

PLANNING COMMITTEE: MINUTES

Date: Thursday 1st October 2020

Time: 10.00am – 11.34am

Place: Virtual Meeting

Present: Councillors B Ashwood, D Connor (Chairman), I Gardener (Vice-Chairman), L Harford, B Hunt, S Kindersley, M Smith and J Scutt.

Officers: Emma Fitch – Joint Interim Assistant Director, Environment and Commercial, Deborah Jeakins – Principal Enforcement and Monitoring Officer, Jaspreet Lyall – LGSS Law, Tom Ruzala – Asset Information Definitive Map Officer, Daniel Snowdon – Democratic Services Officer and Helen Wass - Development Management Officer (Strategic & Specialist Applications).

97. ELECTION OF CHAIRMAN/WOMAN

It was proposed by Councillor Gardener and seconded by Councillor Hunt that Councillor Connor be elected Chairman for the municipal year 2020/21.

On being put to the vote it was resolved unanimously to:

Elect Councillor David Connor as Chairman for the municipal year 2020/21.

98. ELECTION OF VICE-CHAIRMAN

It was proposed by Councillor Connor and seconded by Councillor Hunt that Councillor Gardener be elected Vice-Chairman for the municipal year 2020/21.

On being put to the vote it was resolved unanimously to:

Elect Councillor Ian Gardener as Vice- Chairman for the municipal year 2020/21

99. APOLOGIES

None.

100. DECLARATIONS OF INTEREST

None.

101. MINUTES – 3RD OCTOBER 2019

The minutes of the Planning Committee meeting held on 3rd October 2019 were agreed as a correct record and would be signed by the Chairman at a later date.

A Member sought confirmation in relation to Minute 95, Enforcement Update report, that information had been shared with Little Downham Parish Council. It was agreed to address the point during the Enforcement Update Report later on the agenda.

102. RESTORATION OF LAND AT COLNE FEN USING IMPORTED WASTE TO CREATE CONSERVATION HABITATS

[SECTION 73 PLANNING APPLICATION TO DEVELOP LAND WITHOUT COMPLYING WITH CONDITION 1 OF PLANNING PERMISSION H/05001/13/CW (RESTORATION OF LAND AT COLNE FEN USING IMPORTED INERT WASTE TO CREATE CONSERVATION HABITATS) TO ALLOW THE DEVELOPMENT TO CONTINUE UNTIL 31 DECEMBER 2024]

AT: COLNE FEN QUARRY, CHATTERIS ROAD, SOMERSHAM, PE28 3DN

LPA REF: FMW/025/19

FOR: MR D NEWMAN

The Committee considered a report that sought Section 73 planning permission to develop land without complying with condition 1 of planning permission H/05001/13/CW, for the restoration of land at Colne Fen using imported waste to create conservation habitats.

The Chairman informed the Committee that as both planning applications being considered at today's meeting were for the same site, the officer presentation and debate would also cover the second application (Importation of inert waste to stabilise land for bridleway - FMW/020/20). However, voting on the applications would be undertaken and recorded separately.

The presenting officer informed Members of a minor correction to the recommendation of agenda item 7 (Importation of inert waste to stabilise land for bridleway - FMW/020/20) that required the removal of the reference to the S106 agreement.

The presenting officer explained that the Section 73 application was to allow the development to continue beyond the expiry date of the original planning permission and the second application was required because the bridleway stabilisation works fell outside of the original red line boundary area.

Members were informed that planning permission was granted in 2013 for the importation of inert waste as part of a new restoration scheme for parts of Colne Fen Quarry. Elements of the development were remedial work for safety reasons. Front Lake was a significant body of water and wave erosion in the lake required the installation of spits, however, none of that work had been

undertaken. The largest part of the works was for the importation of inert waste into the Silt Pond for stability reasons as the area had the consistency of quick sand following the conclusion of mineral processing operations. Members were informed that very little of that work had been completed. The presenting officer highlighted work to the margins of Irrigation Lake on the site plan which was to facilitate a bridleway. The final 2 elements of the 2013 planning permission were to fill a depression in agricultural land to the east of Rhee Lake that had been completed and the creation of fish rearing ponds in Rhee Lake that had been partially completed.

Members were shown an aerial photo that showed access to the site together with the various bodies of water on the site. Planning permission had been granted for 6.5 years to tie in with expiry date of the remaining mineral extraction permission. There was at that time an expectation in the local community that Heavy Goods Vehicle (HGV) movements would have ended. Although it was not unusual for permissions of this nature to overrun they were generally close to completion by the time planning permission expired. However, in this case the majority of the permitted development granted in 2013 had not been completed and permission was now being sought for a similar period of time as the 2013 planning permission. As a result there were 2 main areas of concern for the local community (local residents, rights of way users and the Parish Council). Firstly, the continued HGV movements particularly along Chatteris Road and the failure to reinstate the permissive bridleway.

