

PLANNING COMMITTEE: MINUTES

Date: Thursday 1st November 2018

Time: 10.00am – 11.30am

Place: Kreis Viersen, Shire Hall, Cambridge

Present: Councillors A Bradnam, D Connor (Chairman), I Gardener (Vice-Chairman), L Harford, P Hudson, B Hunt, S Kindersley and J Whitehead.

Officers: David Atkinson – Development Management Officer (Strategic and Specialist Applications), Hannah Edwards – LGSS Law, Emma Fitch – Joint Interim Assistant Director, Environment and Commercial, Deborah Jeakins – Principal Enforcement and Monitoring Officer, and Daniel Snowdon – Democratic Services Officer.

63. APOLOGIES AND DECLARATIONS OF INTEREST

No apologies for absence were received

The Chairman reminded the Committee that the last time an application for the site was presented to the Committee he did not take part in the application because at the time he was attending meetings and working closely with a nearby resident, Mrs Johnson in respect of her objection to a nearby Anaerobic Digestion plant. The Chairman informed the Committee that those meetings were no longer taking place and therefore he did not consider there was now the same risk of perception of bias. The Chairman knew Mrs Johnson in the same context as his other constituents and confirmed that he came to the meeting with an open mind and would listen to all the information presented before reaching a decision.

In addition it was noted that a late submission had been received via email from Mrs Angela Johnson, a nearby resident, by some members of the Committee. The Chairman exercised his discretion to allow the late representation to be considered and called a short recess in which Members could read the statement which is attached at Appendix B to these minutes.

Meeting adjourned at 10:05

Meeting reconvened at 10:10

64. MINUTES – 17TH SEPTEMBER 2018

The minutes of the Planning Committee meeting held on 17th September 2018 were agreed as a correct record and signed by the Chairman.

65. MINUTES – 4TH OCTOBER 2018

The minutes of the Planning Committee meeting held on 4th October 2018 were agreed as a correct record and signed by the Chairman.

66. 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

The Committee considered an application submitted by Recyplas Limited under Section 73A of the Town and Country Planning Act 1990 that sought approval to extend the working hours within the confines of the existing industrial building known as Unit 1 which was used for the separation and compounding of waste plastic and the filling of one tonne bags with the finished product in the form of plastic granules suitable for re-use in new products.

In introducing the planning application, the presenting officer highlighted the location of the site on a map and drew attention to its relationship to the A141 and the access point to the industrial area located at Wimblington. Residential developments that were located to the south of the site were also highlighted.

Members noted that the route for vehicles entering the site differed for staff cars and vehicles delivering material to the site. This difference was attributable to allowing vehicles access to the weighbridge prior to entering the site. There was a one way system for Heavy Commercial Vehicles (HCVs) accessing the site and they did not pass residential developments. The one-way system for HCVs operating at the site was explained to Members.

The presenting officer showed photographs of the site entrance from Hook Lane together with photographs of the material storage area that showed clean rolls of surplus plastic from industry that were ready for processing. The process through which material was processed at the site was explained to Members together with photographs of the machinery in operation. Members noted that there was a second piece of machinery that used plastic carrier bags as feedstock and it was the two machines that the applicant was requesting to operate continuously, 24 hours a day, 7 days a week.

Members were informed that the machines located at the site relied on cooling equipment that was located outside of the main building and had been the source of elevated noise levels in the past. Members were shown a photograph of a brand new chiller unit which replaced a much larger and older version located on the side of the building facing the open yard. A further photograph of the northern end of the building was shown where the original unit that was much larger and was used for a different machine was located. The presenting officer informed Members that the site operator had indicated that the older chiller unit would also be replaced when it could be afforded.

Photographs were shown that provided a view of the site exit onto a private road. A further photograph taken down Hook Lane was shown and the faintly visible roof profile of a nearby residential property was highlighted. Members were informed that the two principal nearby residential properties that had registered objections to the planning application were located to the south of the site and these were demonstrated on an aerial photograph.

The Committee was informed that the application area was larger than the Recyplas site boundary owing to the fact that the previous operator had divided the site in two when they sold it.

The applicant had been explicit in its assurance that the doors to Unit 1 would remain closed during night-time activities and all traffic movement levels with the exception of staff cars at shift change would remain the same. The presenting officer explained that HCV movements at the site were limited by the operating hours of the nearby weighbridge used by the company which was open Monday-Friday 7am-5pm. The applicant had also advised that there would not be additional HCV movements as one HCV could carry more than the site could produce in a day.

