PLANNING COMMITTEE

Date:Thursday, 06 September 2018

10:00hr

Democratic and Members' Services
Fiona McMillan
Deputy Monitoring Officer

Shire Hall
Castle Hill
Cambridge
CB3 0AP

Council Chamber
Shire Hall, Castle Hill, Cambridge, CB3 0AP

AGENDA

Open to Public and Press

1	**Apologies for absence and declarations of interest** *Guidance on declaring interests is available at http://tinyurl.com/ccc-conduct-code*	
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The Planning Committee comprises the following members:

Councillor David Connor (Chairman) Councillor Ian Gardener (Vice-Chairman)

Councillor Anna Bradnam Councillor Lynda Harford Councillor Peter Hudson Councillor Bill Hunt Councillor Sebastian Kindersley and Councillor Joan Whitehead

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

Clerk Name: Daniel Snowdon

Clerk Telephone: 01223 699177

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PLANNING COMMITTEE: MINUTES

Date: Thursday 19th July 2018

Time: 10.00am – 10:57am

Place: Kreis Viersen, Shire Hall, Cambridge

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

Officers: Hannah Edwards – LGSS Law, Emma Fitch – Business Manager County Planning Minerals and Waste, Rikki Parsons – Highways Engineer, Daniel Snowdon – Democratic Services Officer, Helen Wass – Development Management Officer (Strategic and Specialist Applications), Deborah Jeakins - Principal Enforcement and Monitoring Officer.

46. APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies for absence. Councillor Bradnam arrived at 10:23 and was therefore unable to vote on the application.

Councillor Connor declared an interest in agenda item 3 as he was the Local Member for the area but had no involvement in the application.

47. MINUTES – 7TH JUNE 2018

The minutes of the Planning Committee meeting held on 7th June 2018 were agreed as a correct record and signed by the Chairman.

48. CONSTRUCTION OF A BIOMETHANE GAS AND ELECTRICITY TO GRID AND BIOFERTILISER AEROBIC DIGESTION PLANT INCLUDING TWO 9.3 METRES HIGH DIGESTER TANKS, COMBINED HEAT AND POWER BIOGAS GENERATOR WITH 10 METRES HIGH EXHAUST PIPE, 6 METRES HIGH FLARE STACK, 3 SEPARATED DIGESTATE LIQUID STORAGE LAGOONS, HARVESTED WATER STORAGE LAGOON, WORKSHOP, ASSOCIATED INFRASTRUCTURE & LANDSCAPING AND ACCESS FROM WHITTLESEY ROAD

AT: WEST FEN FARM, WHITTLESEY ROAD, MARCH, PE15 0AF

LPA REF: F/2001/18/CW

FOR: RH & RW CLUTTON LLP

The Committee considered a planning application for the construction of a biomethane gas and electricity to grid and biofertiliser aerobic digestion plant. The presenting officer informed the Committee that there were a number of similar plants in the Fenland but most generated only electricity. In November 2013, planning permission was granted for a small plant on the same site but was never constructed and the permission had therefore lapsed.

A map of the area was shown to Members with the location of the site highlighted and its relation to the nearby town of March and the access routes to the site. The site plan of the existing site was presented to the Committee and attention drawn to the location of the house associated with the farm and nearby cottages, where it was acknowledged that another farm had the same name in the vicinity of the site on the OS base map held by one member of the Committee, that was nearer to the River Nene. The access to the site from Whittlesey Road was also highlighted to which modest improvements would be made at the junction with the farm access road, and confirmation of the Sustrans route was noted. Members were also reminded that Rikki Parsons was available at the meeting to take any questions they may have in relation to the highway impact or improvements sought.

Members were presented with the proposed site plan of the aerobic digestion facility that showed the digestion tanks, storage lagoons and the connection points to the gas and electricity mains. The case officer also referenced the height of existing buildings to help put the proposed development heights, including the 10 metre CHP plant exhaust stack, into perspective.

Illustrations that demonstrated the proposed site in the context of the existing landscape were presented including stills from the visual impact assessment of the proposed site along with views of the site access from Whittlesey road and the private farm access. The catchment area for waste material to be imported to the site was also presented; 40% of the input to the plant would be from West Fen Farm and the immediate locality and 60% would be complementary imported food waste.

The proposed site accorded with Government and development plan policies, the location of which although was within flood zone 3 was suitable following sequential testing.

The presenting officer addressed noise concern issues that had been raised during the planning application. It was proposed that that deliveries would take place within normal working hours (8am-6pm Monday to Friday and 8am-1pm Saturday) and was acceptable to the Fenland District Council Environmental Health Officer. An odour management plan had been submitted by the applicant and had been deemed sufficient by the Environmental Health Officer. A permit would also have to be obtained from the Environment Agency which would also control these aspects of the operation of the plant.

Concerns had been raised regarding traffic, the condition of Whittlesey Road and it being part of the national cycle network. Officers were satisfied that the number of vehicle movements generated by the site would be so few as to not constitute a material increase.

In response to Member Questions officers:

- Explained that the maximum number of vehicular movements at peak time to and from the site were not a significant increase in the context of the road network. The locally derived farm waste and crops would be using the local roads regardless of whether the plant was built or not. Whittlesey Road was in much better condition than other alternative routes and the most suitable for the vehicles.

- Explained that dry feed stock was non-tankered, non-liquid waste.

Speaking in support of the application on behalf of the applicant, Mr Oliver Harwood informed the Committee that the applicant had worked extremely hard with consultants and engineers to provide a prime example of the best available technology to take 35,000 tonnes of food waste out of the system each year and produce gas for the network. The

applicant was committed to the delivery of a high quality project and Mr Harwood drew attention to the re-positioning of the tanks and their sinking into the ground by 2 metres to mitigate the visual impact of the site as an example of the commitment. An odour management plan had been developed by Ricardo and was confident that the robust controls that would be in place would mean that no odour would be experienced outside the boundary of the farm. Mr Harwood noted that this site had access to a gas pipe, the electricity grid, available farm wastes and reasonable highway access that gave the applicant an opportunity to build a good environmental project.

Alternative access to site had been discussed with the Highways Team and it was determined that Whittlesey Road was the best available route to the site.

In response to Member questions, Mr Harwood:

- Commented that the applicant would be willing to accept limitations on working hours through condition.
- Confirmed that the process by which tankers would deliver waste to the site would be odour free. The main processing of material to be transported to the site would take place in Spalding and when delivered to the site it would be pumped from the tanker into sealed vessels.
- Noted the concerns regarding the management of other similar plants in the area. Mr Harwood provided assurance that the site would not be operational at night in respect of deliveries and loading and would expect deliveries to be made safely and considerately.
- In response to concerns regarding cyclists using the delivery route, and the query whether the permission really needed to operate on a Saturday morning, explained that the digester required feeding 3 times a day and it was not considered best practice to leave a digester for 48 hours with a level of automated feeding so would want to be able to accept feedstocks on Saturday mornings.
- Confirmed that two-way access points at every point the internal road met the public highway would be constructed. Each section would be 30 metres in length, allowing sufficient space for vehicles to pass.

During debate Members expressed concerns regarding the safety of cyclists using the National Cycle Network route and considered that it was possible to reduce the number and frequency of deliveries to the site on Saturdays. It was also questioned why alternative routes were not suitable for vehicles travelling to and from the site. Officers explained that the alternative routes to the site were much narrower and therefore not suitable. Officers also informed the Committee that the increase in vehicular movements to and from the site did not represent a material increase in proportion to the existing movements on the site.

It was proposed by Councillor Kindersley and seconded by Councillor Hudson that the recommendation be put to the vote. On being put to the vote it was resolved by majority [6 in favour; 1 against] to grant planning permission subject to the conditions attached at Appendix A to these minutes.

49. ENFORCEMENT UPDATE REPORT

Members received an enforcement update report that provided the Committee with the latest information on two key cases, the importation of waste at First Drove and Black Bank, Little Downham, and East Anglian Resources Limited wood waste processing yard at Benwick Road, Whittlesey.

In welcoming the report Members thanked officers for their determination and hard work in carrying out the enforcement action.

It was resolved unanimously to note the report

50. SUMMARY OF DECISIONS TAKEN UNDER DELEGATED POWERS

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

Chairman

Commencement date

1. The development hereby permitted shall be commenced no later than three years from the date of this decision notice. Within seven days of the commencement the operator shall notify the waste planning authority in writing of the exact commencement date.

   Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act and Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to be able to establish the timescales for the approval of details reserved by conditions.

   Site Area

2. This permission relates to the land outlined in red on drawing no. 09-50-03 West Fen Farm Biomethane AD Plant Location at 1:10,000 dated February 2018 (received 20 February 2018) and referred to in these conditions as "the site".

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

   Approved Plans and Documents

3. The development hereby permitted shall be carried out in accordance with the application dated 19/02/2018 and in accordance with the following drawings and documents (received 20/02/2018 unless otherwise specified), except as otherwise required by any of the conditions set out in this permission:

   - drawing no. 09-50-01 West Fen Farm Biomethane AD Plant Proposed site layout dated February 2018
   - drawing no. 09-50-03 West Fen Farm Biomethane AD Plant Location at 1:10,000 dated February 2018
   - drawing no. L17-WF-ELV-01 - 1. Anaerobic Digester Tanks dated 30/01/2018
   - drawing no. L17-WF-ELV-02 - 2. Slurry Intake Tank dated 30/01/2018
   - drawing no. L17-WF-ELV-03 - 3. Dry Feeding System dated 30/01/2018
   - drawing no. L17-WF-ELV-04 - 4. Waste Intake Tanks dated 30/01/2018
   - drawing no. L17-WF-ELV-05 - 5. Pump & Manifold Housing dated 30/01/2018
   - drawing no. L17-WF-ELV-06 - 6. O2 Generator Container dated 30/01/2018
   - drawing no. L17-WF-ELV-09 - 9. CHP Biogas Generator dated 30/01/2018
   - drawing no. L17-WF-ELV-10 - 10. Raw Biogas Compressor Housing dated 30/01/2018
   - drawing no. L17-WF-ELV-11 - 11. EnviThan Gas Upgrading System dated 30/01/2018
   - drawing no. L17-WF-ELV-12 - 12. Flare Stack dated 30/01/2018
   - drawing no. L17-WF-ELV-13 - 13. Gas Network Entry Unit dated 30/01/2018
   - drawing no. L17-WF-ELV-20 - 20. Digestate Separation System dated 31/01/2018
   - drawing no. L17-WF-ELV-21-R1 - 21. Workshop Building dated 11/04/18 (received 13 April 2018)
   - drawing no. L17-WF-ELV-24 - 24. Administration Building dated 19/02/2018
   - drawing no. L17-WF-ELV-25 – Existing Barn 2 – Hirundine Roost Ledges dated 11/04/2018 (received 13 April 2018)

- drawing no. 20329 Issue D Generic Biomethane Compound for 3 x 8000L A/G Vessels Type 433 (Sheet 1 of 2) dated 03/11/14
- drawing no. V971_200 Rev A Proposed Widened Access to Accommodate Two-way HGV Movements at Junction with Whittlesey Road dated 18/01/18
- drawing no. V971_201 Proposed Widened Access & Farm Track to Accommodate Two-way HGV Movements at West Fen Farm with Whitemoor Road dated 1/05/18 (received 1 May 2018)
- drawing no. 23550/100 Rev A Digestate Storage Lagoon Details dated 09-05-18 (received 10 May 2018)
- drawing no. 23550/101 Rev A Tank Containment Bund Section and Details dated 09-05-18 (received 10 May 2018)
- drawing no. 23550/102 Rev A Surface Water Storage Lagoon Details dated 09-05-18 (received 10 May 2018)
- drawing no. 23550/201 Rev 0 CHP Gas Biogas Generator Slab GA Details dated 08-05-18 (received 10 May 2018)
- drawing no. 23550/202 Rev A Typical Leachate Tank & Pump Chamber Details dated 09-05-18 (received 10 May 2018)
- drawing no. 23550/203 Rev 0 Existing Concrete Silo Improvement Details dated 08-05-18 (received 10 May 2018)
- drawing no. 23550/204 Rev 0 Proposed Feedstock Storage Area Details dated 08-05-18 (received 10 May 2018)
- Details of Landscape and Biodiversity Mitigation, Enhancement and Management (RH & RW Clutton Douglas Rule Associates) dated February 2018 (received 20 February 2018)

Reason: To ensure the development is carried out in accordance with the approved plans and to define the site and preserve the character, appearance and quality of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS33, CS34 and CS35 and Fenland Local Plan (May 2014) policies LP16 and LP19

Vehicular Access

4. There shall be no vehicular access to the site other than from Whittlesey Road at the point shown as Access track widening at junction with highway on drawing no. 09-50-03 West Fen Farm Biomethane AD Plant Location at 1:10,000 dated February 2018 (received 20 February 2018) and the existing farm track which forms part of the application area and is shown outlined in red on drawing no. 09-50-03 West Fen Farm Biomethane AD Plant Location at 1:10,000 dated February 2018 (received 20 February 2018).

Reason: In the interests of highway safety in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS32 and Fenland Local Plan (May 2014) policy LP15 (C).

Highway Improvements:

5. No development shall commence until the works shown on the following drawings has been carried out in full:
   - drawing no. V971_200 Rev A Proposed Widened Access to Accommodate Two-way HGV Movements at Junction with Whittlesey Road dated 18/01/18
   - drawing no. V971_201 Proposed Widened Access & Farm Track to Accommodate Two-way HGV Movements at West Fen Farm with Whitemoor Road dated 1/05/18 (received 1 May 2018).

Reason: The access to the site is not in a suitable condition to accommodate the proposed traffic generated by the development in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS32 and Fenland Local Plan (May 2014) policy LP15 (C). This is a pre-commencement condition because the access improvements are required for the construction traffic.

Archaeology

6. No development shall commence until a Written Scheme of Investigation (WSI) for an archaeological programme of works has been submitted to and approved in writing by the waste planning authority. No development shall take place other than in accordance with the agreed WSI which shall include:
• the statement of significance and research objectives;
• the programme and methodology of site investigation and recording
• the nomination of a competent person(s) or organisation to undertake the agreed works
• the programme for post-excavation assessment and subsequent analysis, reporting, publication & dissemination, and deposition of the resulting archive.

Reason: The site in the proximity of prehistoric and Roman archaeological in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS36 and Fenland Local Plan (May 2014) policy LP18. This is a pre-commencement condition because the archaeological investigation must be carried out before any development takes place.

Feedstock input limits

7. No more than a total of 58,500 tonnes of feedstock (excluding water) shall be accepted at the site in any 12 month period. Of that no more than 35,000 tonnes shall be food waste. The operator shall maintain a record of the type, quantity (in tonnes) and origin of the feedstock delivered, and the date of delivery. These records shall be kept on the site and the results collated within a report to be supplied to the waste planning authority within 10 working days of a written request.

Reason: It has not been demonstrated that the local public highway network is capable of safely accommodating higher number of vehicle movements and in the interest of the amenity of occupiers of nearby properties in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS32 and CS34 and to enable compliance with condition 23 to be monitored.

Prevention of mud on the Public Highway

8. No HGV shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of highway safety and safeguarding local amenity in accordance the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34.

Surface Water Drainage Scheme

9. No development shall take place until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the waste planning authority. No waste or other feedstock shall be brought onto the site until the approved scheme has been implemented in full.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with National Planning Policy Framework paragraph 103; the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS39; Fenland Local Plan (May 2014) policy LP14 (B). This is a pre-commencement condition because the surface water drainage arrangements need to be agreed before construction work starts.

Hours of Vehicle Movements

10. No HGVs including construction vehicles shall enter or leave the site outside the hours of:

0700 - 1800 on Mondays to Fridays (except bank and public holidays); and
0800 - 1300 on Saturdays.

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

Hours of Operation

11. Except for emergency maintenance which has previously notified to the waste planning authority no mobile plant, equipment and machinery including for construction shall be used on the site outside the hours of:

0700 - 1800 on Mondays to Fridays (except bank and public holidays); and
0800 - 1300 on Saturdays.

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

Maintenance, Silencers, and Reversing Alarms:

12. All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with effective silencers that shall be used at all times. All vehicles that are fitted with reversing alarms shall be fitted with "white noise" type or similar, reversing alarms.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34; Fenland Local Plan (May 2014) policy LP16.

Noise Limit

13. The rating level of noise emitted from the site shall not exceed the background level or 35dB (A), whichever is the higher, at the boundary of any noise sensitive property. The noise level shall be measured and/or calculated in accordance with BS4142.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and Fenland Local Plan (May 2014) policy LP16.