With regard to HGV movements the presenting officer explained that if the void at the site requiring material had a fixed capacity the effect would be to defer the traffic. However, the capacity of the Silt Pond was re-calculated by the applicant and as a result requires more than double the volume of material. Members noted that the impact was partially offset by the applicant not progressing proposals for Front Lake which had effectively been withdrawn. Members further noted the condition of the 2013 permission that limited HGV movements to 120 (60 in and 60 out) which would remain if permission was granted for a further 5 years. The actual number of movements during the period of the 2013 permission was significantly fewer than permitted by condition and therefore clear that the amounts of material required were not forthcoming. The presenting officer informed the Committee that the site had been closed since March 2020 and an entire year's dry weather had therefore been lost. The applicant therefore had requested that permission be granted for 5 years from the date of the permission. Attention was drawn to the need for a S106 agreement which ordinarily take a number of months to finalise and result in a delay to issuing the planning permission and consequently to the 5 year period. Officers therefore recommended that it would be reasonable to grant 5 years from the date of today's meeting should permission be granted that would provide an additional 9 months beyond the end of 2024 and crucially the 2021 dry season.

There had been no objections received from the Highway Authority. The presenting officer drew attention on a map to the HGV routing agreement that formed part of the 2013 planning permission together with the proposed haul road which would take traffic away from Colne, Earith and Bluntisham but not the Chatteris Road and junction in Somersham. Conditions were therefore recommended regarding traffic movements that included no waste being

brought to the Silt Pond before the haul road was opened and by means of a routing agreement, Silt Pond traffic must only use the private haul road.

With regard to rights of way, the presenting officer drew attention to the 2006 permissive bridleway, the route of which was highlighted on a map. It was installed by the former site owner, Hanson, and open for a short time but closed by the current owner due to unstable land. Various photographs were shown that illustrated the proposed route of the bridleway and the work required to upgrade it. The permissive route was a dead end for horse riders however, it was possible for walkers to reach Chatteris Road.

The presenting officer explained that permissive routes had limitations as they were permissive by nature. It was therefore recommended that in order for the first planning application to be acceptable it was necessary for the route to be reinstated and become a right of way. The land owner would then be obliged to ensure it remained open and unobstructed. Members were informed that the applicant had purchased additional land in order for part of the route to be upgraded to a bridleway. The other land owner that would be affected had also agreed to the upgrade.

The presenting officer concluded by commenting that there were no sustainable capacity or safety reasons relating to highways that would affect the report recommendation. The private haul road would provide a significant reduction in HGV traffic for the local area. The bridleway was considered to be significant benefit to the community. Therefore, on balance the permission should be supported.

The Chairman introduced Tom Ruzsala, Asset Information and Definitive Maps Officer, who was available to answer Member questions.

In response to Member questions officers:

- Explained that the routing agreement remained the same as the one agreed in 2013 and would require HCVs to turn right to St Ives when joining the A1123.
- Explained that a condition 16A required that no material be deposited in the Silt Pond until construction of the haul road had been completed. The Silt Pond represented a large part of the development and the applicant submitted the application on the basis of establishing the haul road.
- Confirmed that it was the responsibility of the developer to upgrade the bridleway bridge in order that it could be used by horses.
- Drew attention to the CL:AIRE code of practice referenced in the report that provided a framework which allowed the re-use of clean naturally occurring soil materials on site or their transfer between sites, without being classified as waste. The process was overseen by the Environment Agency. Material intended for the Silt Pond was subject to a

permit obtained from the Environment Agency and would be subject to site inspections.

- Explained that Cambridgeshire County Council (CCC) would be responsible for the ongoing maintenance of the public right of way on adoption, which included the bridge. Members noted that maintenance of the vast majority of bridleways were the responsibility of CCC.

The Chairman invited Mrs Hazel Lambert, speaking on behalf of Earith Parish Council to address the Committee. The Chairman explained that as both planning applications were being considered at the same time, Mrs Lambert would have 10 minutes in which to present her statement rather than the usual allotted 5 minutes.

Mrs Lambert began by highlighting the anxiety and frustration felt by residents of Earith, Colne and Somersham at the length of time restoration of the site had taken. The previous application had not been followed through and there was a history of non-compliance at the site. The only mitigating factor was proposed construction and use of a private haul road. However, there were some residents of Somersham that would not benefit from it. Mrs Lambert recognised the need for the extension to the planning permission, however, it was essential that close monitoring of the site was undertaken and for non-compliance to be dealt with promptly. Mrs Lambert emphasised the importance of the proposed bridleway and its completion within 9 months. The residents of Earith had suffered for decades from the extraction of minerals at the site with little in the way of mitigation through amenities. In conclusion Mrs Lambert, notwithstanding the concerns she had presented the Committee, supported the planning application and was optimistic that an end was in sight. Mrs Lambert requested that the Council ensured that the timescales associated with the planning application were not allowed to slip.

