76 cm per bale. Bales shall only be stored up to a maximum height of 2.3 metres or 3 bales high, whichever is the lower.

c) Wooden pallets shall only be stored in the area referred to as 'Pallet Store' on 'Site / Location Plan, drwg no. 5744/01, dated Sept 2017' up to a height of 2.3 metres.

Reason: *In the interests of visual amenity and to restrict the location of outside storage for fire mitigation and safety reasons in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

25. Litter Management Policy

The 'Litter Management Policy by RECYplas Limited dated 19.01.17 (received: 23 January 2017)' shall be adhered to in full and maintained for the duration of the development hereby permitted. Records related to this policy shall be provided to the Waste Planning Authority within 10 days of a written request.

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

26. Permitted waste streams for Unit 1

Nothing other than waste plastics shall be brought on to the site or treated within Unit 1.

Reason: *To enable the Waste Planning Authority to retain control over the waste streams being processed in Unit 1 in line with the tonnages in condition 27 and in accordance with policy CS29; and to minimise the risk of pollution in accordance with policies CS34 and CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policies LP14 and LP16 of the Fenland Local Plan (May 2014).*

27. Annual Throughput and waste storage limit for Unit 1

The waste throughput for the permitted waste plastic stream for Unit 1 identified in condition 26 shall not exceed the limits as follows:

- 5,200 tonnes per calendar year (or 100 tonnes per week) for heat treatment of relevant plastic wastes;
- 15,600 tonnes per calendar year (or 300 tonnes over any 7-day period) for cleaning, washing, spraying, or coating treatment of relevant plastic wastes;
- 3,000 tonnes indoors over any 7-day period for baling, sorting, or shredding of relevant plastic wastes.

The waste storage limit for the Unit 1 site shall not exceed 500 tonnes over a 12-month period. Records showing waste plastic throughput and storage

limits for any specified period shall be kept on site and provided to the Waste Planning Authority within 10 days of a written request.

Reason: *To enable the Waste Planning Authority to retain control over the future development of Unit 1 in accordance with policy CS29; to ensure that the vehicle movements that have been considered for Unit 1 are controlled to protect highway safety in accordance with policy CS32; and to protect residential amenity by controlling the amount of waste at the site in accordance with policy CS34 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011).*

28. Waste Catchment Restriction for Unit 1

The owner/operator of the development permitted by this planning permission will endeavour to procure not less than 30% of the waste imported to the site from a catchment area which shall comprise a radius of 45 km from the site or within the administrative areas of Cambridgeshire and Peterborough as shown on 'Plan CCC1 - Waste Catchment Area of Unit 1'. For the purpose of clarity waste being collected from any waste transfer station within the defined catchment area shown on 'Plan CCC1 - Waste Catchment Area of Unit 1' shall be regarded as arising from within the catchment area.

Reason: *To ensure that the facility is managing a large percentage of local waste arisings, in accordance with Policy CS29 of Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and that the situation is kept under review to help meet the monitoring requirement of the Plan.*

Noise Limits

- 29.** Between the hours of 0700 and 2000 noise emissions from the site, including any corrections for acoustic characteristics, shall be no more than 5dB above the prevailing background noise level at the nearest residential property lying to the south of the site. Between the hours of 2000 and 0700 noise levels from the site, including any corrections for acoustic characteristics, shall not exceed 36 dB LAeq, 15 minute, as measured under free field conditions, at the nearest residential property lying to the south of the site.

Reason: *To protect the amenity of surrounding and local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and Policy LP16 of the Fenland Local Plan (May 2014).*

- 30.** Between the hours of 2000 and 0700 low frequency noise levels from the site, including any corrections for acoustic characteristics, shall not exceed 60 dB(C), LAeq, 15 minute at the nearest residential property lying to the south of the site and shall comply with the linear spectral noise levels set out below:

Externally Modified Criteria

Hz	10	12.5	16	20	25	31.5	40	50	63	80	100	125	160
dB	92	89	86	77	69	61	54	50	50	48	48	46	44

Reason: *To protect the amenity of surrounding and local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and Policy LP16 of the Fenland Local Plan (May 2014).*

Noise Monitoring and Management Scheme

31. A noise monitoring scheme shall be submitted to the Waste Planning Authority within one month of the date of this decision notice for approval. The submitted scheme shall include, but not be limited to:
- a periodic programme of sound monitoring to demonstrate compliance with Conditions 29 and 30 of this approval which shall address any seasonal variation to the local environment and nearby noise sources, daytime and night time monitoring and any seasonal variations in workloads that the business operation experiences;
 - the frequency of noise monitoring, shall be sufficient to demonstrate compliance with the day time and night time noise emission levels from the site;
 - that a record to be kept of the operational hours of use of the Granulation building together with a register of any noise complaints received together with a record of all operational and mitigation measures taken to prevent an breach of the noise condition;
 - the timescale and details of the provision of CCTV coverage of the operation of the main access doors to the building to enable monitoring of the closure of these doors during nighttime operation.
 - That should the noise monitoring result in exceedances in the noise limits set out in Conditions 29 and 30 then further mitigation measures will be designed and introduced within a timescale to be submitted to and approved in writing by the Waste Planning Authority to address the exceedances with a further period of monitoring to confirm compliance with Conditions 29 and 30.
 - The results of the noise monitoring and mitigation actions taken shall be provided to the Waste Planning Authority on a periodic basis in accordance with the permitted scheme.

The approved scheme shall be implemented in accordance with the approved details.

Reason: *To protect the amenity of surrounding and local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough*

Minerals and Waste Core Strategy (July 2011) and Policy LP16 of the Fenland Local Plan (May 2014).

Informatives

1. Environment Agency Informative

Although Fire Prevention Plans (FPP) are only a requirement for permitted sites, the applicant may find the FPP guidance helpful to raise awareness of the issues that should be considered. It can be found at:

<https://www.gov.uk/government/publications/fire-prevention-plans-environmental-permits/fire-prevention-plans-environmental-permits>

The applicant is advised to contact the Environment Agency to review the registered exemptions for this site and ensure that the site is operating in accordance with the correct registered exemptions.

2. Local Liaison Meetings

The applicant is requested to set up local liaison meetings, in consultation with the local Councillors, to ensure that local residents and parish council members are given the opportunity to raise any concerns directly with the Company. These meetings should be arranged at a mutually convenient time for all participants and be chaired by one of the local Councillors.

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 working hours within Unit 01. Consultation took place with statutory consultees and other consultees, including local residents, which have been taken into account in the decision making process.

Important Note:

Whilst of no direct relevance to the determination of this Section 73A planning application, should it be resolved to grant planning permission for this development, then the decision notice to be issued must take due account of the extant planning conditions relating to Unit 2.

DPD Source Documents	
<p>Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD 2011</p> <p>Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan DPD 2012</p> <p>Fenland Local Plan 2014</p>	