Noise monitoring

14. No feedstock shall be accepted at the site until a scheme for measuring noise from the development hereby permitted has been submitted to and approved in writing by the waste planning authority. The scheme shall include the expertise of the person(s) who will carry out the measuring; the frequency of measuring; mitigation that will be undertaken in the event that the noise level in condition 13 is exceeded; and details of the operator who members of the public may contact to report noise events. The results of any measurements and assessment shall be submitted to the waste planning authority within 10 working days of the measurements taking place.

Reason: To enable compliance with the noise limit in condition 13 to be monitored to protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and Fenland Local Plan (May 2014) policy LP16.

Odour

15. No development shall take place other than in accordance with the Odour Management Plan ED 11027116 Issue Number 1 Date 03/05/2018 (received 4 May 2018).

Reason: To minimise the impact of the development on the occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34; Fenland Local Plan (May 2014) policy LP16.

Materials

16. The external finishes of the fixed plant and buildings shall be carried out and retained in accordance with paragraph 8.2 of the Landscape and Visual Assessment dated 19 February 2018 (received 20 February 2018).

Reason: To minimise the impact of the development in the landscape in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS34 and Fenland Local Plan (May 2014) policy LP16.

Soil protection

17. No topsoil or subsoil shall be removed from the site.

Reason: All soils are required for the landscaping of the land in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS38.

Landscape planting

18. The "*Details of Landscape and Biodiversity Mitigation, Enhancement and Management"* dated February 2018 (received 20 February 2018) shall be carried out in full no later than the first planting season following the date of this permission.

Reason: For the avoidance of doubt and to ensure that the site has adequate screening in the interest of visual amenity, in accordance with policies CS24, CS33 and CS34 of the Cambridge and Peterborough Minerals and Waste Core Strategy (July 2011).

Replacement planting

19. If within a period of five years from the date of planting any tree or shrub fails, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place in the first available planting season, unless the waste planning authority gives its written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011)

Biodiversity enhancement

20. No waste or other feedstock shall be brought onto the site until the bat boxes shown on drawing no. L17-WF-ELV-21-R1 - 21. Workshop Building dated 11/04/18 (received 13 April 2018) and the bird boxes shown on drawing no. L17-WF-ELV-25 – Existing Barn 2 – Hirundine Roost Ledges dated 11/04/2018 (received 13 April 2018) have been installed.

Reason: In order to improve the biodiversity of the site in accordance with policy CS35 of the Cambridge and Peterborough Minerals and Waste Core Strategy (July 2011) and policies LP16 (b) and LP19 of the Fenland Local Plan (May 2014).

Lighting

21. No lights other than those shown on drawing no. 09-50-01 West Fen Farm Biomethane AD Plant Proposed site layout dated February 2018 (received 20 February 2018) shall be installed on the site. The lights shall be installed and operated in accordance with the details set out in section 14 (page 49) of the Planning Statement dated February 2018 (received 20 February 2018).

Reason: In order to minimise the impact of the development on wildlife in accordance with policy CS35 of the Cambridge and Peterborough Minerals and Waste Core Strategy (July 2011).

Routeing Agreement:

22. The site shall not be operated except in accordance with the Traffic Management Scheme: Undertakings by the Developer dated 1 June 2018 and the plan entitled Planning Application F/2001/18/CW – West Fen Farm Waste Food HGV Routing (received 1 June 2018).

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

Waste Catchment Restriction:

23. No feedstock arising from a distance greater than a 45 kilometre radius of the site as shown on the plan entitled Planning Application F/2001/18/CW – West Fen Farm Waste Catchment Area (received 1 June 2018) shall be received at the site. Waste from a waste transfer station within the defined catchment area shown on the plan entitled Planning Application F/2001/18/CW – West Fen Farm Waste Catchment Area (received 1 June 2018) shall be regarded as arising from within the catchment area.

Reason: To ensure that the facility is managing waste from the local area to comply with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS29.

Informatives

The surface water drainage scheme referred to in condition 9 shall be based upon the principles within the agreed Flood Risk Assessment (FRA) prepared by Cannon Consulting Engineers (ref: CCE/V971/FRA-02) dated February 2018 and shall also include:

a) Full results of the proposed drainage system modelling in the 1% AEP plus climate change critical storm event , inclusive of all collection, conveyance, storage, flow control and disposal elements, together with an assessment of system performance;
b) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
c) Full details of the proposed attenuation and flow control measures;
d) Site investigation and test results to confirm infiltration rates;
e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
f) Full details of the maintenance/adoption of the surface water drainage system;
g) Measures taken to prevent pollution of the receiving groundwater and/or surface water;

The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

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

The applicant sought and received pre-application advice from the waste planning authority. The development would result in the generation of gas and a small amount of electricity from food and farm waste and crops. This would contribute to the Government's aspiration to move towards sustainable sources of energy. It would contribute to the recycling of waste and sustainable use of resources thereby improving the economic, social and environmental conditions of the area.

Agenda Item No. 3

CONSTRUCTION OF A HEAT AND POWER PLANT COMPRISING BIOMASS ENERGY FROM WASTE (FLUIDISED BED COMBUSTION) FACILITY AND TREATMENT OF WASTE WATER BY EVAPORATION TREATMENT PLANT AND ASSOCIATED INFRASTRUCTURE COMPRISING TANK FARM, COMBUSTER WITH 25 METRE HIGH CHIMNEY, PROCESS BUILDING, STORE BUILDING, OFFICE BUILDING, WALKING FLOOR CANOPY, CAR PARK, FUEL STORAGE BAYS, FIRE WATER TANK, CONVEYOR, PIPE GANTRY, DIESEL TANK, CONTROL ROOM, AUXILIARY PLANT SKID, HIGH VOLTAGE TRANSFORMERS

AT: **Warboys Landfill Site, Puddock Hill, Warboys, PE28 2TX**

LPA REF: **H/5002/18/CW**

FOR: **Sycamore Planning Ltd**

To:	**Planning Committee**
Date:	**6 September 2018**
From:	**Assistant Director Environment & Commercial**
Electoral division(s):	**Warboys and the Stukeleys**
Purpose:	**To consider the above planning application**
Recommendation:	*That planning permission be granted subject the applicant entering into a S106 planning obligation to secure off site mitigation and the conditions set out in*

Officer contact:	
Name:	Helen Wass
Post:	Development Management Officer (Strategic & Specialist Applications)
Email:	Helen.wass@cambridgeshire.gov.uk
Tel:	01223 715522

1.0 BACKGROUND

1.1 Landfilling has taken place at Warboys Landfill Site between 1995 and 2004 and since 2008 when the current operator took over the site. In April 2010 planning permission (H/05030/09/CW) was granted for engineering operations to extend the landfill void. Landfilling was to cease by 31 December 2015 and the site be restored by 31 December 2016. In July 2016 planning permission (H/5012/15/CW) was granted extending time in which the landfill would be completed by 2 years i.e. landfill to cease by 31 December 2017 and restoration to be completed by 31 December 2018.

1.2 The landfill has been closed to sources other than residual non-recyclable waste from the adjacent Minerals Recycling Facility (MRF) since October 2013 and all deposit of waste ceased in December 2017. The site is now being restored using material held for the purpose in the overburden storage area. These areas are shown on agenda plan 1.

1.3 A waste recycling facility has been in operation within the waste management complex since 1996. Until 2014 this was within and adjacent to the former brickworks buildings which have been demolished. Planning permission (H/05016/12/CW) was granted in April 2013 for the construction and operation of a permanent MRF and a separate office building on the site of the old brickworks. Since 2014 the waste recycling operations have been conducted within and adjacent to the MRF building.

1.4 The full planning history of the landfill and recycling areas is set out in section 6. The extant permissions are shown in bold and their expiry date is noted.

1.5 In September 2016 the applicant sought formal pre-application advice from the waste planning authority (WPA) on the current proposals and this was provided on 28 October 2016. On 30 November 2016 the applicant sought an Environmental Impact Assessment (EIA) screening opinion. A draft opinion was provided on 14 February 2017 but not formally adopted because the developers did not want it to be in the public domain until they had introduced their proposals to representatives of the local community at the landfill site liaison group meeting which did not take place until 2 November 2017. The screening opinion was adopted on 30 October 2017 when it was sent to Huntingdonshire District Council to be placed on the planning register. The screening opinion concluded that the proposed development would be unlikely to have significant impacts on the environment so EIA was not necessary.

1.4 The planning application was received on 10 January 2018 and was advertised as set out in paragraph 2.1 below.

1.5 On 9 February 2018 Alan Watson of Public Interest Consultants (on behalf of Warboys Landfill Action Group (WLAG)) challenged the WPA's screening opinion. Mr Watson considered that the proposed development fell within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 Regulations) meaning that EIA is mandatory and that the planning application must be accompanied by an environmental statement (ES). Officers reconsidered the matter and having taken legal advice agreed that the proposal was indeed Schedule 1 development. A revised screening opinion was adopted on 12

April 2018.

1.6 Because of the potential delay in receiving a revised screening opinion on 5 March 2018 the applicant asked the WPA for an EIA scoping opinion to establish the areas which should be covered in an ES. Following consultation with statutory and other bodies, the WPA adopted a scoping opinion on 20 March 2018. It was concluded that the following topics should be covered in the ES: human health, air quality, ecology, landscape and visual impact and noise. Further information had already been sought on traffic and surface water drainage. On 25 April 2018 Alan Watson (for WLAG) criticised the WPA's approach to the scoping exercise. With legal advice, officers replied to Mr Watson defending the WPA's procedures on 14 May 2018.

1.7 On 23 April 2018 the applicants submitted a revised planning statement and amended drawings. On 2 May 2018 the applicants submitted an ES. This was publicised as set out in paragraph 2.2 below.

2.0 PUBLICITY

2.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice in the Hunts Post on 31 January 2018 and a notice erected at the site access. The occupants of the houses closest to the site and properties along the proposed access route, Fenside Road, were notified by letter.

2.2 In accordance with the 2017 Regulations the applicant placed a notice in the Hunts Post on 25 April 2018. On 2 May 2018 the WPA re-consulted the statutory and non-statutory bodies and notified those persons who had commented on the original application inviting them to provide comments only if the new information changed their views. Otherwise the WPA would assume their original comments stood and would take them into account.

3.0 THE SITE AND ITS LOCATION

3.1 The waste management complex known as Warboys Landfill Site covers approximately 26 hectares (64.2 acres) and includes the land on which the development which is the subject of this report would be situated. It is located about 10 kilometres (6.21 miles) northeast of Huntingdon and 4 kilometres (2.49 miles) southeast of Ramsey, to the north of the village of Warboys on the side of the escarpment overlooking Wistow Fen. It comprises a landfill operation, restored and partially restored tipped land, a materials recycling facility (MRF), overburden storage, landfill gas engine/flare producing electricity, restored ponds and grassland and ancillary land used for access, parking and administration purposes. The landfill void was a former brick pit which has been filled in a series of cells. The waste recycling operations take place within a new purpose built MRF on the site of a former brickworks.

3.2 The area in which the proposed development would take place (the site) lies between the MRF and the north eastern boundary of the waste management complex. The land immediately to the northeast is Wistow Fen, low-lying intensively cultivated

agricultural land.

3.3 The site is in flood zone 1. It is within 65 metres (71.08 yards) of the Warboys Clay Pit Site of Special Scientific Interest (SSSI). Warboys and Wistow Wood SSSI is approximately 460 metres (503.06 yards) to the west of the site, adjacent to western boundary of the landfill site. Pingle Wood and Cutting County Wildlife Site (CWS) lies 130 metres (142.17 yards) south of the access onto the public highway and 220 metres (240.59 yards) south east of the proposed waste management area. There are no scheduled monuments within 3 kilometres (1.86 miles) of the site.

3.4 The closest residential properties are: Wingate (100 metres (109.36 yards) south of the access and 140 metres (153.11 yards) from the proposed waste management area); Old Railway Tavern (opposite the site access and 120 metres (131.23 yards) southeast of the proposed waste management area); Woodview (30 metres (32.81 yards) from the site access and 110 metres (120.3 yards) from the proposed waste management area); and The Old Station Yard (150 metres (164.04 yards) northwest of the proposed waste management area).

3.5 Access to the landfill site and MRF for HGVs is via a purpose-built access road from the class C Puddock Road. Access to the proposed development site would be from an existing track off the landfill/MRF access road 55 metres (60.15 yards) from Puddock Road. The track is also the access to The Old Station Yard. No public right of ways cross the waste management site. Public footpaths no. 245/2 and no. 254/12 are 300 metres (328.08 yards) to the south and lead from Humbrills Farm in a southerly direction to Warboys. Public footpath no. 245/7 starts at the western end of Fenside Road and runs around the edge of the Pingle Wood and Cutting County Wildlife Site also leading to Warboys.

3.6 The proposed development site is 1.7 hectares (4.2 acres) in area (including the access to Puddock Road). The waste management area would measure 170 metres (185.91 yards) northwest to southeast by an average of 35 metres (38.28 yards) southwest to northeast on the line of a former railway. The site lies approximately 3 metres lower than the MRF. An approximately 3 metre (9.84 feet) high landscaped bund is situated to the northeast of the site boundary, separating the site from the adjacent fen farmland. An approximately 4 metre (13.12 feet) high bund is situated to the southeast of the site, between the site and the MRF offices.

3.7 The proposed development land was restored in January 2014 as part of the restoration scheme which is a requirement of the planning permission for the landfill site (H/5012/15/CW). It comprises restored ponds and unimproved grassland which are being managed in the interests of the existing Great Crested Newt (GCN) population. There is a small group of Ash trees close to the MRF building and an area of scrub at the southern corner of the site proposed waste management area.

4.0 THE PROPOSAL

4.1 The proposed development comprises two elements, a biomass combined heat and power (CHP) plant and a waste water treatment plant. The proposed waste treatment processes are:

(i) Thermal treatment of up to 48,000 tonnes per annum of non-hazardous grades B and C pre-shredded waste wood and compost oversize in a fluidised bed boiler with recovery of energy (see Appendix A for description of waste wood categories); and

(ii) Treatment by evaporation of approximately 65,000 tonnes per annum of non-hazardous waste water including leachate from the adjacent and other landfill sites.

4.2 The fluidised bed boiler would generate 1.5 MW of electricity and 16.8 MW of thermal energy (heat). Based on the plant operating continuously and with a 2 week shut down for maintenance it would have a daily throughput of up to 137 tonnes. The waste water treatment plant would have a daily throughput of 185 tonnes.

4.3 It is proposed that waste would be received between 0700 and 1900 Mondays to Fridays and between 0700 and 1300 on Saturdays and that the plant would operate 24 hours per day 7 days a week with a 2 week planned shut down for maintenance. The proposed development would generate 32 - 34 HGV movements onto and off the public highway per day in the form of 24 tonne bulkers delivering the waste wood, 22 tonne tankers delivering the waste water and the vehicles removing the ash and sludge residues. This assumes that 15,000 tonnes per annum (31%) of wood waste would come directly from the adjacent MRF and 844 tonnes per annum (1%) of the waste water would be leachate from the adjacent landfill site. If no waste were to be sourced from the adjacent site, the number of vehicle movements on the public highway would increase by 4 to 36 - 38 per day.

4.4 The applicant proposes that HGVs would access the site from the A141, Fenside Road and Puddock Road which would be consistent with the routeing agreement which applies to the landfill site and MRF. This route is shown on agenda plan 2.

4.5 The following buildings and structures are the principal parts of the development proposal and are shown on agenda plan3:

- Process building (41.6 metres (45.49 yards) x 18.9 metres (20.67 yards) x 9.1 metres (29.86 feet) high) with 8.2 metres (8.97 yards) x 18.9 metres (20.67 yards) mezzanine floor and single flue 7.9 metres (25.92 feet) above the roofline
- Office (15.5 metres (16.95 yards) x 8.6 metres (9.41yards) x 4.5 metres (14.76 feet) high)
- Store (12.7 metres (13.89 yards) x 6.6 metres (7.22 yards) x 6.9 metres (22.64 feet) high)
- Walking floor (26.1 metres (28.54 yards) x 10.9 metres (11.92 yards) x 8.2 metres (26.9 feet) high)
- Combustor (10 metre (32.81 feet) diameter to 20 metres (65.62 feet) with 5 metre (16.4 feet) flue i.e. total height 25 metres (82.02 feet) high)
- Four 10 metre (32.81 feet) high x 4 metre (13.12 feet) diameter waste water storage tanks

4.6 The following ancillary structures, also shown on agenda plan 3, are proposed: fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxillary plant skid, high voltage transformers and a 10-space car park. The site

would be mainly surfaced with concrete with block paving for the car park and around the office. Automated low level lighting is proposed for internal roads and manually operated lighting is proposed for the combustor and steps.