The Chairman informed Members that Mr John Gough, agent for the applicant, was present and whilst he had nothing further to add to the officer report, was available to answer any questions Members may have.

In response to Member questions Mr Gough:

- In addressing the concerns raised by Mrs Lambert, explained that there had been significant delay associated to the previous planning permission due it having taken approximately 2.5 years to obtain the necessary permit from the Environment Agency. The planning permission for the haul road had also taken nearly 18 months to obtain from Huntingdonshire District Council. The size of the scheme had reduced which provided added confidence regarding the timescales. Mr Gough made reference to the planning conditions set out in the officer's report that provided phasing to the scheme.

- Explained that no material would be deposited within Front Lake. Stabilisation of the bridleway would include the area being drained and compacted.

The Democratic Services Officer read a statement regarding the application provided by the local Member for Somersham and Earith, Councillor Steve Criswell.

Councillor Criswell was extremely disappointed that the applications had required submission, further extending the work at Colne Fen Quarry. Work should have been completed before now. Local residents had endured HCV traffic from quarry workings off Chatteris Road for decades and were entitled to think it was nearly at an end. The applications were deeply unpopular due to the dust, noise and vibration that resulted from the constant stream of Quarry traffic. The new off-line diversion route would avoid some villages, but residents on Chatteris Rd Somersham would still suffer from the impact of all vehicles. Councillor Criswell however, would not be submitting a formal objection to the applications, as he reluctantly recognised that the restoration work needed to be completed. He welcomed the conditioned phasing of work which ensured the Public Bridleway was opened as soon as possible and the impact of traffic through some of the residential areas was minimised.

During debate of the applications Members:

- Expressed disappointment that local residents have been subjected to ongoing HCV movements through their villages. It was incumbent on the applicant that there was no delay in adherence to the officer's recommendation and to be a positive neighbour to local residents.
- Commented that although there was an element of phasing through conditions, the first phases represented only a small proportion of the total length of the extension and questioned what phasing could be implemented during the main body of the work in order that deadlines were adhered to as residents had suffered considerably due to the HCV movements. Officers explained that the principal reason for the delay at the site was regarding the obtaining of the necessary Environment Agency permit. Government information regarding permits advises applicants to apply for the necessary permits alongside the planning application in order to avoid delay. Now that the required permits had been obtained there was no reason for delay. Officers were mindful that due to moving into the wet season, conditions would possibly not be favorable to making significant progress on the restoration it was proposed to secure by condition 1 of planning application FMW/020/20, a commencement date of 1st May 2021. Availability of suitable material was also a significant factor in the application and the operator, Mick George may need to re-prioritise deployment of material to the site. Furthermore, the planning permission granted in 2013 did not allow for delays and did not include phasing. Discussions had taken place with the local Member regarding conditions, in particular vehicle movements

which was why weighbridge records had been included that would highlight if the site was falling behind. The operator was under no illusion that the restoration of the site had to progress speedily.

*Councillor Scutt left the meeting at 11.00am.

- Noted the comments of objectors to the planning application that highlighted how they had been impacted by the site. The site was clearly a beautiful place and it was welcome that the community would benefit from a bridleway and it was imperative that it be completed as a matter of urgency.
- Confirmed that Enforcement Monitoring Officers would visit the site regularly and that progress would be clearly visible when visiting the site. Members also noted that Enforcement Monitoring Officers, through condition, would have access to weighbridge records in order to assess the level of material entering the site.

It was proposed by Councillor Kindersley and seconded by Councillor Harford that the recommendation be put to the vote.

It was resolved unanimously

That planning permission be granted subject to the completion of a s.106 planning obligation and the conditions set out at Appendix A to these minutes.

103. IMPORTATION OF INERT WASTE TO STABILISE LAND FOR BRIDLEWAY

**AT: COLNE FEN QUARRY, CHATTERIS ROAD, SOMERSHAM,
PE28 3DN**

LPA REF: FMW/020/20

FOR: MICK GEORGE LTD

The presentation, public speakers and debate for this item are contained within minute 102.

It was proposed by Councillor Kindersley and seconded by Councillor Harford that the recommendation be put to the vote.

It was resolved unanimously:

That planning permission be granted subject to the conditions set out at Appendix B to these minutes.

104. ENFORCEMENT UPDATE REPORT

Members received the enforcement update report that covered the period 1 October 2019 to 31 August 2020, detailing the number of site monitoring visits undertaken and providing updates on key enforcement cases.