Members were informed that noise emissions from the site had arisen from the operation of machinery. In support of the application, the applicant had submitted an independent noise monitoring survey which included three separate noise assessments, the details of which were contained at paragraphs 3.11 – 3.15 of the officer report. The results of the initial assessment resulted in concerns regarding the acceptability of the application being raised by Fenland District Council. A further addendum report was provided by the noise consultant, following the installation of the replacement chiller and modifications to machine 2 within the building concluded that on the basis of the additional work undertaken there was no breach of noise levels at nearby residences and recommended that noise levels should continue to be focussed on through measures set out in paragraph 3.18 of the officer report.

Attention was drawn to the planning history of the site contained within section 4 of the officer report and enforcement issues that had arisen at the site in recent years. Members noted that following monitoring by planning enforcement, breaches of working hours conditions had been noted but had not been consistent.

Section 6 of the officer report was highlighted to Members in particular, paragraph 6.1 regarding Fenland District Council's concerns regarding noise having been alleviated having considered the noise consultant's noise assessment addendum report and mitigations that had been undertaken.

Members noted that the site operated under an exemption certificate through the Environment Agency and that whether the operator could require a full environmental permit would be a matter for the Environment Agency to consider.

The presenting officer drew attention to the 5 representations that had been received and summarised the concerns set out in the officer report.

Planning considerations were highlighted to the Committee including the existing use of the land for the purposes set out in the application. The Council supported the principle of recycling materials however it was important the activities were not carried out in detriment to amenity and highway activity.

Local residents had expressed concerns regarding the potential for disturbance arising from the site and considered that past breaches of planning condition would continue if the application was granted. However, the applicant had acted upon the advice of the noise consultant. Concerns regarding HCV movements did not hold weight when assessed against the conditions at the site, in particular the weighbridge operating hours.

Occasional odours from hot plastics had been raised by local residents and the presenting officer had detected a very slight odour at the last site visit however, the odour was not detectable from Hook Lane. The Committee was informed that the Fenland District Council Environmental Health Officer, in conjunction with local residents, was investigating the issue which would be most effectively addressed through the Environment Agency.

In recognising the concern locally and the importance of protecting local amenity the imposition of strict night time noise limits, together with an ongoing noise monitoring scheme was recommended. Attention was drawn to the amendment made to planning condition 11 which recommended white noise reversing beepers be fitted to the forklift truck.

In response to Member Questions officers:

- Explained why the site continued to operate under an Environment Agency exemption certificate and if there had been breaches of the exemption at the site it was a matter for the Environment Agency to investigate and take action where necessary and it was unclear as to whether complaints had been made to the Environment Agency regarding operations at the site. It was noted that a Liaison Forum would address the links between the different agencies and address issues if and when they occurred.
- Noted that when the doors to the buildings were closed there was a low frequency hum and that staff were not required to wear ear protection. The chiller units were the main source of noise as they were located outside. Through a planning condition it was required that a noise monitoring scheme should be submitted which could recommend further mitigation and recommend the type.
- Noted that the machinery located inside the building had not been changed since the original application to their knowledge. Members commented that the machinery was designed to run continuously and the original planning application could have never complied with the planning conditions placed upon it.
- Noted that it was likely that without the facility, the 2 waste streams processed at the site would either be sent to landfill or incineration.
- Noted times that the Principal Enforcement and Monitoring Officer had undertaken monitoring visits at the site and her personal opinion was that there was no reason why the level of noise measured at the site should disturb the sleep of nearby residents. However, it was noted that the effect of noise was

subjective and if it was alleged that breaches of planning conditions were taking place then they would be investigated thoroughly.

- Explained that there was no specific timescale for the second chiller unit to be replaced other than it was the site operator's intention to do so. Officers emphasised that the noise monitoring had established that noise levels were low enough to be acceptable even if the chiller was not replaced.

During debate Members:

- Expressed concern regarding the performance of the Environment Agency in monitoring the site and expressed frustration regarding what can be taken into account when determining applications, however, could see no material planning reason why planning permission should not be granted.
- Commented that the Council had been somewhat mislead during the original planning application and had 24/7 running requirements of the equipment used at the site been specified then a different outcome may have been reached.
- Noted that officers would seek to add an informative to the decision notice through a review of condition 31 requiring the applicant put forward any additional noise mitigation measures that would be appropriate.
- Noted that officers would add condition 32 to the application for the applicant to submit a scheme for a liaison forum that echoed recent similar schemes sought for applications such as for Barrington Quarry regarding a liaison forum and remove the informative.