4.7 The existing bund on the northern site boundary would be re-profiled to a height of 3 metres (9.84 feet) and would be re-planted with native species. An internal bund would be re-profiled to height of 4 metres (13.12 feet) and the southern slope re-planted. New native planting is proposed on the outer slope of the eastern perimeter bund outside the application area. A soil bund up to 1.5 metres (4.92 feet) high and planted with trees and shrubs is proposed along the western and southern boundaries of the landfill area. This would be outside the application area.

Biomass CHP

4.8 The proposed biomass CHP facility would thermally treat wood waste in a fluidised bed boiler. The heat produced as a by-product of the thermal treatment process, in the form of steam, would be used to evaporate waste water in the waste water treatment plant.

4.9 Waste wood will be delivered to the site in 24 tonne "walking floor" HGVs, with 5 no. deliveries estimated per day. Vehicles would enter the site, travel over the weighbridge, and continue round to the 55 tonne open air storage bays situated adjacent to the site access, where the wood waste would be unloaded. From the storage bays the wood waste would be loaded onto a walking floor which would store a rolling 2 day supply of material for use in the biomass CHP plant. Once loaded, the wood waste would be transported through the walking floor and onto a fully enclosed conveyor. The wood waste would then pass into a fluidised bed combustor for treatment.

4.10 Once in the combustor the wood waste would be combusted in a bed of hot sand heating water to produce steam. The steam would be diverted through steam expanders, turning screws to produce renewable electricity, some of which would be used on site with the rest being exported to the grid.

4.11 The by-products of the combustion process are fly ash, bottom ash, non-combustible "tramp" material (such as metal and stones), and process gas. Once settled the fly ash and bottom ash would be collected within a sealed vessel and transported off site to an appropriate waste management facility. It is anticipated that the biomass plant would produce 4% (1,920 kilograms / 302.35 stone) of ash which would be loaded into 1 tonne storage bags and stored on site until enough has been collected to fill a curtain sided HGV. Ash would be transported off site in 20 tonne curtain sided HGVs at a frequency of two per week. It is anticipated that the biomass plant would produce approximately 2% (960 kilograms / 151.17 stone) of tramp material, which will be loaded into a 5 tonne skip wagon and transported off site once per day to a specialist waste facility for treatment.

4.12 Process gases would be monitored electronically, using a continuous emissions monitoring system, to manage emissions levels emitted to air via the stack to agreed rates and levels as defined by the environmental permit. All generators and monitoring equipment for the site would be housed in the auxiliary plant skid and the

process building. To ensure that the agreed emissions levels are met abatement chemicals such as urea and sodium bicarbonate would be injected into the stack as required to clean emitted gases. Chemicals would be delivered to the chemical store on site in 20 tonne curtain sided HGVs at a frequency of two per week.

Waste water treatment plant

4.13 Waste water would be delivered to the site in 27 tonne tankers at a frequency of 8 per day. Vehicles would enter the site, travel over the weighbridge, and continue to the delivery area located to the south of the process building. Waste water would be stored in 4 bunded water storage tanks each storing 115,000 litres of water. Before being treated by the evaporation process, the waste water would undertake a process of pre-treatment consisting of storage tanks fitted with re-circulation, aeration pumps and associated pipework. A mixing tank located adjacent to the storage tanks would take waste water from each of the storage tanks on an hourly basis, also recirculating it around the mixing tank, resulting in further mixing and aeration. This volatises and releases any volatile organic compounds (VOC), methane and non-methane gases in to the headspace of the tank which is subsequently treated within the carbon filter. Additionally, hydrogen peroxide would be dosed into the tanks to oxidise and remove the dissolved sulphides and reduce odour and bacteria levels within the liquor. The pH dosing reduces ammoniacal nitrogen and calcium carbonate concentrations within the waste water. Finally, the pre-treated waste water would be filtered via a 500 m mesh filter prior to being pumped to the evaporators. The filtration of the effluent effectively removes 80 - 90 % of the solids content of the effluent significantly reducing the overall organic loading.

4.14 Heat (steam) from the combustor would be transported via over ground pipes to the process building, where waste water would be treated. Once steam has passed through the screws of the electricity generators it would advance to the waste water treatment unit. The steam (heat) would be used by the 6 evaporator units to process the accepted waste water by evaporation. The evaporation process would separate the water element from any contaminants leaving a solid residue behind in the evaporator unit.

4.15 The waste water treatment facility would produce approximately 1% solid residue which would be loaded into skips and transported off site to an appropriate waste management facility for treatment. The transport of solid residue off site would require one 5 tonne HGV per week.

4.16 Water vapour would be slowly evaporated and discharged through the stack diluted with ambient makeup air to minimise steam plume formation from the 6 evaporation units. Waste water would be processed at 1.2 tonnes/1200 litres per hour.

5.0 CONSULTATIONS

5.1 As set out in section 2 consultees had two opportunities to comment. The summaries below represent the organisations' most recent comments, carrying forward any earlier ones that they indicate are still relevant. Not all consultees responded to the consultation on the ES in May 2018.

Huntingdonshire District Council (Environmental Health)

5.2 Officers understand that in order for the applicant to operate both the heat and power plant and waste water treatment plant the site will also require an environmental permit from the Environment Agency (EA). An environmental permit will control environmental emissions from the site such as land contamination, air pollution, noise, vibration, odour, dust, light and energy.

5.3 It is understood that if potential pollution from the process will be subject to alternative control by the way of an environmental permit, this should take precedence with regard to conditions to control emissions. This will reduce dual control and potential issues regarding conflicting conditions and enforcement responsibilities.

5.4 It is therefore expected that many conditions HDC would usually recommend in respect of protection of residential amenity will be covered by the environmental permit and relate to all activities on site including waste storage and acceptance procedures, management of the site to control emissions, monitoring requirements and emission limits. If an environmental permit will not be required or conditions are required on any forthcoming planning permission with respect to these controls, HDC would wish to be involved in this process. HDC and Public Health England will be consulted when the EA are determining the environmental permit application for the site. HDC will liaise with the EA to ensure all aspects that would have been recommended for the control of emissions are considered at that point.

5.5 Areas where conditions may be better placed on any planning permission which may be granted include a Construction Environmental Management Plan (CEMP), hours of deliveries and, if considered appropriate, noise.

5.6 Land Contamination - are satisfied that the developer can assume a CIRIA 665 Character Situation 1 with regard to the risk of hazardous ground gases.

5.7 Noise - The addition of a 3 metre (9.84 feet) high acoustic barrier is noted, which should be deployed as described. The following conditions are recommended:

- Except in an emergency, or to undertake environmental monitoring or in exceptional circumstances to be agreed with the Waste Planning Authority, operations authorised by this permission shall be restricted to the following periods: HCVs entering or leaving the site 0700 to 1900 Mondays to Fridays inclusive except Bank or Public Holidays and 0700 to 1330 Saturdays. There shall be no such vehicle movements on Sundays or Bank or Public Holidays.

- The noise levels arising from the operations authorised by this permission shall not exceed 5dB LAeq (1hour) freefield above the background noise level measured as LA90(1 hour), at the facade of any noise sensitive property.

5.8 Air quality - It is noted that the biomass air quality assessment is based on emission limit values as if the plant were operating at the maximum permitted limits under the Industrial Emissions Directive (IED). Many installations operate well within their specified emission limits and therefore the use of release limits may lead to an over

estimation of emissions. The Waste Water Treatment Plant (WWTP) report utilises a limit of 1.5OUE/m3, which the EA advise for highly offensive odours. Air quality monitoring requirements placed on the site under the environmental permit will ensure regular monitoring of emissions is undertaken and are within legal requirements. Both air quality reports have stated that emissions will be tested as part of the commissioning process to ensure that the emission rates do not exceed the modelled values and it is advised that this is a requirement, to be covered under the environmental permit as appropriate.

5.9 In line with section 6 of both air quality reports HDC would expect the proposed mitigation measures to be included and adhered to, including the implementation of a programme of planned preventative maintenance to minimise the risk of unplanned emissions and pre-treatment on the WWTP in line with the conditions modelled. Mitigation measures are therefore a requirement and it is advised that these include (but are not limited to) those specified within section 6 of both AQ reports. HDC would expect these aspects to be covered in any environmental permit for the site.

5.10 The storage and acceptance of waste is an important aspect for control and again conditions to regulate this aspect should be contained within any environmental permit. The environmental permit conditions will minimise any impacts as far as is practicable. Even though pollutant concentrations are predicted to be below the air quality objectives/limit values, it is important that the proposed development uses best practice measures, including those proposed within sections 6 of both air quality reports, to ensure that emissions are fully minimised.

5.11 Dust - The Dust Management Plan outlines the mitigation measures designed to reduce dust emissions and describes a good procedure for handling complaints and abnormal emissions. This document should be required as a condition of the environmental permit and should be regularly updated to reflect any change of process and technical advancement.

5.12 Odour - The Odour Management Plan outlines the odour mitigation measures and describes a good procedure for handling complaints and abnormal emissions. This document should be required as a condition of the environmental permit and should be regularly updated to reflect any change of process and technical advancement.

5.13 On evaluation of the information provided and taking the above points into consideration it is considered that there are not sufficient grounds to recommend refusal in respect of an unacceptable risk from pollution. This is subject to conditions which are required to control and minimise emissions from the site, the majority of which will be covered within any environmental permit.

Huntingdonshire District Council - (Landscape Officer)

5.14 In summary, generally agrees with the conclusions of the Landscape and Visual Impact Assessment chapter in the ES. Although the assessment of the level of adverse effect is sometimes slightly underestimated there are no significant adverse effects, and most effects will be further reduced by mitigation planting and appropriately coloured cladding for the buildings and other components of the facility. The overall level of adverse effect is acceptable. Successful mitigation planting and

appropriately coloured buildings and other components of the scheme (both of which can be conditioned) would reduce adverse impacts still further.

Warboys Parish Council

5.15 Objects to the proposed development and recommends refusal on the following grounds:

i. the proposed development will present a visually intrusive feature on the local landscape which is totally out of character with the neighbouring fen environment;

ii. the proposed development would be located in close proximity to dwellings with a consequential risk of harm to health from emissions from the processes proposed;

iii. any emissions from the proposed development could contaminate surrounding land which is farmed extensively for growing crops and as pasture for livestock with the consequential risk of hazardous chemicals entering the food chain and contaminating land for the future;

iv. the applicants have failed to demonstrate a need for development of the scale proposed or that the materials required could be sourced adequately from the proposed 30 mile radius prompting concerns that waste will be imported from a far greater radius;

v. the applicants have failed to demonstrate the long term adequacy of supply from Warboys Landfill Site and materials recycling facility with the consequent potential for the sourcing of greater quantities of waste wood and waste water from elsewhere which would result in additional traffic generation and further deterioration of the access route;

vi. the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste;

vii. the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse;

viii. the proposed development would pose unacceptable risks to human health and wildlife from emissions to air of hazardous chemicals;

ix. the proposed development is likely to lead to noise pollution to the detriment of persons living nearby thereby adversely affecting their quality of life;

x. the proposed development is likely to lead to odour pollution to the detriment of persons living nearby thereby adversely affecting their quality of life;

xi. the proposed development is likely to lead to the escape of dust from the site which will affect the quality of life of nearby residents and contaminate the local environment;

xii. the proposed access route to the site via Fenside Road is unsuitable for the additional traffic proposed;

xiii. there is a likelihood of heavy goods vehicles and tankers queuing to enter the site before it opens in a morning either on local roads or laybys to the detriment of highway safety;

xiv. there is a potential risk of contamination to the local environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate surrounding land;

xv. the proposed operation of the site on a continuous basis throughout the year with the exception of a two week close down for maintenance will represent an intolerable intrusion into the quality of life of local residents from emissions, noise, odours and dust emanating from the site;

xvi. insufficiently robust testing has been undertaken of the proposed waste water treatment process to assess its suitability and safety so close to dwellings and farmland;

xvii. the companies established to manage the processes involved are newly established with no demonstrable experience or expertise in managing such plants safely; and

xviii. the operation of the two treatment plants by separate companies will results in a blurring of responsibility in the event of future complaints and enforcement action by the regulatory authorities.

5.16 Warboys Parish Council's full representations (8 February 2018, 23 May 2018 and 30 May 2018 are Appendices 81, 82 and 83 to this report.

Wistow Parish Council

5.17 Objects to the application and recommends its refusal on the grounds set out below.

i. the operation of the two treatment plants by separate operators only recently established with no demonstrable experience or expertise in managing such plants will result in a blurring of responsibility and accountability in the event of future complaints and enforcement action by the regulatory authorities;

ii. there has been insufficient testing undertaken of the proposed waste water treatment process to assess its suitability so close to dwellings and farmland;

iii. the proposed development is located too close to dwellings with a risk of harm to resident's health from emissions from the processes proposed;

iv. the emissions from the proposed development could possibly contaminate the surrounding land which is used for the growing of crops as well as pasture for livestock with the possible risk of hazardous chemicals entering the food chain;

v. the proposed development would pose unacceptable risks to human health and wildlife from pollutants released into the atmosphere;

vi. the access route to the site via Fenside Road is unsuitable for the additional traffic proposed and could lead to HGVs and tankers queuing waiting in nearby roads and lay-bys. There is also a potential risk of contamination to the environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate the surrounding land;

vii. the development proposed is likely to lead to noise, odour and dust pollution to the detriment of residents living nearby thereby adversely affecting their quality of life;

viii. the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste at the adjoining landfill site;

ix. that the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse.

Ramsey Town Council

5.18 Fully support Warboys Parish Council in the objections put forward in the letter of 8 February 2018 and in particular the conclusions in section 10 of that letter. Several residents living in Hollow Lane, Ramsey will have direct line of sight and fallout from the proposed plant which will be more visible to many Ramsey residents than those of Warboys.

Chatteris Town Council

5.19 Support Warboys Parish Council and Ramsey Town Council in their objections to this application. Councillors were particularly concerned about the impact of the proposals on the A141 and the pollution which could affect the environment of Chatteris parish.

Pidley cum Fenton Parish Council

5.20 Strongly object to the application because the unknown toxins from the vapour are too dangerous to be located near residential dwellings. The additional traffic which will be generated is too much for the local infrastructure in the village. If the development is approved there should be a restriction routeing traffic onto the A141 and avoiding the village of Pidley.

Environment Agency

5.21 Has no objection in principle to the proposed development but has the following recommendations and informatives.

5.22 Environmental permitting - The proposed operations will require an environmental permit. Any permit issued will contain appropriate limits on emissions to the environment and conditions relating to amenity impact such as noise and odour. The applicant has provided an assessment of impact to air quality from the proposed operations. Air quality impact will also be assessed during determination of an environmental permit. The operators must demonstrate that their activities can meet the appropriate air emission limits set in legislation; this has been considered as part of the Environmental Impact Assessment. It is noted that 6 emission points to air from the waste water treatment process have been amended to 1 and the stack height increased to 17 metres [55.77 feet].

5.23 The re-routing of the discharge from the package treatment plant is acknowledged. The management of wood in the wood storage area should be included in a management system document. Management systems and operational procedures are also a requirement of environmental permits.

5.24 Groundwater & contaminated land - This site is located above an Oadby Till diamicton. Oadby diamicton are superficial sands, gravels, silts and clays that are heterogeneous by nature. This cannot be determined as impermeable due to its heterogeneity, and will likely provide a pathway. This is underlain by Oxford Clay mudstone, an unproductive impermeable bedrock. The closest surface water receptor is a land drain 25 metres [82.02 feet] north. The former site use is considered potentially contaminative but the applicant has demonstrated that the site does not present any significant contamination.

5.25 The proximity of the permitted landfill presents a risk of gas migration to the development site. Insufficient gas risk assessment has been undertaken. Gas protective measures are likely to be required and should be incorporated into the design. Planning permission could be granted for the proposed development as submitted if planning conditions are imposed requiring the developer to implement mitigation measures for maximum gas concentrations.

5.26 The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS). Development should not begin until a scheme for surface water disposal has been approved. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

Public Health England

5.27 *Point source emissions to* air - Dispersion modelling (using an Atmospheric Dispersion Modelling System) has been used to predict the resulting ground level pollutant concentrations (including particulate matter, NOx, SO2, and heavy metals), due to emissions from the 25 metre [82.02 feet] singular stack [for the combustor]. The resultant predicted environmental concentrations were assessed as unlikely to

be significant. Therefore, emissions to air are not expected to cause any significant impact to human health. In addition, the site doesn't lie in or in the vicinity of any Air Quality Management Areas.