The presenting officer highlighted staffing changes that had occurred within the team since the publication of the last report. Furthermore, due to the COVID-19 pandemic there had been redeployment of staff. However, the impact of the loss of staff had been mitigated by sites not operating during that time.

The presenting officer drew attention to an error contained at section 9 of the report – Field 6184 / Land at Little Downham that should have stated there were 4 costs instalments due to be paid with 2 instalments remaining.

With regard to the sharing of correspondence with Little Downham Parish Council, in response to an earlier Member question, the presenting officer explained that following legal advice, a summary was provided on 9th October 2019 and the Parish Council had been provided with copies of the enforcement update reports.

With regard to section 11 of the report relating to Saxon Pit, Whittlesey, Members were informed that the Environment Agency was still investigating the importation of the non-conforming waste. However, the waste could remain on site providing mitigation action was taken in order to address any leachate and landfill gas. The Environment Agency required that no further waste could be brought on to the site at present until these matters were resolved.

Members noted the update provided regarding section 12 of the report relating to East Anglian Resources (EARL) Wood Waste, Whittlesey. Members recalled the requirement of a temporary planning permission for a barrier to provide a permanent secure division between the wood waste yard and the adjoining land. The barrier had now been installed and therefore further reports relating to the haulage yard would be investigated by Fenland District Council.

In response to Member questions officers:

- Confirmed that the summary provided to Little Downham Parish Council would be shared with Councillors Hunt and Bailey as local Members.
- Confirmed that with regard to Land at Little Downham, 2 payments had been received. A further invoice was due to be issued at the end of October 2020 and the final invoice would be issued at the end of October 2021.

It was resolved to note the contents of the report.

105. ENFORCEMENT PLAN REVIEW

The Committee received a report that presented a revised enforcement plan for the County Planning, Minerals and Waste service. The Plan was used as a framework for the enforcement and monitoring of authorised mineral and waste sites as well as sites where no County Planning permission was in place. The Plan also contained guidance on how breaches of planning control on the County's own development sites were addressed.

The presenting officer drew Members' attention to sections 3 and 4 of the report that set out the consultation responses and the key points and revisions to the Plan.

During discussion of the report a Member emphasised the importance of informing relevant parties of confirmed breaches of planning control and requested that Member engagement be enhanced within the Plan. The Legal Officer explained that the plan was underpinned by operating procedures and confirmed that officers would seek to ensure that these reflected the need to keep Members updated . **ACTION**

It was resolved unanimously to:

Approve the updated Enforcement Plan.

106. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

The Committee considered a summary of decisions made under delegated powers.

It was resolved unanimously to note report.

Chairman

Time Limit

1. This permission shall be limited to the period expiring on 1 October 2025 by which time the Site shall be restored in accordance with the approved drawings listed in condition 2 except in respect of Front Lake.

Reason: The development is related to the restoration of the site, which no longer includes development in Front Lake, within a set timescale to minimise the impact on local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with policies CS25 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011).

Compliance with Submitted Details

2. Except in respect of Front Lake the development hereby permitted shall not proceed except in accordance with the following documents and drawings as amended by the conditions stated on this decision notice:
 - Supporting Statement dated March 2013;
 - Ecological Appraisal by FPCR (Rev. B) dated 4th June 2013;
 - Transport Statement (updated and re-submitted 10 May 2013);
 - Flood Risk Assessment by Hafren Water dated March 2013;
 - Noise Assessment dated March 2013;
 - Site Plan, Plan: CF1 Revision A stamped date received 21 Mar 2013;
 - Site Definition Plan, Plan: CF100 stamped date received 13 Jun 2013;
 - Method Statement Plan, Plan: CF2 Revision A stamped date received 21 Mar 2013;
 - Ecological Management Plan, Plan: CF5 stamped date received 03 Jun 13; and
 - Biodiversity Enhancement Plan, Plan: CF3 Revision B dated May 2013, stamped date received 03 Jun 13.

No development shall take place in Front Lake.

Reason: To define the site and protect the character and appearance of the locality, and to ensure that the development is carried out with the minimum harm to the local environment in accordance with policies CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policies LP14 and LP30 of the Huntingdonshire Local Plan (May 2019).

Site

3. For the avoidance of doubt the 'Site' refers to the land outlined in red on Plan: CF1 Revision A. The 'Ecological Management Area' refers to the land shown hatched pink on Plan: CF5. The 'Irrigation Lake', 'Agricultural Land Reinstated', 'Rhee Lake', 'Silt Pond', and 'Front Lake' refer to areas defined on Plan: CF100.

Reason: To define the site and show the different areas referred to in

relation to the restoration, landscaping and aftercare conditions in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011). It also defines 'Front Lake' where no development is permitted as part of this permission.