It was proposed by Councillor Kindersley and seconded by Councillor Harford that the recommendation be put to the vote. On being put to the vote it was resolved unanimously to grant planning permission subject to the amended conditions attached at Appendix A to these minutes.

Following the resolution, the Joint Interim Assistant Director, Environment and Commercial informed Members that David Atkinson, Development Management Officer (Strategic and Specialist Applications) was retiring a year after returning to the Council following his earlier retirement to assist the Planning Team during a difficult period where a number of vacancies had arisen.

Members thanked David for all his work and noted that he had taken on some of the most difficult cases and had been a tremendous support and great assistance to the team.

The Joint Interim Assistant Director, Environment and Commercial also informed Members of her new role and clarified that she would remain the lead planning officer for both Planning Committee and the Joint Development Control Committee.

67. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

It was resolved to note the decision made under delegated powers.

Chairman

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 and hatched green on the Site / Location Plan, drwg no. 5744/01,1: 500 Scale, dated Sept 2017 received on 15/05/2018.

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 other buildings 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;
 - consideration of the implementation of all practical measures to minimize noise emissions from the site
 - that a record to be kept of the operational hours of use of the Unit 1 building together with a register of any noise complaints received together with a record of all operational and mitigation measures taken to prevent a 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 and Site Liaison Forum 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).*

Site Liaison Committee

32.

Within one month of the date of this planning permission a scheme for the inauguration, implementation and regular convening of a Site Liaison Committee shall be submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented thereafter.

Reason: *To provide a forum in which the operator and representatives of the local community and regulatory bodies can share information relating to the site in accordance with the Cambridgeshire statement of Community Involvement (adopted March 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.

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.

Appendix B

Mrs A E Johnson
13-15
Eastwood End
Wimblington
Cambridgeshire
PEIS OQJ

30th October 2018

Proposal: Section 73A planning application to develop land in relation to Unit 1 (part of the original application site) 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). Location: Unit 1 and 2, Eastwood Industrial Estate, Eastwood End, Wimblington, PEIS OQN

Application No: F/2003/18/CW

Dear Councillor

Due to the fact that I am out of the country on the 1st November 2018 I am unable to personally attend the Planning Committee meeting where the above application will be discussed.

Because of this fact I am writing to you individually to implore you to REFUSE the application F/2003/18/CW.

Eastwood Industrial Estate consists of a number of businesses, the large majority of which involve daily regular movement of "heavy vehicles", noise from machinery, bright external lighting (especially in the winter months), and strong odours.

The applicant is already ignoring parameters set in conditions from previous applications. They have received numerous complaints, over an extremely long period of time, regarding noise, odour and out of hours working, these have been excused and ignored. They have taken no action or reacted with consideration towards their neighbours and the local community.

"IF" you grant permission for the applicant to work 24/7/365 business hours then you will be setting a precedent which will open the flood gates for all the other businesses on the Industrial Estate.

"IF" you grant permission for the applicant to work 24/7/365 business hours this will increase their business hours by 65%. It is obvious that the increase will result in an increase in heavy vehicle movement, in and out of the premises, during the regular working day. Also they must surely then contravene their 'Waste Exemption' certificate?

"IF" you grant permission for the applicant to work 24/7/365 business hours neighbours and local residents will be subjected to 'out of hours' unsociable noise, pungent odour, external lighting'. The applicant has already, on more than one occasion, ignored set planning conditions in order to profit as a business. They have previously put in 'Retrospective Planning Applications' because they have blatantly ignored the planning applications. It is a total disgrace that they believe they are allowed to disregard what is set in planning applications in order to protect the environment and the local community. DOES THE PROCESS OF RECYCLING PLASTICS HAVE ANY EFFECT ON THE ENVIRONMENT OR THE LOCAL COMMUNITY??

Please, please consider this application favourably towards the local community, the applicants neighbours and the environment rather than the industry that has set up here within our small village.

This application goes against local Planning Policies:

Introduction – 1.1.3

LP1 – 3.1 Any adverse impacts

- 3.3.3

- 3.3.4

LP2 – HIA

LP6 – There are no job opportunities

LP13 – Infrastructure (increase in heavy traffic)

LP14 – 5.3.4

LP15 – Improve and better manage the wider road infrastructure to benefit local communities included rural roads.

LP16 - (e) (f) (l)

NPPF – 3 – Supporting a prosperous rural community – planning policies should support economic growth in rural areas in order to create jobs and prosperity

- 123 – planning policies should aim to:

- 150 – Plan Making

Please refuse this application, thank you

Regards

Angela Johnson