5.28 Increased traffic as a result of the site's operations has not been considered in terms of impact on local air quality. An accident management plan is not included within the application. As flammable waste will be accepted onsite and there is a materials recycling facility located adjacently, the planning authority may wish to ensure that appropriate consideration is given to the implementation of an accident prevention and management plan including a fire prevention plan to minimise any potential public health impacts in the event of a fire incident.

5.29 Recommend that the planning authority should consider the need for the applicant to develop an accident prevention and management plan that:

- Identifies all the potential hazards in relation to all of the proposed operations;
- Assesses the risk associated with the hazards (e.g. fire) (including an assessment of the potential impact on human health, e.g. on local residents; and
- Identifies the measures to prevent or mitigate the risks.

The planning authority may wish to consider whether they are content that potential impact(s) on local air quality from all activities on site, including emissions from increased traffic flows, have been appropriately considered.

5.30 In relation to potential risk to public health it is recommended that the planning authority also consult the following relevant organisation(s) in relation to their areas of expertise:

- the Local Authority environmental health department for matters relating to contaminated land, odour, dust and other nuisance emissions;
- the Food Standards Agency (FSA), where there is the potential for deposition on land used for the growing of food crops or animal rearing; and
- The Director of Public Health for matters relating to wider public health impacts.

5.31 Summary: assessment of potential impact to public health - The main concerns in relation to potential impact on public health are emissions to air from the stack during the operation. Providing that the planning authority is satisfied that the installation will not contribute to a significant increase in local air pollution, there is unlikely to be a significant impact on public health from this installation.

Food Standards Agency - No comments received.

Director of Public Health (CCC)

5.32 Public Health England (PHE) are the national technical experts on the health impact of the above facilities and have already formally responded to the consultation. The County Council agree with the response from PHE and have no additional comments

from a local perspective. In addition the facility, if granted permission, will be subject to the environmental permitting regime which is regulated by the Environment Agency to monitor compliance with emission limit values for a range of pollutants and as such both PHE and the County Council will be consulted on the application for that permit.

5.33 Other public health issues of local relevance to this application include potential pollution from noise, dust and light. These are the responsibility of the relevant district council (Huntingdonshire District Council) under the Environmental Protection Act and associated legislation. It is noted that Huntingdonshire District Council have responded about possible adverse impacts due to pollution from noise, dust and light, and impacts on local air quality.

Ramsey First (Hollow) Internal Drainage Board (IDB) - No comments received.

Natural England

5.34 As [originally] submitted, the application could have potential adverse effect on Warboys and Wistow Woods SSSI. Further information is needed in order to determine the significance of these impacts and the scope for mitigation:

- Further assessment of the potential air quality impact of the proposed development on the sensitive ancient woodland habitat and associated fauna of the SSSI;
- Identification of appropriate mitigation measures to address predicted adverse impacts to the nationally designated site and its notified features.

5.35 Based on the additional information submitted as part of the ES, Natural England considers that the proposed development will not damage or destroy the interest features for which the Warboys & Wistow Wood SSSI has been notified and has no objection. The areas of notified geological interest must be protected from development and access to them maintained at all times. Subject to detailed plans being submitted to demonstrate that no tree planting will occur I be allowed to encroach on these areas, Natural England does not raise any objection to the proposed development, including the tree screen planting.

County Wildlife Trust (no response to May 2018 re-consultation)

5.36 Has concerns over two aspects in particular of the ecological impacts of the proposal - air quality impacts and great crested newt mitigation - further information and advice from Natural England is needed with regards to these before the application can be determined.

5.37 The Air Quality Assessment concludes that there would be minor adverse impacts on nearby ecological sites, including Warboys and Wistow Wood SSSI, and the Wildlife Trust nature reserve (and County Wildlife Site) Pingle Wood and Cutting. Any effects on the botanical communities (e.g. changes in species from additional nitrogen deposition) would negatively affect the features of interest at these sites, and therefore result in a net loss in biodiversity. It is not clear from the current information provided whether this type of impact can be avoided or (a less preferred option) appropriately mitigated for. Clarification is needed on this point, and I

understand Natural England is able to provide specialist advice on the air quality impacts on the SSSI (which are likely to apply to the CWS as well), so their advice should be sought before a decision can be made.

5.38 With regards to great crested newts, the proposals would affect an existing great crested newt mitigationlreceptor area, which could affect existing planning requirements. The current proposed mitigation strategy must be acceptable to Natural England as an alternative to ensure previous planning obligations can still be met. Again, advice should be sought from Natural England on this issue. The Wildlife Trust may wish to comment in detail once Natural England's views are known.

Campaign to Protect Rural England (CPRE)

5.39 CPRE objects to this application for the following reasons:

(1) The effect on the landscape will be significant. There will be a process building of 40m x 18m x 9m, with 6 flues rising 3m above the roofline. In addition there will be the store building and office building, all making for a bulky, intrusive presence on the flat fenland landscape.

(2) While it is hoped that that the plant will be operated to the highest standards and be monitored by the licensing authority, we are nevertheless concerned that, should polluting emissions occur, there would be a damaging effect on the nearby Warboys Claypit Site of Special Scientific Interest (SSSI) and Warboys and Wistow Wood SSSI.

(3) The applicant specifies there will be low level lighting for internal roads and pavements provided throughout the site. Nevertheless we are concerned that there will be light spillage into the countryside because of the proposed operation of the plant for 24 hours a day for 50 weeks of the year.

(4) The operation of the plant will require 16 deliveries of waste wood and waste water by 24 tonne HGVs or 27 tonne tankers each day, plus two deliveries per week of chemicals. There will be a further three HGVs per week removing ash and solid residue off the site. We seriously question whether the access road is suitable for this amount of traffic.

5.40 (In response to the May 2018 re-consultation) raises significant concerns about the potential impacts of polluting emissions on air quality and especially about the effect of deposition on soil in the surrounding area where there is likely to be a long-term build-up of concentration in the soil resulting in an increasing rate of take up by crops. We are concerned that this build-up will in time cause damage to local flora and fauna, with potential polluted run-off into watercourses and groundwater, as well as a potential health risk to those, human and animal, consuming the crops.

5.41 Should the council be minded to approve the application, a condition should be applied that emission of pollutants be rigorously monitored and preferably such monitoring should include continuous monitoring of the stack emissions with built in alerts of potential non-compliances.

British Horse Society (BHS)

5.42 Does not object to the planning application in principle but does object to the fact that no consideration of the needs of local horse riders has been acknowledged or taken into consideration by the applicant.

5.43 Fenside Road is a narrow fen road and is used to access bridleways 245116, 245117,
245118 and 245119. Unexpected noises can startle horses. Horse riders use the transport network throughout the day with many riders using the routes before work in the morning, after work in the evening and both days at the weekend. The Transport Assessment has completely ignored these rightful users with the proposed increase in traffic during early morning, weekday evenings and significantly,

5.44 The BHS recognises that there is a limit to what is within the gift of the planning authority in requiring applicants to address matters but considers that the applicant should be required to consult with local riders, the BHS and Warboys Parish Council to find a solution to mitigate the increased danger from increased traffic which will be faced by equestrians (and other rights of way users) before planning permission is granted. Suggestions include speed limits, Give Way to Horses signs, non-motorised user crossing of Fenside Road to the bridleway, search for alternative off road access, up-grade of existing footpaths to bridleways, creation of new rights of way using Section 106 1 CIL money from the housing development should all be considered.

Warboys Landfill Action Group (WLAG)

5.45 Object to the proposed development. The application is not consistent with the development plan and that it follows there is a need for the applicants to justify the need for the application and to demonstrate consistency with the waste hierarchy. They have not done so and there is a serious risk that the application would mean overprovision of capacity low in the waste hierarchy which would undermine material recovery1recycling, particularly of Grade B wood and1or increase transport distances unreasonably.

5.46 Furthermore the intensification of industrial development in the site at Puddock Hill would be harmful to the quality of local environment. There are no overriding considerations which would justify the approval of the development and it is recommended that it should be refused.

5.47 Concerns are also raised about, amongst other things, the impact of emissions to air on human health, the impact of the HGV traffic on the local road network and visual impact. Attention is drawn to the large number of letters from local residents which in WLAG's view indicates the level of anxiety within the community about the proposed development. WLAG's full representations (1 February 2018, 9 February 2018, 3 June 2018 (Alan Watson) and 3 June 2018 (Betty Ball) are Appendices C1, C2, C3 and C4 to this report.

Fire and Rescue Service

5.48 Ask that if the application is approved, it be subject to a condition to secure the provision of emergency water supplies.

Cambridge Airport

5.49 No objection to the proposed development.

CCC Transport Assessment Team

5.50 Junction Capacity Assessment Results - It is acknowledged that Fenside Road is used by horse riders as a means of access to bridleways 245116, 254117, 245118 and 245119. As the proposed development will increase vehicle movements on Fenside Road by 4 HGV movements per hour, it is concluded the development will not cause detriment to the safety of riders.

5.51 A capacity assessment has been undertaken for the Fenside Road1A142 priority junction. The latest version of PICADY software; Junctions 9 has been used. The junction assessment does not underline any capacity issues at the junction. The Transport Assessment Team are therefore satisfied with the capacity assessment submitted.

5.52 The application is not expected to have any significant impact on the local highway network. Therefore the Highway Authority does not wish to object to the application as submitted.

CCC Highways Development Management

5.53 Previously the site has seen much higher traffic generation to that now proposed. Fenside Road is a single track road with passing places along its length which is a recognised and accepted form of highway infrastructure especially in rural locations. Apart from occasional maintenance intervention there have been no reported issues relating to the road or junctions. There is ample forward visibility to allow approaching vehicles to see each other and utilise the passing bays without issue.

5.54 The junction of Fenside Road and the A141 has seen a greater number of vehicle movements than that proposed within this application. There have been no reported accidents at this junction over the past 6 years, indicating there is not an issue with the use of this junction. The required visibility for the Fenside Road - A141 junction is 2.4 metres x 215 metres and is achievable within land under the control of the highway authority. Currently the visibility is restricted slightly due to hedge and tree overgrowth. Hedge and boundary overgrowth will be dealt with by the highway authority as necessary

5.55 Given the modest additional 38 movements per day (4 per hour) it would not be justified or reasonable to request the provision of a right turn facility at the Fenside Road - A141. Forward visibility for vehicles approaching the junction of Fenside Road from a south westerly direction along the A141 is to standard and allows ample time to slow and wait for a right turning vehicle to make the manoeuvre.

5.56 It is noted that the applicant is agreeable to entering into an agreement in relation to routing of vehicles associated with the site and this should be secured by a 106 agreement.

Peterborough City Council Wildlife Officer

5.57 Designated Sites: It is noted that additional mitigation measures are now proposed in relation to Warboys & Wistow Wood SSSI, Warboys Clay Pit SSSI and Pingle Wood and Cutting County Wildlife Site which include the installation of a single combined stack of an increased height of 17 metres [55.77 feet]. The impacts of all pollutants are considered to be insignificant. It is noted that Natural England has removed its objection to the scheme based on these revised details. It is recommended that all mitigation measures relating to air quality be secured by condition.

5.58 In addition a new soil bund with native hedging screen1 shelterbelt is proposed along
the southern and western [landfill] site boundaries. Full planting details should be

5.59 Protected Species: Great Crested Newts (GCN) - The proposal would result in the loss of four ponds and 0.88 hectare of semi-natural habitat which currently supports a medium meta-population of GCN. In addition it should be noted that the application site forms part of a previous GCN receptor site. The submitted GCN Mitigation Strategy sets out a detailed approach to protecting GCN from harm with a translocation of all animals to a nearby receptor site (adjacent to clay storage area), along with the creation of new ponds and enhancement of another pond and scrub habitat and provision of additional hibernacula. A demonstration that the "three tests" have been met is also helpfully provided.

5.60 It is noted that the revised ES Ecology chapter seeks to address concerns previously raised, including in relation to the number of days of proposed trapping and the amount of new compensatory ponds1 habitat to be created. The revised GCN Mitigation Strategy [August 2018] fully addresses previous concerns and can therefore be referred to as an approved document.

5.61 Bats: No potential bat roosts are expected to be impacted upon by the proposal, however potential bat foraging and commuting habitat is likely to be lost. The proposed habitat creation1 enhancement measures appear adequate to offset such impacts.

5.62 Breeding Birds: The proposal involves the removal of vegetation which is likely to support nesting birds during the nesting season (1 March to 31 August). It is recommended that a suitably worded condition be attached requiring the avoidance of such site clearance works during this period, or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.

5.63 Reptiles: No reptile surveys have been carried out, however the site provides suitable habitat to support numbers of common reptile species. The applicant proposes to translocate any reptiles as part of the great crested newt mitigation

scheme, which in this instance would appear to be an acceptable approach in ensuring the safeguarding of any reptiles found.

5.64 Other matters are satisfactory including justification for inclusion of non-native species in the landscaping scheme, plus revision to programme of works timetable, pond profile details and number of trapping days in the revised GCN Strategy.

CCC Flood and Water Team

5.65 No objection in principle. The proposed drainage strategy includes the use of below ground attenuation and a final discharge rate of 5l1s into the adjacent watercourse. The detailed design should include detailed hydraulic modelling to take account of the additional discharge from the water treatment plant to ensure that there is sufficient capacity in the system. A condition requiring the submission of a surface water drainage scheme, based on sustainable drainage principles should be imposed.

CCC Historic Environment Team

5.66 No objection is raised but recommend that a lasting record be made of the cultural heritage assets that were once present at the site. These are to do with the former 19th century Warboys brickworks (Cambridgeshire Historic Environment Record ref. MCB23001), Royal Naval Armaments Depot (MCB15167) and railway station (MCB22410). A desk-based study of documentary and records research should be undertaken of these assets and compiled in an illustrated report as a lasting record of this employment and industrial site. Should significant areas of these former sites be subject to destruction through development, a phase of limited fieldwork may be required to examine such remains prior to their destruction. The site should be subject to a programme of archaeological investigation secured through the inclusion of a planning condition.

Individual representations

5.67 Representations have been received from approximately 470 local residents, Shailesh Vara MP and Warboys Community Primary School. All bar one object to the proposed development and1or have expressed concerns about one or more element of it. The most frequently cited objections relate to:

- Air pollution and impact on human health
- Air pollution and impact on natural environment and farmland
- Contaminated leachate from the landfill site
- Traffic volume
- Condition of Fenside Road and junction with A141
- Impact on horse riders and pedestrians
- Visual impact
- Impact on wildlife including great crested newts
- Noise
- Odour
- Dust

- Light pollution
- Risk of accidents at the site and on the road network
- Lack of need
- Leachate treatment process is untested technology
- Amount of energy exported to the National Grid minimal
- Different operators will make it difficult for the regulators to enforce
- Jobs will not be for locals and require people to travel into the area
- Lack of technical information provided by the applicant.
- Applicants' lack of experience
- Decision-makers' lack of experience
- Other development will follow and be hard to refuse
- Effect on house prices and loss of house sales
- Lack of consultation

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

6.0 PLANNING HISTORY (extant permissions in bold)

Landfill

6.1 H10477193 - restoration of Warboys Clay Pit by the controlled landfilling of waste granted 10102194
Permission was granted for the disposal of non-hazardous waste following the completion of a legal agreement which included a lorry routing agreement, ecological management and creation of new geological conservation faces. A condition required landfilling to cease by 31/12/99.

6.2 H11420196 - variation of condition 2 of H10477193 granted 24102197
Extended the date by which landfilling must cease from 31/12/99 to 31/12/08.

6.3 **H/1105/99** - leachate and landfill gas control measures granted 2310312000
Permits the installation of gas collection pipework, gas management plant and flare stack and a leachate storage tank and pre-treatment facility which were required by

6.4 H112291011CW - temporary storage of overburden granted 06111101
Allowed the storage of overburden on a field adjacent to the landfill area until 31/12/08. The overburden is required for covering and capping the landfill. Also permitted the creation of a balancing pond to reduce the level of suspended solids in surface water run-off from the site before discharge.

6.5 H1050351031CW - Disposal of hazardous waste refused 28105104
The developers lodged an appeal but subsequently withdrew it during a public enquiry in 2005.

6.6 H150071081CW - variation of condition 2 of H11420196 granted 510812008
Extended the date by which landfilling must cease from 31/12/08 to 31/12/2011.

6.7 H150091081CW - variation of condition 2 of H112291011CW granted

Extended the date by which the overburden storage area must be restored from 31/12/2008 to 31/12/2011.