Hours

4. No tipping, regrading or imported soil spreading operations, including the delivery of inert fill materials, shall take place outside the following hours:
- 0700 and 1800 Monday to Friday except bank and public holidays; and
 - 0800 and 1300 Saturdays

Reason: In the interests of residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Restoration

5. Except in respect of Front Lake the restoration of the Site shall be carried out only in accordance with Plan: CF2 Revision A stamped date received 21 Mar 2013 (Method Statement Plan), and Plan: CF3 Revision B dated May 2013, stamped date received 03 Jun 13 (Biodiversity Enhancement Plan). No development shall take place in Front Lake.

Reason: To enable the waste planning authority to adequately control the development, make clear that no development is permitted in Front Lake, and to minimise its impact on the amenities of the local area in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Soil provision for the area of depression pond

[6. Not needed – depression in agricultural land completed]

Hard and soft landscape works

[7. Not needed – no hard landscaping; soft landscaping covered by conditions 9 & 10].

Ecological Appraisal

- 6A. No further development shall take place in the Silt Pond until an updated Preliminary Ecological Appraisal (PEA) and any additional survey work recommended within the PEA has been undertaken. The results of the PEA and additional survey work shall be submitted to the waste planning authority within 14 days of the date of the survey.

Reason: To minimise the impact of the development on wildlife and wildlife habitats in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (July 2011) and policy LP30 of the Huntingdonshire Local Plan (May 2019).

Ecological Management Plan

- 7A. No further development shall take place in the Silt Pond until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the waste planning authority. The EMP shall set out any ecological constraints and mitigation measures identified within the PEA referred to in condition 6A.

Reason: To minimise the impact of the development on wildlife and wildlife habitats in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (July 2011 and policy LP30 of the Huntingdonshire Local Plan (May 2019).

Maintenance of Soft Landscaping

8. Any trees, hedging or conservation grassland within the Site which dies, becomes diseased or is removed within a period of 5 years from the completion of the restoration shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the waste planning authority gives written approval to any variation.

Reason: To ensure the approved species are maintained in the interests of visual amenity and protection of the rural character of the area in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP31 of the Huntingdonshire Local Plan (May 2019).

Ecological and Landscape Management Plan and Aftercare

9. The ecological management plan for the 'Ecological Management Area' as set out in the following documents shall be carried out for a period of 10 years from date of completion of planting the Proposed grassland, Proposed carr woodland and Reed and pools shown on Plan: CF5 Rev A:
- Scheme to discharge planning conditions 7, 9 and 10 document dated April 2015 – Condition 9 pages 2 - 9;
 - Biodiversity Enhancement Plan, Plan: CF3 Rev B dated May 2013; and
 - Ecological Management Plan, Plan: CF5 Rev A dated May 2014.

As amended/supplemented/clarified by:

- Email dated 28 May 2015 (John Gough to Emma Fitch timed at 11:00) providing additional information on the methodology (compared to Block Fen); access issues; phasing clarification and the design of Front Lake; and
- Final version of the 'Materials Management Plan (MMP) by White Young Green Version 8 dated January 2016' in connection with Condition 20.

The material transport sheets, soil/leachate test results and test locations

in connection with the Materials Management Plan (V8, dated January 2016) shall be kept and made available for inspection on request by the waste planning authority within ten working days of the request.

Reason: To ensure the area is managed appropriately to protect and to enhance the biodiversity of the area in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP30 of the Huntingdonshire Local Plan (May 2019).

10. The development except for the 'Ecological Management Area' referred to in condition 9 and the 'Agricultural Land Reinstated' shall be carried out in accordance with the ecological and landscape management plan set out in the following documents:

- Scheme to discharge planning conditions 7, 9 and 10 document dated April 2015 – Condition 10 pages 10 – 13;
- Biodiversity Enhancement Plan, Plan: CF3 Rev B dated May 2013;
- Ecological Management Plan, Plan: CF5 Rev A dated May 2014

As amended/supplemented/clarified by:

- Email dated 28 May 2015 (John Gough email to Emma Fitch timed at 11:00) providing additional information on the methodology (compared to Block Fen); access issues; phasing clarification and the design of Front Lake; and
- Final version of the 'Materials Management Plan (MMP) by White Young Green Version 8 dated January 2016' in connection with Condition 20.

The material transport sheets, soil/leachate test results and test locations in connection with the Materials Management Plan (V8, dated January 2016) shall be kept and made available for inspection on request by the waste planning authority within ten working days of the request.

Reason: To ensure the area is managed appropriately to protect and to enhance the biodiversity of the area in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP30 of the Huntingdonshire Local Plan (May 2019).