6.8 H1050301091CW - extension of landfill site granted 1210412010
Allowed extension of the void for depositing non-hazardous waste. Condition 2 requires the site to be restored by 31/12/2016 and landfilling to have ceased by 31 December 2015.

6.9 H1050141111CW - variation of condition 1 of H150091081CW granted 2210112012
Extended the duration of the overburden storage area from 31/12/2011 to

6.10 **H/5012/15/CW** - variation of condition 2 of H1050301091W granted 1210712016
Extended the date by which landfilling must cease and the site be restored by 2

6.11 **H/5014/16/CW** - variation of condition 1 of H150141111CW granted 0910212017
Extended the duration of the overburden storage area from 31/12/2016 to

Waste

6.12 H10560196 - waste transfer station granted 13109196
Allowed the sorting, processing and storage of waste within and adjacent to the former brickworks building. A condition required the use to cease by 31/12/99.

6.13 H10476197 - variation of condition 1 of H10560196 granted 13109196
Extended the date by which use of the waste transfer station must cease from 31/12/99 to 31/12/08.

6.14 H150081081CW - variation of condition 1 of H10476197 granted 510812008
Extended the date by which the use of the waste transfer station must cease from 31/12/2008 to 31/12/2011.

6.15 H1050131111CW - variation of condition 1 of H150081081CW granted 2210212012

6.16 **H/05016/12/CW** - Construction and operation of a materials recovery facility, offices and ancillary development granted 1910412013
Replaced the temporary waste transfer station with a purpose-built facility.

6.17 **H/5007/14/CW** - Variation of condition 12 of H1050161121CW
Extended the hours during which HGVs directly associated with the skip hire business may enter and leave the site.

7.0 PLANNING POLICY

7.1 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 policies from the development plan are set out in paragraphs 7.3 - 7.5 below.

7.2 The National Planning Policy Framework (July 2018), the National Planning Policy for Waste (October 2014), the Overarching National Policy Statement for Energy (EN-1) (July 2011), the National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011) and Planning Practice Guidance (PPG) are also material planning considerations.

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

CS2 - Strategic Vision and Objectives for Sustainable Waste Management Development
CS14 - The Scale of Waste Management Provision
CS15 - The Location of Future Waste Management Facilities
CS18 - Waste Management Proposals Outside Allocated Areas
CS22 - Climate Change
CS24 - Design of Sustainable Minerals and Waste Management Facilities
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
CS35 - Biodiversity and Geodiversity
CS36 - Archaeology and the Historic Environment
CS38 - Sustainable Use of Soils
CS39 - Water Resources and Water Pollution Prevention

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

SSP W8 - Waste consultation areas

7.4 Huntingdonshire Local Plan (adopted December 1995) (the HLP)

En12 Archaeological recording
En17 Development in the countryside
En22 Nature and wildlife conservation
En23 Protection of designated wildlife sites
En25 Design
CS8 Surface water and drainage

7.5 Huntingdonshire Core Strategy (adopted 2009) (the HCS)

CS1 - Sustainable development in Huntingdonshire

7.6 Supplementary Planning Documents

- The Location and Design of Waste Management Facilities (Adopted July 2011)
- The Cambridgeshire Flood & Water Supplementary Planning Document (adopted 14 July 2016)

7.7 Cambridgeshire County Council and Peterborough City Councils have started a review of the Minerals and Waste Development Plan which will be known as the Minerals and Waste Local Plan. It is currently at the first consultation stage in the form of the Minerals and Waste Local Plan Preliminary Plan (May 2018) so currently carries very little weight, if any. The MWCS and the MWSSP remain in force until the new Local Plan replaces them. Huntingdonshire District Council is currently preparing a Local Plan for the period up to 2036. The Proposed Submission is a material consideration but does not yet form part of the adopted development plan therefore it has limited weight.

8.0 PLANNING CONSIDERATIONS

8.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. At its heart is a presumption in favour of sustainable development (paragraph 11). It states that for decision-taking this means:

- *approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:*

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

8.2 The National Planning Policy for Waste (NPPW) refers to the Waste Management Plan for England (published in December 2013). The NPPW sets out the national planning policies for waste development and is to be read in conjunction with the NPPF. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal. Paragraph 7 sets out specific considerations to be taken into account in determining planning applications. These include only expecting applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan; and ensuring that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.

8.3 The National Policy Statements (NPS) referred to in paragraph 7.2 above set out national policy for energy infrastructure, primarily for decisions by the Infrastructure Planning Commission (IPC). They are also a material consideration in decisions made by local planning authorities. The main thrust of the NPS's is to help deliver the Government's climate change objectives by setting out the need for new low carbon energy infrastructure. Section 2.5 of the National Policy Statement for Renewable Energy Infrastructure (EN-3) deals with biomass and waste combustion.

The waste hierarchy and the management of waste

8.4 There is a raft of legislation, policy, and targets which seek to deliver more sustainable waste management. These drivers range from national to local and include European Union (EU) legislation (such as the Landfill Directive and revised Waste Framework Directive 20081981EC); national policy (including Waste Management Plan for England 2013 and the NPPW 2014); and local planning policies (Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011, and Site Specific Proposals Plan 2012).

8.5 A common thread is the key mechanism for the delivery of sustainable waste management which is through the application of the waste hierarchy (see Figure 1 below). This is a guide in order of preference, from the top down, of sustainable waste management.

1. 

Figure 1: the Waste Hierarchy

8.6 At a strategic level, in order to deliver more sustainable waste management there is a need for new facilities to drive waste management up the waste hierarchy. A CHP facility falls in the category 'other recovery' and thus diverts waste up from the last category of 'disposal' (i.e. landfill or incineration without energy recovery). It is desirable to move waste as far as possible up the waste hierarchy but this is not always practicable if the facilities to do this do not come forward in suitable locations; moving waste up the hierarchy even by one 'step' is preferable to leaving it to be disposed of.

8.7 The need for a CHP facility can be measured not just in terms of delivering more sustainable waste management, but also in terms of its contribution to renewable energy generation (offsetting the need for fossil fuel in power generation), and climate change objectives (by preventing greenhouse gas emissions from landfill). The biomass CHP and the waste water treatment plant are interlinked. The biomass CHP would treat pre-shredded wood waste but also give rise to steam which would

be used to evaporate the waste water (primarily landfill leachate) in the water treatment plant. This plant would treat 1,200 litres 1 1.2 tonnes of waste water per hour (65,000 tonnes per annum). The rest of the steam would be used to generate renewable energy which would be exported to the grid. Overall 1.5 MW of electricity and 16.8 MW of thermal energy (heat) would be generated, with 1.2 MW of electricity being exported to the national grid, and 0.3 MW retained to power site operations.

8.8 Again there is a raft of legislation which serves to drive these objectives at a European and national level. This includes the UK's renewable energy generation targets derived from the EU Renewable Energy Directive which seek to achieve 15% of total energy generation from renewable sources by 2020; and the Climate Change Act which sets a target to reduce CO2 emissions by 80% by 2050). NPS EN-3 paragraph 2.5.2 states that:

"The recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs. Where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales.2

8.9 There are therefore significant strategic objectives and drivers which support the provision of CHP facilities which can contribute to the sustainable management of waste and the achievement of climate change and renewable energy objectives. The Clean Growth Strategy (16 April 2018) clarifies that the UK Government supports technologies which contribute towards the UK achieving its renewable energy obligations, cutting greenhouse gas emissions, and working towards the ambition for zero avoidable waste by 2050; maximising the value we extract from our resources, and minimising the negative environmental and carbon impacts associated with their extraction, use and disposal. This will link to a new Resources and Waste Strategy to make the UK a world leader in terms of competitiveness, resource productivity and resource efficiency;

8.10 At the local level when a planning application for a new CHP facility comes forward national planning policy in the NPPW makes it clear that a demonstration of need is not required unless proposals are not consistent with an up to date development plan (NPPW, paragraph 7). However, notwithstanding this, if need can be shown then this can be taken into account as a material planning consideration, along with other material factors, in reaching a decision on a proposal.

8.11 The proposal is to deal with 48,000 tonnes per annum (tpa) of wood waste and to treat 65,000 tpa of waste water. It is proposed that, subject to contract, the wood waste from the adjacent Warboys MRF would be diverted to the CHP plant. This would account for approximately one third of the proposed input. This wood waste is currently sent to biomass facilities in Scotland and Yorkshire which have renewable energy recovery (Source: Telephone conversation with Mark Farren, Woodford Waste Management). Accepting this waste would not drive it further up the waste hierarchy but it would lead to far more proximate management of waste, which in turn brings benefits such as significantly reduced transport and which goes towards meeting other sustainability objectives.

8.12 The other two thirds of the wood waste would be drawn from within a catchment area of 30 miles (48.28 kilometres). The applicant has been unable to provide information on what proportion would be grade B and grade C waste and has stated that it would be delivered in mixed loads. If this material would otherwise be going to disposal facilities, using it to fuel a CHP plant would move it from the bottom of the waste hierarchy. If it would be going to a renewable energy facility it would, like the wood from the Warboys MRF, be neutral in terms of the waste hierarchy but potentially reduce transport impacts. If the grade B wood had been removed at source and would otherwise be recycled e.g. to produce chipboard and other products, diverting this waste to the proposed CHP facility would result in it moving down the waste hierarchy.

8.13 The proposed facility would also treat waste water including leachate arising from the adjacent Warboys landfill site. The application states that this would be 844 tonnes per annum which would be approximately 1% of the plant's total throughput. Currently, the leachate is being recirculated within the landfill site so none is being exported for treatment. Previously it has been sent to a facility at Avonmouth for treatment (Source: Telephone conversation with Mark Farren, Woodford Waste Management). Over the years the amount of leachate being generated by a landfill site decreases. It is considered that the amount of leachate that would be sourced from the adjacent landfill site would be so small as to have little significance in the context of the project as a whole.

8.14 It is proposed that the waste water throughput would be drawn from the local area i.e. from within a 30 mile (48.28 kilometres) catchment area. Depending on where it is currently sent it would result in a more proximate management of waste, and thereby would contribute towards wider sustainability objectives.

8.15 The local need for waste management facilities is identified in local plans (previously termed development plan documents), which are in this instance produced by the County Council as the waste planning authority. The adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 sets out the level of provision that was forecast to be needed up to 2026 and the associated Site Specific Proposals Plan 2012 made allocations which carried forward the need that was identified through the Core Strategy.

8.16 The adopted MWCS sets out the overarching principle i.e. that waste should be considered and treated as a resource. MWCS policy CS2 states: *'the value of 'waste' as a resource will be recognised, and a network of different types of facilities will be developed over the Plan area. This network will manage the wide range of waste arising from the Plan area, contributing to the self-sufficiency of the wider area.'*

8.17 MWCS policy CS2 sets out the County Council's Strategic Vision and Objectives for Sustainable Waste Management Development. In the context of need, this policy outlines the high level of growth that will take place over the plan period which needs to be supported through sustainable waste management. The vision is for the provision of a network of facilities to meet the forecast requirements and it allows for these to be standalone or co-located in modern waste management eco-parks, capitalising on the synergies between different types of waste management

techniques. It acknowledges that a flexible rather than prescriptive approach will be taken in regard to the types of waste management technology suitable for different waste management sites, and that indicative uses will be suggested.

8.18 MWCS policy CS2 also supports operational practices which would contribute towards addressing climate change and MWCS policy CS22 requires proposals to set out how this will be achieved. This includes through the limitation of greenhouse gases (e.g. through the diversion of waste from landfill); the use or opportunities to generate energy from waste (e.g. MW per annum); and emissions reduction measures based on the principles of the energy hierarchy, shown in figure 2 below (e.g. through the supply of energy).

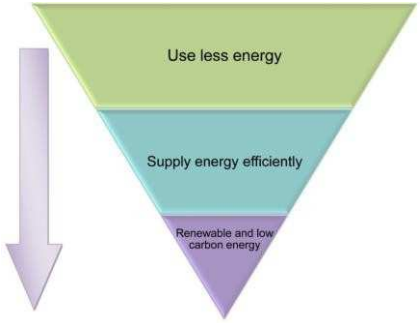


Figure 2: The Energy Hierarchy

8.19 MWCS policy CS14 - The Scale of Waste Management Provision sets out the forecast waste arising over the Plan period to 2026. This is summarised below for the period 2011 to 2026.

TABLE 1: CORE STRATEGY ESTIMATED WASTE TO BE MANAGED 2011 TO 2026 (MILLION TONNES)

Waste Type	2011	2016	2021	2026
Municipal	0.513	0.541	0.570	0.598
Commercial & Industrial (C&I)	1.326	1.531	1.777	2.053
Construction, Demolition & Excavation (C,D&E)	2.719	2.825	2.908	2.985
Hazardous	0.045	0.049	0.049	0.049
Agricultural	0.243	0.181	0.181	0.181
Imported non-hazardous waste for	0.308	0.166	0.166	0.166

disposal				
TOTAL	**5.154**	**5.293**	**5.651**	**6.032**

8.20 In forecasting the waste arising and making provision for the resulting scale of waste management provision required, various assumptions were made around targets for different waste streams. Fundamental to this is the principle of 'net self-sufficiency', in that the Plan seeks to make provision to manage the amount of waste which will be arising in the Plan area, albeit that it is recognised that this provision will be an 'equivalent' figure as in reality waste moves across artificial boundaries such as local authority areas.

8.21 In terms of the waste which has arisen over the period 2011 to 2016, the following information has been drawn from the Environment Agency's Waste Data Interrogator (WDI). Reliable waste data is notoriously difficult to obtain, especially for the Commercial and Industrial (C&I) waste stream that the proposed CHP facility would deal with, and even the data from the WDI is subject to discrepancies. Nonetheless, the data below suggests that the amount of waste arising is less than that which was forecast in the Core Strategy. The reasons for this are not known, but the recent recession may be one factor.

TABLE 2: COMPARISON OF CORE STRATEGY AND EA WDI WASTE ARISING ESTIMATES FOR 2016 (MILLION TONNES)

Waste stream	**Core Strategy**	**EA WDI (% of CS)**
Municipal	0.541	0.426 (79%)
C&I	1.531	0.663 (43%)
CD&E	2.825	1.501 (53%)
Hazardous	0.049	0.044 (90%)
Imported HIC waste for disposal to non-hazardou landfill	0.166	0.354 (213%)

8.22 Existing estimated waste management capacity (2016) for permitted facilities is set out in the County Council's Aggregate and Waste Monitoring Report (Cambridgeshire County Council, May 2018). Current energy from waste and thermal treatment facilities have an estimated capacity of 0.13 million tonnes per annum (mtpa); mechanical biological treatment facilities or similar an estimated capacity of 0.1 mtpa; composting 0.3 mtpa, and Materials Recycling Facilities a capacity of 0.8 mtpa. The proposed facility would bring forward additional capacity for the treatment of the waste from the C&I waste stream. It would potentially divert such waste from landfill, and move it up the waste hierarchy whilst also generating renewable energy and mitigating against climate change. This is consistent with the need for more waste management facilities in order to achieve objectives, targets and requirements set out in international, national and local policy. If it treats waste which is arising locally it will also husband the landfill resource of the local area, reducing the input rate to non-hazardous landfill sites.

8.23 MWCS policy CS29 concerns the need for waste management development and the movement of waste. This policy states:

'Proposals for new waste management development or an extension of existing waste development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. To ensure that excessive provision is not made within the Plan area, which could result in unacceptable importation of waste, planning permission will be dependent upon applicants entering into binding restrictions on catchment area, tonnages and I or types of waste.
Permission may be granted for waste development involving the importation of waste from outside the Plan area where this is demonstrated to maximise recycling and recovery of waste materials and be the most sustainable option, taking into account the principle of self-sufficiency, the Regional Spatial Strategy [this has since been revoked]*, proximity to the point of waste arising, and the waste hierarchy.'*

8.24 The MWCS and MWSSP are currently being reviewed. This process will take around 3 years to compete, and the preliminary stage commenced with a public consultation between 16 May and 26 June 2018. Supporting the Minerals and Waste Local Plan Preliminary Draft Document were a number of papers, including a Waste Needs Assessment. This document proposed a worked through methodology for calculating future waste needs over the period to 2036. However, given the early stage in the plan preparation process very little weight, if any, can be given to this document; it was itself subject to representations, and may therefore be revised prior to publication of a Draft Local Plan in spring 2019. The need for the development therefore has to be considered, in local terms, against the adopted MWCS and MWSSP.