Hard landscaping for the bridleway

11. The bridleway along the northwestern and southwestern edges of Irrigation Lake shall be constructed in accordance with the following plans and documents:

- Scheme to discharge planning conditions 6, 11, 20 (part) and 24 document dated July 2013;
- Plan: CF3 Revision B 'Biodiversity Enhancement Plan' prepared by David M Newman received 22 July 2013; and

As amended/supplemented/clarified by:

- Email dated 21 August 2013 (David Newman to Emma Fitch);
- Plan: CF51 Rev A 'Detail of Bridleway Establishment Condition No. 11 Consent No. H/05001/13/CM' (received 28 August 2013);
- Email dated 4 September 2013 (David Newman to Emma Fitch) agreeing to stone picking; and
- Email 6 September 2013 (David Newman to Emma Fitch) agreeing to topsoil being placed 1000mm wide and 600mm deep along the line of the hedgerow.

Reason: To ensure that the bridleway is suitable and safe for users for the restoration of the site and to enhance the biodiversity of the area in accordance with policy CS37 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP3 of the Huntingdonshire Local Plan (May 2019)

Access Scheme for local interest groups

12. Prior to the completion of restoration a scheme shall be submitted to and approved in writing by the waste planning authority detailing the arrangements for considering requests for short term access to the Site for the benefit of local interest groups not involving the use of powered watercraft or motorcycles. Access to the Site shall be arranged and agreed thereafter in line with the approved scheme.

Reason: To ensure appropriate and controlled access is given to local interest groups, whilst still protecting the biodiversity of the area in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP3 of the Huntingdonshire Local Plan (May 2019).

Permitted Vehicle Movements

13. The total number of Heavy Commercial Vehicle (HCV) movements associated with the development hereby permitted, when combined with the permitted vehicle movements under planning permission FMW/020/20 dated [dd month 2020], shall not exceed 120 per day. For the avoidance of doubt an HCV shall have a gross vehicle weight of 7.5 tonnes or more and the arrival at Site and departure from it count as separate movements.

Reason: In the interests of safeguarding local amenity in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Record of Vehicle Movements

14. A written record shall be maintained at the Site of all daily movements of HCVs associated with the development hereby permitted and the development permitted by planning permission FWM/020/20 dated [dd month 2020]; such record shall contain the vehicles' weight, registration number and the time and date of the movement and shall be available for

inspection within 3 working days of any written request of the waste planning authority.

Reason: To allow the Mineral and Waste Planning Authority to adequately monitor activity at the site, and to minimise the harm to amenity in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011), and policy LP14 of the Huntingdonshire Local Plan (May 2019).

HCV Access and Egress

15. All HCV access to and from the Site shall be from the existing access onto the B1050 (Chatteris Road) only, as shown on Plan: CF1 Rev A Site Plan (received 21 March 2013) and from no other point whatsoever.

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

HCV Routing Agreement

16. The development hereby permitted shall not be carried out except in accordance with the Traffic Management Scheme dated 7 September 2020 and Plan: CF12 Lorry Routing Plan. The Traffic Management Scheme and Lorry Routing Plan shall be issued to all drivers and a copy prominently displayed at the Site weighbridge.

Reason: In the interests of limiting the impact of the development on the amenity of local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

HCV Routing – Silt Pond

- 16A. No material shall be deposited in the Silt Pond until the private HGV access route from Colne Road (B1050) in the east to the Somersham Road (B1086) in the west (Huntingdonshire District Council planning permission reference 17/02527/FUL) has been constructed in full and brought into use.

Reason: In the interests of limiting the impact of the development on the amenity of local residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

HCV Backloading

- [17. Not needed – the mineral has been removed from the site]

- 17A. No material shall be deposited in Rhee Lake under this permission and no more than 50,000 cubic metres of material shall be deposited in the Silt Pond until the landform shown on Plan: C33/5/20/02 Proposed Bridleway Improvement Works (undated, received 6 March 2020) has been created in full under planning permission FMW/020/20 dated [to be inserted if planning permission is granted].

Reason: To ensure that the stabilisation works that are necessary to create the bridleway are completed as soon as possible in accordance with policy CS37 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP16 of the Huntingdonshire Local Plan (May 2019).

HCV Sheeting

18. No loaded HCV shall enter or leave the Site unsheeted.

Reason: In the interests of highway safety and safeguarding the local environment in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Protection of Soils

19. No stored topsoil or subsoil shall be removed from the Site.

Reason: For the avoidance of doubt and to confirm all soils are required on site to ensure a satisfactory restoration of land and to minimise the amount of inert materials needing to be imported to protect the amenity of the local area in accordance with policies CS34 and CS38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011).

Inert Infill Method Statement and Phasing Plan

20. The development hereby permitted shall not take place except in accordance with the following documents:

- Scheme to discharge planning conditions 20 document dated August 2015;
- Plan CF/15/C20/01: Silt Pond – Phase 1;
- Plan CF/15/C20/02: Silt Pond – Phase 2;
- Plan CF/15/C20/03: Front Lake – Sequence of infilling; and
- Sampling Strategy and Validation Criteria Report by WYG Environment dated August 2015 (Appendix H of the Materials Management Plan (MMP) Version 8 dated January 2016).