8.25 In the context of MWCS policy CS29, the proximity principle and catchment restrictions are matters which are considered further below (see paragraphs 8.34 and 8.35). In relation to the initial part of the policy i.e. the need for the proposed facility; this has been considered above. It is concluded that proposed CHP and waste water treatment facilities would contribute to European, national and local objectives in relation to moving up to 48,000 tpa of waste wood and up to 65,000 tpa of waste water up the waste hierarchy. At the same time it would contribute to wider objectives and policies in respect of the generation of renewable energy and the mitigation of climate change.

8.26 It is considered that there is a demonstrable need for the proposed facility. However, it is acknowledged that, especially in the context of compliance with the waste hierarchy, this conclusion has been reached on the basis that that the proposed facility will process some wood waste which is currently going for disposal. If it diverts wood waste to the proposed facility that is currently being sent to recycling facilities i.e. grade B wood waste which is being used for making products such as panel board then it would prejudice the movement of the wood waste up the waste hierarchy. This would then have to be balanced against the achievement of other sustainability objectives, such as the more proximate management of waste if this was the case.

Spatial Strategy and the location of waste management facilities

8.27 The proposed development site is within the waste consultation area (WCA) for Warboys landfill site and the MRF (site W1V Puddock Hill, Warboys). SSP policy SSP W8 and MWSC policy CS30 are therefore relevant. WCAs have been identified

around existing sites which make a significant contribution in managing waste in Cambridgeshire and Peterborough and allocate sites. Their purpose is to protect the waste management sites from incompatible development which would make it difficult to undertake the permitted waste management functions. Industrial uses and other waste management operations would be unlikely to prejudice waste management uses therefore the proposed development would comply with policies SSP W8 and CS30.

8.28 HLP policy En17 relates to development in the countryside and states that development outside defined village environmental limits will be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services. Although the proposed development does not meet any of these criteria it is considered that the more recent MWCS should be given more weight. The proposed development site is not allocated in the adopted MWSSP. It is adjacent an allocation for waste recycling and recovery made by policy SSP W1V at Puddock Hill. This allocation has been taken forward through the provision of the MRF operated by Woodford Recycling Ltd. As the proposal is not on an allocated site it falls to be considered under a number of policies in the MWCS.

8.29 MWCS policy CS18 deals with proposals which fall outside allocated areas. This states that:

'*Proposals for waste management development outside allocated areas will be considered favourably where:-*

- *this is consistent with the spatial strategy for waste management, and*
- *it can be demonstrated that they will contribute towards sustainable waste management, moving waste up the waste hierarchy*

Waste recovery and recycling facilities may be permitted where they are:

a. for on-site management of waste
b. on land identified for general industrial use
c. co-located with complementary activities (including existing permanent waste management sites)
d. on previously developed land
e. on farm holdings to facilitate agricultural waste recycling
f. within a medical or research institution which is generating waste (bio-medical, research and clinical waste only)
g. in strategic development areas
h. at inert landfill sites (inert waste recycling only).

8.30 The spatial strategy and the location of future waste management facilities is also addressed in MWCS policies CS2 and CS15. Policy CS2 sets out the Strategic Visions and Objectives of the County Council's waste management planning policy, and seeks to deliver sustainable waste management through:

- a 'new generation' of facilities which will achieve higher levels of waste recovery and recycling in line with the relevant targets

- a network of facilities across Cambridgeshire and Peterborough, both stand alone, but also co-located in modern waste management 'eco-parks' which capitalise on the synergies between different types of waste management techniques, and provide a place for exemplar activities and new technologies to be developed
- the value of 'waste' as a resource will be recognised, and a network of different types of facilities will be developed over the Plan area. This network will manage the wide range of wastes arising from the Plan area, contributing to the self-sufficiency of the wider area.
- a flexible rather than prescriptive approach will be taken in terms of the types of technology suitable on different waste management sites. Indicative uses will be provided, and co-location of uses will be encouraged. Scope will also be made for new technologies to be accommodated.

Strategic Objectives support the strategic vision, and the following are considered most relevant in the context of the location of new waste management facilities:

- to develop a network of waste management facilities which will be located having regard to climate change, and key factors including the location and amount of waste arising, and minimising the of movement of waste
- to contribute to ensuring self-sufficiency of the wider area in the management of waste, and to seek self-sufficiency within the Plan area where practical and in accordance with the proximate management of waste
- to encourage waste management practices which do not incur unacceptable adverse impact on the local and global environment or endanger human health in Cambridgeshire and Peterborough
- to encourage waste management practices which minimise, counter (through off-set arrangements), or eliminate contributions to climate change, including the minimisation of greenhouse gases
- to allow scope for new technology and innovation in waste management in the Plan area e.g. exemplar projects in handling and processing of waste to determine waste planning applications in the light of the principles for sustainable waste management i.e. sustainability, self-sufficiency, proximate management of waste, and the waste hierarchy.- Strategic Vision and Objectives

8.31 In terms of the location of waste management sites MWCS policy CS15 states:

'*A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by the Minerals and Waste Management Key Diagrams and the following factors:*

- *the need for waste management facilities*
- *the existing network of waste management sites*
- *'Netwaste Optimal Localities' for waste management facilities*
- *new developments (including new settlements I urban extensions)*
- *employment I previously developed land*
- *environmental constraints and designations*
- *existing I planned mineral workings*
- *site availability*
- *highway capacity and safety*

- *the need to minimise the movement of waste*
- *sensitive receptors*

Sites to deliver the network of facilities will be identified through the Core Strategy and Site Specific Proposals Plan.'

8.32 The proposed facility would add to the network of waste management facilities in the plan area. The location of the proposal is such that it would be immediately adjacent to an existing waste management operation, providing the opportunity for synergies in the treatment of waste. It is proposed that the CHP plant would take 10,000 - 15,000 tpa of wood waste from the existing adjacent MRF. A minimal amount of leachate could be taken from the adjacent landfill site to be used in the waste water treatment plant. Although both would be subject to contractual arrangements, the co-location of the facilities and the interlinkages that could be formed as a result of this are consistent with the spatial strategy of the MWCS.

8.33 If the treatment of wood from the existing waste management facilities is secured it would also negate the need for waste to be transported long distances for treatment. It is concluded that in this respect the proposal is consistent with the spatial strategy of the adopted MWSC, and specifically the policies and objectives highlighted above.

Proximity principle and catchment restrictions

8.34 The proximity principle, derived from European legislation, says that waste should in general be treated and disposed of in the nearest appropriate installation by means of the most appropriate technology (The Waste (England and Wales) Regulations 2011). This in turn works to minimise the environmental impact of waste management through reducing the need to transport waste over long distances. MWCS policy CS29 (see paragraph 8.25), advises that the proximity principle should be taken into account when considering proposals which potentially involve the importation of waste. It also states that in order to prevent excessive importation of waste any planning permission may be dependent on applicants entering into binding restrictions on catchment areas.

8.35 The applicant has indicated that in respect of the source of the waste for the facility, this would potentially come from the existing adjacent MRF and to a much lesser extent the landfill site and from other sources within a 30 mile radius from the site. This would be consistent with the proximity principle, and if secured through catchment restriction planning condition (see proposed condition 25) the proposed development would be consistent with MWCS policy CS29.

Principle of the proposed development

8.36 The purpose of the proposed development is to use one waste stream, waste wood, as a source of energy which would be used to treat a different waste stream, namely waste water. The development would be self-sufficient in its energy requirements and generate a surplus which would be exported to the National Grid. The principle of recovering energy from waste is supported by national and local planning policies as set out above. For these reasons it is considered that the proposed project would contribute towards addressing climate change in compliance with national policies

and with MWCS policies CS2 and CS22 and HCS policy CS1. It would form part of a network of waste management facilities in compliance with MWCS policy CS15.

The proposed location

8.37 If the proposed development is considered to be acceptable in principle it is necessary to consider whether the proposed location is suitable in land use planning terms and accords with the development plan. The proposed development site is not allocated in the MWSSP. MWCS policy CS18 deals with waste management proposals outside allocated areas and states that they will be considered favourably where this is consistent with the spatial strategy for waste management and it can be demonstrated that they will contribute to sustainable waste management, moving waste up the waste hierarchy. These matters have been dealt with in paragraphs 8.4 to 8.26 above. It is considered that the location next to the permanent MRF would comply with criterion (c) of MWCS policy CS18 as set out in paragraphs 8.32 and 8.33 above.

8.38 If it is accepted that the proposed development should be accepted in principle and in the proposed location it is necessary to consider whether there are any other material considerations that would outweigh this. The key issues are whether the processes can be undertaken without causing unacceptable harm to recognised interests such as human health, residential amenity and the natural environment. These matters are addressed in detail in the next sections of this report.

Air quality and impact on human health

8.39 It is acknowledged that there is a great deal of opposition to the proposed development from within the local community and very many of the objections to the proposed development from local residents are on the grounds that emissions from the waste treatment processes, primarily to air, would be harmful to human health. As stated by the Environment Agency (paragraph 5.22 above), the proposed development would need an environmental permit in order to operate. It is considered appropriate in this part of the report to explain the regulatory context and the role of other public bodies.

8.40 The incineration process, and the emissions which incinerating waste releases into the air, are tightly regulated and controlled by laws under the Industrial Emissions Directive (IED) and the Environmental Permitting Regulations (EPR) 2016. Under these European Directives, the plant must meet or go beyond strict controls on emissions. A plant must meet, or go beyond, best available techniques and emission standards, and human health and the environment must be protected.

8.41 When determining an application for an environmental permit the Environment Agency will take advice from Public Health England. In relation to the health implications of incinerators PHE first issued a statement in November 2005. This was as a result of concerns raised about the air pollution risks posed by municipal waste incinerators. More research on the possible air pollution risks posed by modern incinerators has been carried out since then, and in 2009 Public Health England published their latest statement. To date, Public Health England is not aware of any evidence that requires a change in their position statement. Public

Health England's conclusion is "modern, well managed waste incinerators will only make a very small contribution to background levels of air pollution provided they comply with modern regulatory requirements, such as the Industrial Emissions Directive, they should contribute little to the concentrations of monitored pollutants in ambient air".

8.42 As well as Public Health England, the Environment Agency consults the relevant local authorities and their health departments, the Food Standards Agency and the Health and Safety Executive. Public Health England assesses the potential public health impact of a proposed installation and makes recommendations based on a critical review of the information provided for the environmental permit application. They will request further information at the environmental permitting stage if they believe that this is necessary to be able to fully assess the likely public health impacts.

8.43 The Environment Agency's role is to make sure that energy from waste facilities are designed, built and run to meet legal environmental standards (the Industrial Emissions Directive) and to meet the conditions of their environmental permit (the Environmental Permitting Regulations 2016). If a permit were to be issued the Environment Agency would be the regulator for on-going compliance monitoring of the plant. They would only issue a permit if they were satisfied that the plant would be designed, built, operated and maintained in such a way that the requirements of the relevant EU Directives are met and that human health and the environment are protected. The applicant has confirmed that the operator would undertake continuous monitoring of the stack emissions with built in alerts of potential non-compliances.

8.44 The applicants have undertaken pre-application discussions with the Environment Agency to determine the scope of the environmental permit application. The following documents will accompany the application:

- Completion of part A, 82, 83 & F of the application forms and a supporting document that will include information such as detail of the application, summary of management systems, technical competence, compliance, list of wastes and a non-technical summary;
- Site Condition Report based on Environment Agency guidance (horizontal guidance note H5) which sets out the current requirements to prepare and maintain a Site Condition Report for facilities that are regulated under the Environmental Permitting Regulations over the lifetime of the facility;
- Air Quality Risk Assessments - Air quality and odour dispersion modelling. The waste water treatment and biomass plants require an air quality impact assessment for the emissions from the proposed evaporator units. The assessment will also consider the impacts from voCs and odour;
- Amenity & Accident Risk Assessments to be produced in accordance with Environment Agency guidance to cover the potential impact of odour, noise, fugitive emissions, visible plumes and accidents;
- operational Techniques Reports detailing information required by the Part 83 application form;
- 8AT Assessments - Process description and 8AT review where relevant to the activity;

- Management Plans - odour and Dust Management Plans to be prepared in accordance with Environment Agency guidance; and
- Fire Protection Plan in accordance with latest Environment Agency guidance on Fire Prevention Plans.
- Management System - A summary of the management system that the operator will have in place prior to commencement of operations.

8.45 It is considered that the accident prevention and management plan recommended as being necessary by Public Health England would be more appropriately covered by the environmental permit. Public Health England also recommended that emissions from increased traffic flows need to be considered. The applicant refers to non-statutory guidance published by the Institute of Air Quality Management (IAQM) which provides indicative criteria to help determine if a quantitative air quality impact assessment is likely to be required. This states that an assessment should be considered where the development will increase heavy duty vehicles by more than 100 per day. The increase in HGv traffic that would result from the proposed development (up to 38 movements per day) is well below the IAQM's threshold that would trigger the requirement for an AQIA. Accordingly the air quality impacts from development traffic have not been considered further. The site is not in an air quality management area and this argument is accepted.

8.46 The NPPF at paragraph 183 states that:

"*The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities."*

8.47 It has already been explained in paragraphs 8.39 - 8.44 above that the control of processes and emissions would be subject to approval under a pollution control regime i.e. the environmental permit. Public Health England, Director of Public Health and the local authority environmental health officer have all referred to their role as a consultee in the environmental permitting process. Neither they nor the Environment Agency have raised an objection to the proposed development as set out in the planning application. They took into account the information on air quality contained in the ES and the air quality impact assessments for the biomass CHP plant and the waste water treatment plant.

8.48 The air quality impact assessment for the waste water treatment plant (April 2018) modelled two options for releases from the 6 evaporator units. The planning application as first submitted was to have 6 external flues which would extend 3 metres (9.84 feet) above the roof of the building. This was amended as a result of work on the ES to the second option which is a single flue 8 metres (26.25 feet) above the roof line (total height 17 metres 1 55.77 feet) and is predicted to reduce the ground level concentration of (annual mean ammonia) by 50%. The applicant's air quality modelling used worst case model predictions and concluded that emissions from the proposed installations would comply with all Air Quality

values and Environmental Assessment Levels. The proposed pre-treatment of the waste water would be necessary to mitigate odour impacts. This would be a requirement of the environmental permit.

8.49 Concern has been raised from within the local community that the proposed development may result in the deposition of air and1or water-borne contaminants on land used for growing crops or rearing animals. This was addressed by the applicant in the ES which concludes that the proposed development would meet the statutory limit values for the protection of vegetation. There is no reason to believe that the proposed development, subject to the controls of an environmental permit, would give rise to unacceptable levels of contamination of farmland.

8.50 There are clearly strongly held views within the local community that the proposed development would have impacts that would adversely affect human health. Reference has been made to an apparent lack of experience by the proposed operators and that the treatment of waste water by evaporation is untried technology. Fear of change or the unfamiliar is understandable but there is no evidence that the proposed development would not be capable of receiving an environmental permit and operate within requirements of the relevant EU Directives thereby ensuring that human health and the environment are protected.

8.51 The environmental permitting process includes testing during commissioning. During initial commissioning the operator would need to operate the facility in order to test process controls and provide updates1reports to the Environment Agency on the progress of the commissioning. once commissioning is complete and the facility is ready to become permanently operational, all of the relevant pre-operational conditions as set out in the environmental permit must have been completed.

8.52 It is considered that the environmental permitting process has procedures in place to ensure that new technology is appropriately tested and monitored at both the commissioning and operational stages. The identity and background of the developer or operator is not a material planning consideration as the planning permission, if granted, would go with the land. The environmental permit would, however, require the operator to demonstrate technical competence.

8.53 None of the consultees with relevant technical expertise and who would be part of the environmental permitting process has raised an objection to the proposed development on the grounds of harm to human health. In concluding this section, it is the planning officers' strong recommendation that the planning authority takes heed of NPPF paragraph 183 and from a land use planning point of view there is no sustainable reason to refuse planning permission on the grounds of impacts on human health. It is considered that some weight should be attached to EN-3. This lends support to planning authorities relying on the application of the pollution control regime.

Design

8.54 MWCS policy CS24 states that all proposals for waste management development will be required to achieve a high standard in their design and mitigation of environmental impacts including climate change and must be consistent with the

guidance provided in the SPD. HLP policy En25 expects that development will generally respect the scale, form, materials and design of established buildings in the locality. The site is outside the village development boundary so the proposed development should be assessed in the context of the rural environment in which it would sit. lt would, however, be closely related to the existing MRF building. The SPD recommends that in rural locations the design of the facilities should reflect the scale and design of agricultural buildings.

8.55 The design of many of the proposed structures such as the combustor and storage tanks are limited by their function. The height of the flues is determined by their function. Attention should be paid to their position within the site, external construction materials and mitigation in the form of screening bunds and1or planting. This is discussed further in paragraphs 8.56 - 8.59.