As amended/supplemented/clarified by:

- Letter from Mick George Ltd dated 27 October 2015 and Proposed Restoration Profile; and

- Materials Management Plan (MMP) by White Young Green Version 8 dated January 2016.

The material transport sheets, soil/leachate test results and test locations in connection with the Materials Management Plan (V8, dated January 2016) shall be kept and are available for inspection on request by the waste planning authority within ten working days of the request.

Noise limits

21. Noise emissions attributable to the development shall not exceed a Rating Level of 55dB(A)LAeq, 1h (expressed as a free field value) and the noise limit at the façade of the nearest noise sensitive property shall not exceed 10dB(A) above the background level.

Reason: To minimise the adverse effects of noise emitted from the Site on residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Dust controls

22. All necessary steps shall be taken to minimise the generation and emission of dust from any use or operation involved in the restoration of the Site hereby permitted in line with the dust suppression scheme included in the supporting statement dated March 2013. Such steps shall include:-

- All active haul roads shall be kept damp as required by motorised spraying units during site operations (i.e. water bowsers);
- The proper use of the wheel cleaner by vehicles leaving the Site;
- The direction of exhausts of on-site vehicles shall be such that exhaust gases cannot be emitted in a downward direction;
- Observations shall be made by the Site Manager of the wind direction during infilling operations. When it appears from visual inspection that the wind direction is towards dust sensitive locations and that dust emissions could adversely affect amenity then appropriate mitigation steps shall be taken;
- Placing dust-generating activities where maximum protection can be obtained from topography or other features.

Reason: To minimise the adverse effects of dust emitted from the Site on local amenities in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Maintenance of machinery and effective silencers

23. The plant associated with the restoration of the Site shall be maintained in accordance with the manufacturers' recommendations and specifications at all times and shall be fitted with and use effective silencers.

Reason: In the interests of residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy

Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Reversing alarms for on-site machinery

24. No reversing beepers or other reverse warning devices shall be fixed to or used on any on-site mobile plant (e.g. small bulldozer) except in accordance with Brigade BBS-82 White Sound alarms.

Reason: In the interests of residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Lighting

25. No further external lighting for security or floodlighting shall be erected or installed, other than that detailed within the supporting statement dated March 2013, without the submission of full details to and the written approval of the waste planning authority. These details shall include the height of floodlighting, intensity of the lights (specified in LUX levels), spread of light including approximate light spillage to the rear of any floodlighting posts (in metres), any measures proposed to minimise the impact of floodlighting or disturbance through glare (such as shrouding) and the times when such lights will be illuminated. The development shall be carried out and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to safeguard the amenities of surrounding sensitive receptors in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Temporary Stockpiles

26. Any temporary stockpiles of imported inert fill shall not exceed a height of 5.0m above ground level.

Reason: In the interests of visual amenity in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Informative

The development site falls within the area covered by the Sutton & Mepal Internal Drainage Board administered by the Middle Level Commissioners. It is your responsibility to obtain any consents that may be necessary if watercourses, watercourse structures and the protection of maintenance access widths would be affected and for increasing directly or indirectly discharges into watercourses. Further information is available at: <https://middlelevel.gov.uk/>

Implementation

1. The development hereby permitted shall be commenced by 1 May 2025
Within 14 days of the commencement of the development hereby permitted, the waste planning authority shall be notified in writing of the date on which the development commenced.

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 and in order to be able to monitor the site and establish the timescale for the implementation of the bird nest boxes identified in condition 7.

Time Limit

2. The route of the proposed bridleway within the Site shall be capable of being brought into use within 9 months of the date of commencement as notified in condition 1.

Reason: The development is to enable the creation of a bridleway in accordance with policies CS25 and CS37 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policies L3 and L16 of the Huntingdonshire Local Plan (May 2019)

Site

3. For the avoidance of doubt the 'Site' refers to the land outlined in red on Plan: C33/5/20/01 Location Plan (undated) (received 6 March 2020).

Reason: To define the site for the avoidance of doubt.

Compliance with Submitted Details

4. The development hereby permitted shall not proceed except in accordance with the following documents and drawings as amended by the conditions on this decision notice:
 - Plan: C33/5/20/01 Location Plan (undated) (received 6 March 2020);
 - Plan: C33/5/20/02 Proposed Bridleway Improvement Works (undated) (received 6 March 2020); and
 - Flood Risk Assessment February 2020 Version 1 (Amber Planning Flood Risk & Hydrology Job No. H8321) (received 6 March 2020).