Visual impact

8.56 Under Natural England's Countryside Character Initiative the site is between two National Character Areas: The Bedfordshire and Cambridgeshire Claylands and The Fens. This reflects the local topography; the site is at approximately 5 metre (16.4 feet) AoD, close to the foot of a ridge which forms the edge of a plateau of higher ground which extends to the village of Warboys some 1.5 kilometres (0.93 miles) to the south. The land falls away to 0 metres AoD to the north across the flat landscape of Wistow Fen on which a number of isolated farmsteads are located.

8.57 MWCS policy CS33 requires mineral and waste management development to be assimilated into its surroundings and local landscape character. The open nature of the fens is such that views are possible over long distances but the vegetated ridge and existing buildings of a similar character immediately to the southwest of the proposed development site greatly reduce the actual area of visual influence.

8.58 The ES included a landscape and visual impact assessment (LvlA) which assessed the proposed development from 11 viewpoints around the site and in the view of the HDC landscape officer provided a readily understandable overview of its visual effects. The proposed development would be most visible from Puddock Road to the north east of the site. The LvlA took a point near the property Hazeldene 700 metres (765.53 yards) from the site as being representative of road users and residents. The MRF building can be seen above the perimeter bund and being light grey in colour is visible against the darker backdrop of the landfill site and ridge. There are also large agricultural buildings within this view. Most of the proposed development would be lower in height than the MRF so would not break the skyline. The top of the proposed combustor unit, its flue, the tip of the process building flue and steam from the flues however would be seen. Whilst the proposed re-profiling and planting of the perimeter bund would screen the lower parts of the development, the upper part of the combustor and flues would be still be visible from Puddock Road. lt is considered that with the proposed landscape screening in place the impact would not be unacceptable.

8.59 Whilst many local residents have objected to the proposal because they believe that it would have an unacceptable visual impact, this is not borne out by the LvlA. Although the landscape officer considers that the LvlA sometimes slightly

underestimates the level of adverse effect he agrees with the overall conclusions that there would be no significant adverse effects and that most effects would be reduced by appropriately coloured cladding for the buildings and other structures and mitigation planting. The proposed colours for the buildings (dark green) and chimneys and tanks (dark grey) would render these structures being less prominent than the light grey coloured MRF building. They are specified in the application drawings so can be secured by recommended planning condition 3. It is considered that the proposed development, with mitigation, would be assimilated into the local landscape and would comply with MWCS policy CS33.

Traffic and highways

8.60 MWCS policy CS32 states that minerals and waste development will only be permitted where:

a. it is demonstrated that opportunities for the use of alternative methods of transport have been evaluated and the most appropriate pursued where practicable;

b. access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and 1 or the nature of the traffic associated with the development;

c. any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity; and

d. binding agreements covering lorry backloading, routeing arrangements and HCv signage for mineral and waste traffic may be sought. In Cambridgeshire this will be informed by the Cambridgeshire Advisory Freight Map.

8.61 Given the location of the site and proposed sources (within a 30 mile radius with approximately 30% of the wood waste from the adjacent MRF), quantity and nature (shredded wood and liquid) of the waste which would be imported, it is considered that alternatives to road transport would not be viable. Rail transport is only economic for moving large quantities of waste over long distances. The proposed development is considered to comply with MWCS policy CS32 (a).

8.62 A large proportion of the representations received from local residents object to the proposed development on the grounds that the proposed route, Fenside Road, is not suitable for the number of HGvs that would be generated by the proposed development. The advice of the highway authority is set out in paragraphs 5.50 - 5.56 above. It is considered that there are no highway capacity problems and the junction of Fenside Road with the A141 has the required visibility provided vegetation is cut back by the highway authority. As the highway engineer notes, the landfill site has generated more traffic in the past than is proposed in the current development.

8.63 Planning permission H1050301091CW for landfill was granted in April 2010 and
assessed on the basis of 200,000 tonnes of waste per annum and limited by planning condition to this amount. With a 10.5 hour working day (0730 - 1800)

hour. Planning permission H150121151CW was granted in July 2016 and allows until
31 Dec 2018 to complete the site. Waste going directly to landfill ceased in october 2013. Between then and the end of 2017 the landfill void was filled from residual waste from the adjacent recycling centre. Therefore there has effectively been only

8.64 Planning permission H1050161121CW for the MRF was granted in April 2013. Based
on annual input of 160,000 tonnes per annum (limited by condition) and working 0730 - 1800 Mondays to Fridays this would amount to an average of 5 loads (10

8.65 When planning permission was granted for the recycling facility it was on the basis of 160,000 tonnes per annum in addition to 200,000 tonnes per annum going to the landfill site until the end of 2015 i.e. 16 + 10 = 26 movements per hour. The current application proposes that waste will be received between 0700 and 1900 Mondays to Fridays and between 0700 and 1300 on Saturdays (48,000 tonnes per annum of wood waste and 65,000 tonnes per annum of waste water = a total of 113,000 tonnes per annum). Table 3.1 of the submitted transport assessment sets out the anticipated vehicle movements and concludes that there would be 16 - 17 loads (32 - 34 HGv movements) per day from the public highway. If there are no inputs from the adjacent landfill (leachate) or recycling centre (wood) there would be an additional 2 loads (4 HGv movements) per day i.e. total 36 - 38 HGv movements per day. This is significantly less than the number permitted by the planning permission for landfill so the proposed development would result in a net reduction in the number of HGv movements compared to when the landfill site and MRF were both operational.

8.66 The BHS and some local residents have raised concerns about the safety of horse riders on Fenside Road. The highway authority is of the opinion that 4 HGv movements per hour would not cause detriment to the safety of riders. As set out in the previous paragraph, the number of HGvs generated by the landfill site and MRF together was higher than would be generated by the MRF and the proposed development. It is considered that there is no justification to ask the applicant to provide mitigation for horse riders. For the same reason there would be no worsening of the impact of HGv traffic on residential amenity.

8.67 Given the advice of the highway authority it is considered that the proposed development would comply with MWCS policy CS32 (b) and (c).

8.68 The landfill site and MRF are subject to a legal agreement which requires HGvs to use the A141 and Fenside Road and not to use the B1040 Fenton Road or roads through Warboys village including Station Road. The applicants propose that the same restriction would apply their development. This could be secured by planning condition (see recommended condition 24) and would comply with MWCS policy CS32 (d). Warboys Parish Council is concerned that because the weight limit on Station Road only applies between 0600 and 1900 hours Mondays to Fridays, the deliveries to the proposed development on Saturdays would be exempt and could use this route. The proposed routing agreement would apply to all HGv movements including on Saturdays.

8.69 The requirement for binding agreements covering routeing arrangements could be secured by means planning condition the application would not conflict with MWCS policy CS32, FLP policy LP15 (C) or ECLP policy CoM 7.

Contaminated land and landfill gas migration

8.70 The NPPF at paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

8.71 The information provided by the applicant has satisfied the Environment Agency that the site does not present any significant contamination but considers that there is a risk of gas migration from the nearby landfill site. This could be addressed through appropriate design which could be secured by condition (see recommended condition 27). A similar approach was taken in the development of the MRF building. With appropriate mitigation in place it is considered that the proposed development would comply with paragraph 178 of the NPPF.

Designated sites

8.72 The proposed development site is within 65 metres (71.08 yards) of the Warboys Clay Pit SSSI, 460 metres (503.06 yards) of Warboys and Wistow Wood SSSI and 130 metres (142.17 yards) of Pingle Wood and Cutting County Wildlife Site. Paragraph 175 of the NPPF seeks to protect SSSIs. MWCS policy CS35 seeks to protect local sites of nature conservation interest such as CWSs. HLP policy En23 seeks to protect sites of national and local conservation interest. Warboys Clay Pit SSSI covers all of the former void which has now been filled with waste and is being restored in accordance with planning permission H150141161CW. The restoration scheme requires that a small conservation area be created to which access to the geological faces is maintained for future study. The proposed development would not directly affect the geological SSSI or the conservation area. The proposed tree screen along the western and southern boundary of the landfill site described in paragraph 4.7 above has the potential to damage areas of geological interest. With careful design this would be avoided (see Natural England's comments at paragraph 5.3 above).

8.73 Natural England initially considered that the proposed development could have an adverse effect on the Warboys and Wistow Wood SSSI and asked the applicant to provide further assessment of the potential air quality impact of the sensitive ancient woodland habitat and associated fauna and to identify appropriate mitigation measures to address predicted adverse impacts on the nationally designated site and its notified features. This was provided as part of the ES and based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. Mitigation measures include a soil bund around the southern and western boundaries of the landfill site on which a shelter belt of native trees and shrubs would be planted. This would aid the absorption and upward deflection of any airborne pollutants away from the SSSI. The bund is outside the application area and not on land in the control of the applicant. It would need to be retained for the duration of the development and for these reasons would need to be secured by

means of a planning obligation rather than condition as recommended by the Wildlife officer (see paragraph 5.57). The planning obligation would require the submission of a detailed design which demonstrates that the planting would not adversely affect the areas of geological interest.

8.74 The Wildlife Trust have stated that Natural England's comments on the SSSI in respect of air quality are likely to apply to the CWS too. In the light of Natural England's comments set out in the previous paragraph, it is considered that with the proposed mitigation, the development would not have a significant adverse impact on the designated sites and would comply with NPPF paragraph 175 and MWCS policy CS35.

Protected species

8.75 As noted by the PCC Wildlife officer, the proposal would result in the loss of four ponds and 0.88 hectare of semi-natural habitat which currently supports a medium meta-population of GCN. The application site forms part of a previous GCN receptor site. The submitted GCN Mitigation Strategy, which is considered acceptable by the Wildlife officer (see paragraph 5.60 above) sets out a detailed approach to protecting GCN from harm with a translocation of all animals to a nearby receptor site (adjacent to the clay storage area), along with the creation of new ponds and enhancement of another pond and scrub habitat and provision of additional hibernacula.

8.76 The proposed GCN receptor site is part of the land which is being restored under planning permission H150141161CW. The approved restoration scheme, known as the Site Environmental Management Plan (SEMP) would need to be amended to accommodate both the GCN receptor site and the shelter belt described in paragraph 8.73 above. GCNs are protected by law and the developer would need a licence from Natural England to move them to the receptor site. Development of the site could not lawfully take place until the GCNs have been removed in accordance with the licence. Given the separate legal protection under The Conservation of Habitats and Species Regulations 2017 the developer would be unable to lawfully progress the development until the GCNs had been relocated in accordance with the licence. For this reason it is considered appropriate to require compliance with the GCN Mitigation Strategy by planning condition (see recommended condition 22). once relocated in accordance with the licence the new GCN habitat would be looked after as part of the aftercare provisions of the SEMP until 2029.

8.77 HLP policy En22 requires that appropriate account be taken of the interests of wildlife conservation. In respect of bats, in the opinion of the wildlife officer the proposed habitat creation would offset any adverse impacts. Reptiles would be relocated with the GCNS. It is considered that provided that the proposed mitigation measures are carried out the wildlife interests of the site would be protected.

8.78 It is considered that the proposed landscape planting described in paragraph 4.7 above and the proposed measures to relocate the GCNs would ensure that there would be no net loss of biodiversity as a result of the proposed development. A revised SEMP was submitted on 16 August 2016. It contains the proposed

mitigation measures for the current application and is being assessed in the context of the restoration and aftercare requirements of the landfill site.

Flood risk, water resources and water pollution prevention

8.79 MWCS policy CS39 seeks to protect the quantity and quality of ground and surface water; the quantity and quality of existing water abstraction; and the flow of groundwater. CS2 has the protection of groundwater as a strategic objective. HLP policy C8 requires that satisfactory arrangements be in place for surface water drainage. The potential for contamination from the previous use of the land has been addressed in paragraph 8.71 above.

8.80 The site is in flood zone 1. The LLFA has no objection in principle to the proposed surface water drainage scheme but requires the detailed design to be submitted for approval. This could be secured by condition (see recommended condition 9) and would comply with NPPF paragraph 163 and HLP policy C8.

Noise

8.81 NPPF paragraph 180 states that planning decisions should 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. PPG paragraph 30-001-20140306 states that "Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved".

8.82 MWCS policy CS34 seeks to protect residential and other amenity. The biomass combustion and the waste water evaporation are continuous processes that would operate 24 hours per day therefore the impact of the proposed development at night needs to be considered. It is proposed that mobile plant would be used for stocking the wood walking floor between 0800 and 1800 hours daily (Monday to Sunday). Deliveries of waste would be accepted between 0700 and 1900 Mondays to Fridays and 0700 - 1300 on Saturdays. The applicants' noise assessment has taken into account the noise that would be generated by the MRF. It concludes that at the nearest residential properties (Wingate, old Railway Tavern and Woodside) at night when the MRF is not operating and there are no deliveries to the application site, noise levels would be well below the adverse effect level.

8.83 The applicant proposes the erection of an acoustic barrier between the site access and Woodview (see recommended condition 16). Taking into account the advice of the environmental health officer and provided the mitigation measures are secured by planning condition it is considered that the proposed development would comply with the NPPF and MWCS policy CS34 in respect of noise.

Dust

8.84 As previously noted, MWCS policy CS34 seeks to protect residential and other amenity. The storage and movement of shredded wood waste has the potential to generate dust. The applicant has submitted a dust management plan designed to reduce dust emissions and which the environmental health officer considers proposes a good procedure for handling complaints an abnormal emissions. This could be secured by condition (see recommended condition 18). It is considered that with mitigation the impact of dust would be reduced to a level such that the proposal would comply with MWCS policy CS34 in this respect. Dust would also be controlled by the Environment Agency through the environmental permit.

Odour

8.85 MWCS policy CS34 seeks to protect residential and other amenity. The waste water treatment plant has the potential to generate odour. The applicant has submitted an odour management plan which outlines mitigation measures and which the environmental health officer considers proposes a good procedure for handling complaints and abnormal emissions. This could be secured by condition (see recommended condition 17). It is considered that with mitigation, including the pre-treatment of waste water, the impact of odour would be reduced to a level such that the proposal would comply with MWCS policy CS34 in this respect. odour would also be controlled by the Environment Agency through the environmental permit.

Historic environment

8.86 The proposed development would not have any impact on any designated heritage assets. However, non-designated heritage assets should be taken into account. The development site had historic industrial uses which should be recorded. This can be secured by planning condition (see recommended condition 5). It is considered that the proposed development would comply with MWCS policy CS36 which seeks to protect the historic environment and with HLP policy En12 which requires archaeological recording on sites of archaeological interest.

Economy and employment

8.87 The proposed development would provide 16 full time, mostly skilled jobs at the site. It would, therefore, contribute to the economy of a rural area with relatively few employment opportunities which is in accordance with the aspirations of Government as stated in section 6 of the NPPF.

9.0 CONCLUSION

9.1 It will be clear from the preceding sections in this report that there are strong objections from a large number of individuals and organisations within the local community to the proposed development. Their concerns are principally about air quality and impact on health, the need for the facility, visual impact, traffic, noise and odour.

9.2 National and development plan policy supports the principle of using waste to generate energy where it is capable of driving waste up the waste hierarchy. officers consider that for the reasons set out in section 8 of this report, the proposal is for the

most part in line with the objectives of both local and national waste policy and the general principles of the NPPF. The proposed facility is consistent with the need for more waste management facilities in order to achieve objectives, targets and requirements set out in national and local waste and energy policy.

9.3 As set out at paragraph 8.1 of this report, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The potential environmental impacts of the proposed development have been considered in section 8 of this report. It is concluded that there are none, which if subject to the proposed mitigation, would have a significant or unacceptable impact on acknowledged assets or areas of importance. It is noted that the proposed development would need an environmental permit in order to operate and it is the advice of the NPPF that the planning authority should not seek to duplicate matters that are covered by a separate pollution control regime.

9.4 Having taken into account the provisions of the development plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, officers consider that there is no sound planning reason to refuse planning permission and therefore that the application should be approved. It is considered that taking into account that the waste management operations will be regulated by an environmental permit and subject to appropriate planning conditions and legal obligations the proposed development is capable of being carried out without having unacceptable adverse impacts on the human or natural environments.

10.0 RECOMMENDATION

10.1 It is recommended that planning permission be granted subject to the applicant entering into a planning obligation to secure mitigation measures on land outside the application area including the detailed design of the perimeter bund and its planting and the following conditions:

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) order 2015 requires the planning authority to give reasons for the imposition of pre-commencement conditions. Conditions 5, 9, 10, 16, 19, 20 and 27 below require further information to be submitted, or works to be carried out, to protect the environment and ensure sustainable methods of operation during the construction of the development and are therefore attached as pre-commencement conditions. The developer may not legally commence development on site until these conditions have been satisfied.