Reason: To define the site and to ensure that the proposed surface water drainage measures are carried out in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy

Development Plan Document (July 2011) and policy LP15 of the Huntingdonshire Local Plan (May 2019).

Working Hours

5. No tipping, regrading or imported soil spreading operations, including the delivery of inert fill materials, shall take place outside the following hours:
 - 0700 and 1800 Monday to Friday except bank and public holidays; and
 - 0800 and 1300 Saturdays

Reason: In the interests of local amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Permitted Vehicle Movements

6. The total number of heavy commercial vehicle (HCV) movements associated with the development hereby permitted, when combined with the permitted vehicle movements under planning permission FMW/025/19 shall not exceed 120 per day. For the avoidance of doubt an HCV shall have a gross vehicle weight of 7.5 tonnes or more, and the arrival at Site of an HCV and departure from it counted as separate movements.

Reason: In the interests of safeguarding local amenity in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011), and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Record of Vehicle Movements

7. A written record shall be maintained at the Site of all daily movements of HCVs associated with the development hereby permitted, and the development permitted by planning permission FWM/025/19, dated [to be inserted if planning permission is granted]; such record shall contain the vehicles' weight, registration number and the time and date of the movement and shall be available for inspection within 3 working days of any written request of the waste planning authority.

Reason: To allow the waste planning authority to adequately monitor activity at the site, and to minimise the harm to amenity in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011), and policy LP14 of the Huntingdonshire Local Plan (May 2019).

HCV Access and Egress

8. All HCV access to and from the Site shall be from the existing access onto the B1050 (Chatteris Road) only, as shown on Plan: C/33/5/20/1 Location Plan (undated) (received 6 March 2020) and from no other point whatsoever.

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

HCV Routing Agreement

9. The development hereby permitted shall not be carried out except in accordance with the Traffic Management Scheme dated 7 September 2020 and Plan: CF12 Lorry Routing Plan. The Traffic Management Scheme and Lorry Routing Plan shall be issued to all drivers and a copy prominently displayed at the Site weighbridge.

Reason: In the interests of limiting the effects on local amenity, to control the impact of the development and to comply with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011).

HCV Sheeting

10. No loaded HCV shall enter or leave the Site unsheeted.

Reason: In the interests of highway safety and safeguarding the local environment in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011), and policy LP15 of the Huntingdonshire District Council Draft Local Plan to 2036 – Stage 3 (May 2013).

Infill Material

11. No material except that which complies with the CL:AIRE protocol shall be deposited at the Site.

Reason: To prevent the pollution of groundwater, watercourses and water bodies and to in accordance with policy CS39 of the Cambridgeshire and Peterborough Core Strategy Development Plan Document (July 2011).

Noise limits

12. Noise emissions attributable to the development shall not exceed a Rating Level of 55dB(A)L_{Aeq}, 1h (expressed as a free field value) and the noise limit at the façade of the nearest noise sensitive property shall not exceed 10dB(A) above the background level.

Reason: To minimise the adverse effects of noise emitted from the Site on local amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011), and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Dust controls

13. The development shall not be carried out except in accordance with the following dust suppression measures:
- All active haul roads shall be kept damp as required by motorised spraying units during site operations (i.e. water bowsers);
 - The proper use of the wheel cleaner by vehicles leaving the Site;
 - The direction of exhausts of on-site vehicles shall be that exhaust gases cannot be emitted in a downward direction;
 - Observations shall be made by the Site Manager of the wind direction during infilling operations. When it appears from visual inspection that the wind direction is towards dust sensitive locations and that dust emissions could adversely affect amenity then appropriate mitigation steps shall be taken; and
 - Placing dust-generating activities where maximum protection can be obtained from topography or other features.

Reason: To minimise the adverse effects of dust emitted from the Site on local amenities in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Maintenance of machinery and effective silencers

14. The plant associated with the development hereby permitted shall be maintained in accordance with the manufacturers' recommendations and specifications at all times and shall be fitted with and use effective silencers.

Reason: In the interests of residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Reversing alarms for on-site machinery

15. No reversing beepers or other reverse warning devices shall be fixed to or used on any on-site mobile plant (e.g. small bulldozer) except in accordance with Brigade BBS-82 White Sound alarms.

Reason: In the interests of residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy LP14 of the Huntingdonshire Local Plan (May 2019).

Temporary Stockpiles

16. Any temporary stockpiles of imported inert fill shall not exceed a height of 5.0m above ground level.

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

17. Ecology

No development shall take place except in accordance with the Precautionary Working Methods set out on page 8 of the Water Vole Survey – Colne Fen Quarry, Somersham (Collington Winter ref. CW20-008-RPT-000 25th June 2020).

Reason: To minimise the impact of the development on wildlife and wildlife habitats in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (July 2011) and policy LP30 of the Huntingdonshire Local Plan (May 2019)