<u>Commencement date</u>

1. The development hereby permitted shall be commenced no later than three years from the date of this decision notice. Within seven days of the commencement the operator shall notify the waste planning authority in writing of the exact commencement date.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act and Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to be able to establish the timescales for the approval of details reserved by conditions.

Site Area

2. This permission relates to the land outlined in red on drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18 (received 10 January 2018) and referred to in these conditions as "the site".
Reason: To define the permission for the avoidance of doubt.

Approved Plans and Documents

3. The development hereby permitted shall be carried out in accordance with the application dated 1010112018 and in accordance with the following drawings and documents (received 1010112018 unless otherwise specified), except as otherwise required by any of the conditions set out in this permission:

- drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18
- drawing no. 70-001 Rev P1 Site Plan as proposed dated 26.03.2018 (received 23 April 2018)
- drawing no. 70-003 Site Surface Finishes dated 12.10.2017
- drawing no. 70-005 Rev P2 Site Sections dated 02.08.2018 (received 2 August 2018)
- drawing no. 70-006 Site Fire Strategy dated 19.12.2017
- drawing no. 20-001 Rev P1 Process Building GA Plans dated 26.03.2018 (received 23 April 2018)
- drawing no. 20-002 office Building Plan, Sections, Elevations dated 26.07.2017
- drawing no. 20-003 Walking Floor Canopy Plan, Elevations dated 27.07.2017
- drawing no. 20-004 Rev P1 Process Building GA Sections dated 26.03.2018 (received 23 April 2018)
- drawing no. 20-005 GA Elevations Process Building Rev 2 dated 02.08.2018 (received 2 August 2018)
- drawing no. 20-006 Store Plan, Sections, Elevations dated 27.07.2017
- drawing no. 24-001 Rev P2 Process Building GA Roof Plan dated 02.08.2018 (received 2 August 2018)
- drawing no. BED-DRG-170059-00-XX-C-0300 Rev P02 Drainage Layout dated 07112117

Reason: To ensure the development is carried out in accordance with the approved plans and to define the site and preserve the character, appearance and quality of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS33, CS34 and CS35 and Huntingdonshire Local Plan (December 1995) policy En25.

vehicular Access

4. There shall be no vehicular access to the site other than from Puddock Road at the point shown on drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18

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

Archaeology

5. No development shall commence until a Written Scheme of Investigation (WSI) for an archaeological programme of works has been submitted to and approved in writing by the waste planning authority. No development shall take place other than in accordance with the agreed WSI which shall include:
• the statement of significance and research objectives;
• the programme and methodology of site investigation and recording;
• the nomination of a competent person(s) or organisation to undertake the agreed works; and
• the programme for post-excavation assessment and subsequent analysis, reporting, publication & dissemination, and deposition of the resulting archive.

Reason: The site in the proximity of prehistoric and Roman archaeological in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS36 and Huntingdonshire Local Plan (December 1995) policy En12. This is a pre-commencement condition because the archaeological investigation must be carried out before any development takes place.

Waste types

6. The facility permitted by this planning permission shall only accept Grades B and C waste wood and non-hazardous waste water including landfill leachate.

Reason: Wastes outside these categories require separate consideration by the waste planning authority, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011) policy CS39.

Feedstock input limits

7. No more than 48,500 tonnes of Grades B and C waste wood and no more than 65,000 tonnes of waste water shall be accepted at the site in any one calendar year. The operator shall maintain a record of the type, quantity (in tonnes) and origin of the feedstock delivered, and the date of delivery. These records shall be kept on the site so that they are available for immediate inspection by Council officers between the hours of 0900 and 1700 Monday to Friday and the records must be able to be collated into a report that will be supplied to the waste planning authority within 10 working days of a written request.

Reason: It has not been demonstrated that the local public highway network is capable of safely accommodating higher number of vehicle movements and in the

interest of the amenity of occupiers of nearby properties in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS32 and CS34 and to enable compliance with condition 25 to be monitored.

Prevention of mud on the Public Highway

8. No HGv shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of highway safety and safeguarding local amenity in accordance the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34.

Surface Water Drainage Scheme

9. No development shall commence until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the waste planning authority. No waste shall be brought onto the site until the approved scheme has been implemented in full.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with National Planning Policy Framework paragraph 103; the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS39 and Huntingdonshire Local Plan (December 1995) policy CSB. This is a pre-commencement condition because the surface water drainage arrangements need to be agreed before construction work starts.

Construction environmental management plan

10. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the waste planning authority. The CEMP shall include, but not be limited to, the consideration of the following aspects of construction:

- Routing of construction vehicles
- Agreement and notification of abnormal loads, including resolution of any damage to the public highway as a result of the deliveries
- Hours of construction including deliveries
- Location of contractor compound and stores
- Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction
- Noise, vibration, dust and mud control (including wheel cleaning arrangements and any physical or management and monitoring controls to be put in place to address the four principal areas)
- Construction methods and phasing of development (including a timetable of proposed works)
- Drainage control measures including oil interceptors and bunds

- Contractor contact details and complaints procedures
- Artificial site illumination (including proposed hours of use)

The CEMP shall be implemented in accordance with the approved details, including the timetable of proposed works, unless otherwise agreed in writing by the waste planning authority.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011) policy CS34. The CEMP relates to the construction phase so must be in place before any development commences.

Hours of Construction and operation

11. The development approved by this planning permission shall only be carried out during the following times:

Construction Hours
Monday to Friday 0700 to 1900 hours
No construction work shall take place on Saturdays, Sundays and Bank or Public Holidays.

operational Hours
Continuous operation of the CHP plant and waste water treatment plant is permitted. This includes essential maintenance.
Use of mobile plant is allowed for stocking the wood walking floor between 0800 and 1800 hours daily.

Waste delivery and export
The receipt and export of all waste HGvs (loaded or unloaded) to and from the development hereby permitted shall only take place during the following hours:

0700 to 1900 Mondays to Fridays
0700 to 1300 on Saturdays

There shall be no HGv movements on Sundays and Bank or Public Holidays.

Reason: To minimise disturbance to residents and users of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Maintenance, Silencers, and Reversing Alarms

12. All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with effective silencers that shall be used at all times. All vehicles that are fitted with reversing alarms shall be fitted with "white noise" type or similar, reversing alarms.

Reason: To protect the amenities of occupiers of nearby properties in accordance

with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise Limit

13. The level of noise emitted from the development hereby permitted shall not exceed 5dB LAeq (1 hour) freefield above the background noise level measured as LA90 (1 hour) at any noise sensitive property (including domestic premises, hotels and hostels, educational institutions and hospitals and clinics).

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise monitoring

14. No waste shall be accepted at the site until a scheme for measuring noise from the development hereby permitted has been submitted to and approved in writing by the waste planning authority. The scheme shall include the expertise of the person(s) who will carry out the measuring; the frequency of measuring; mitigation that will be undertaken in the event that the noise level in condition 13 is exceeded; and details of the operator who members of the public may contact to report noise events. The results of any measurements and assessment shall be submitted to the waste planning authority within 14 working days of the measurements taking place.

Reason: To enable compliance with the noise limit in condition 13 to be monitored to protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Wood waste processing

15. No wood shall be shredded or otherwise reduced in size by the use of plant or machinery on the site.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise mitigation

16. No development shall commence until the 3 metre high acoustic barrier referred to in paragraph 3.8.2.1 and shown in Appendix 3.6 of Chapter 3 - Noise (dated March 2018) of the Environmental Statement dated April 2018 has been installed. The acoustic barrier shall be retained for the duration of the development.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34. This is a pre-commencement condition noise mitigation is needed for the construction phase.

odour

17. No development shall take place other than in accordance with the odour Management Plan 3268-CAU-XX-XX-RP-v-305 A0 C2 dated December 2017 (received 10 January 2018).

Reason: To minimise the impact of the development on the occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Dust

18. No development shall take place other than in accordance with the Dust Management Plan 3267-CAU-XX-XX-RP-v-3006 dated December 2017 (received 10 January 2018).

Reason: To minimise the impact of the development on the occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Landscape scheme

19. No development shall take place until a detailed landscape scheme has been submitted to and approved in writing by the waste planning authority. The scheme shall include a timetable for implementation. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the site has adequate screening in the interest of visual amenity, in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS24, CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25. This is a pre-commencement condition because it may be appropriate that some planting is carried out at the start of the development.

Landscape management scheme

20. No development shall take place until a scheme for monitoring, managing and maintaining the landscape scheme referred to in condition 19 has been submitted to and approved in writing by the waste planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the site has adequate screening in the interest of visual amenity, in accordance Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS24, CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25. This is a pre-commencement condition because it may be appropriate that some planting is carried out at the start of the development for which management would need to be in place.

Replacement planting

21. If within a period of five years from the date of planting any tree or shrub fails, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place in the first available planting season, unless the waste planning authority gives its written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25.

Great crested newts

22. No development shall take place other than in accordance with the Great Crested Newt Mitigation Strategy (Etive Ecology Ltd Report version 3.0 dated 15 August 2018) (received 15 August 2018).

Reason: In order to safeguard the local population of a protected species in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS35 and Huntingdonshire Local Plan (December 1995) policy En22.

Lighting

23. No lighting on the site other than lighting within buildings shall be installed until details have been submitted to and approved in writing by the waste planning authority. The lights shall be installed and operated in accordance with the approved details.

Reason: In order to minimise the impact of light spillage from the development in the rural landscape in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS34.

Routeing Agreement

24. The site shall not be operated except in accordance with the Traffic Management Scheme: Undertakings by the Developer dated 15 August 2018 (received 15 August 2018).

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

Waste Catchment Restriction

25. No waste arising from a distance greater than a 30 mile (48 kilometre) radius of the site as shown on drawing no. 3267-CAU-XX-XX-DR-T-1802 Rev P1 entitled Catchment Plan dated 14.08.18 (received 15 August 2018) shall be received at the site. Waste from a waste transfer station within the defined catchment area shown

on drawing no. 3267-CAU-XX-XX-DR-T-1802 Rev P1 entitled Catchment Plan dated 14.08.18 (received 15 August 2018) shall be regarded as arising from within the catchment area.

Reason: To ensure that the facility is managing waste from the local area to comply with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS29.

Emergency water supplies

26. No waste shall be accepted at the site until a water supply for fire-fighting has been provided in accordance with a Fire Prevention Plan that has been submitted to and approved in writing by the waste planning authority in consultation with the Cambridgeshire Fire and Rescue Service. The water supply shall be maintained in accordance with the approved Fire Prevention Plan for the duration of the development.

Reason: To ensure that there is a sufficient and accessible water supply for fire-fighting in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Landfill gas migration

27. No development shall commence until a Gas Risk Assessment (GRA) has been submitted to and approved in writing by the waste planning authority. The GRA shall be influenced by monitoring and the conclusions shall recommend gas mitigation measures if necessary. The GRA shall include all mitigation measures for maximum gas concentrations. The development shall be carried out in accordance with the mitigation measures.

Reason: To protect the occupiers and users of the site from potentially dangerous gas from the nearby landfill in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34. This is a pre-commencement condition because further details are required in order to ensure that risks are appropriately addressed before the design of the buildings has been completed.

Contaminated land

28. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the waste planning authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination will be dealt with and obtained written approval from the waste planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with National Planning Policy Framework paragraph 178 and Environment Agency Groundwater Protection: Principles and Practice (GP3) and to protect and prevent the migration of potentially dangerous gas from the nearby landfill. Further details

are required in order to ensure that risks are appropriately addressed prior to the development being occupied.

Informatives

Surface water drainage scheme

1. The surface water scheme referred to in condition 9 shall be based upon the principles within the Drainage Layout and associated details prepared by Buckingham Group Contracting (ref: BED-DRG-170059-00-XX-C-0300) dated 7th December 2017 and shall also include:

a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
d) Full details of the proposed attenuation and flow control measures;
e) Site Investigation and test results to confirm infiltration rates;
f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
g) Full details of the maintenance1adoption of the surface water drainage system; and
h) Measures taken to prevent pollution of the receiving groundwater and1or surface water.
The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

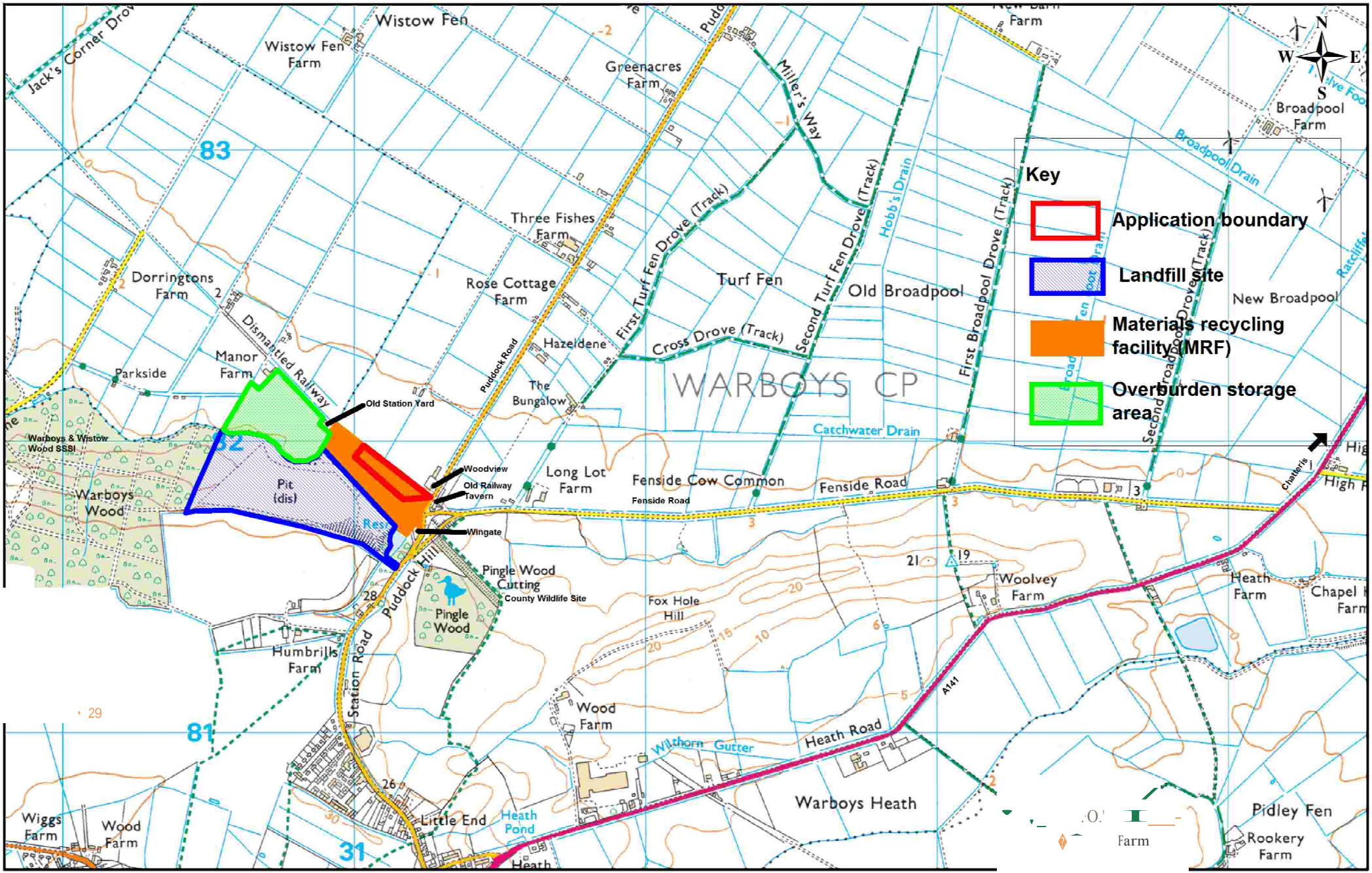
2. Protection of nesting birds

The applicant should be aware that nesting birds, their eggs and (active) nests are protected under the Wildlife and Countryside Act 1981 and therefore, the applicant will need to take appropriate measures to avoid disturbing nesting birds and destruction 1 damage to active nests. Removal of vulnerable vegetation should ideally avoid the bird breeding season (1 March to 31 August inclusive) to avoid damage to nesting species. If this is not practicable then a nesting bird survey should be undertaken by an experienced ecologist prior to direct impact on suitable nesting bird habitat to identify whether active nests are present. If any are found they should be clearly marked and avoided until after the young have fledged and left the nest.

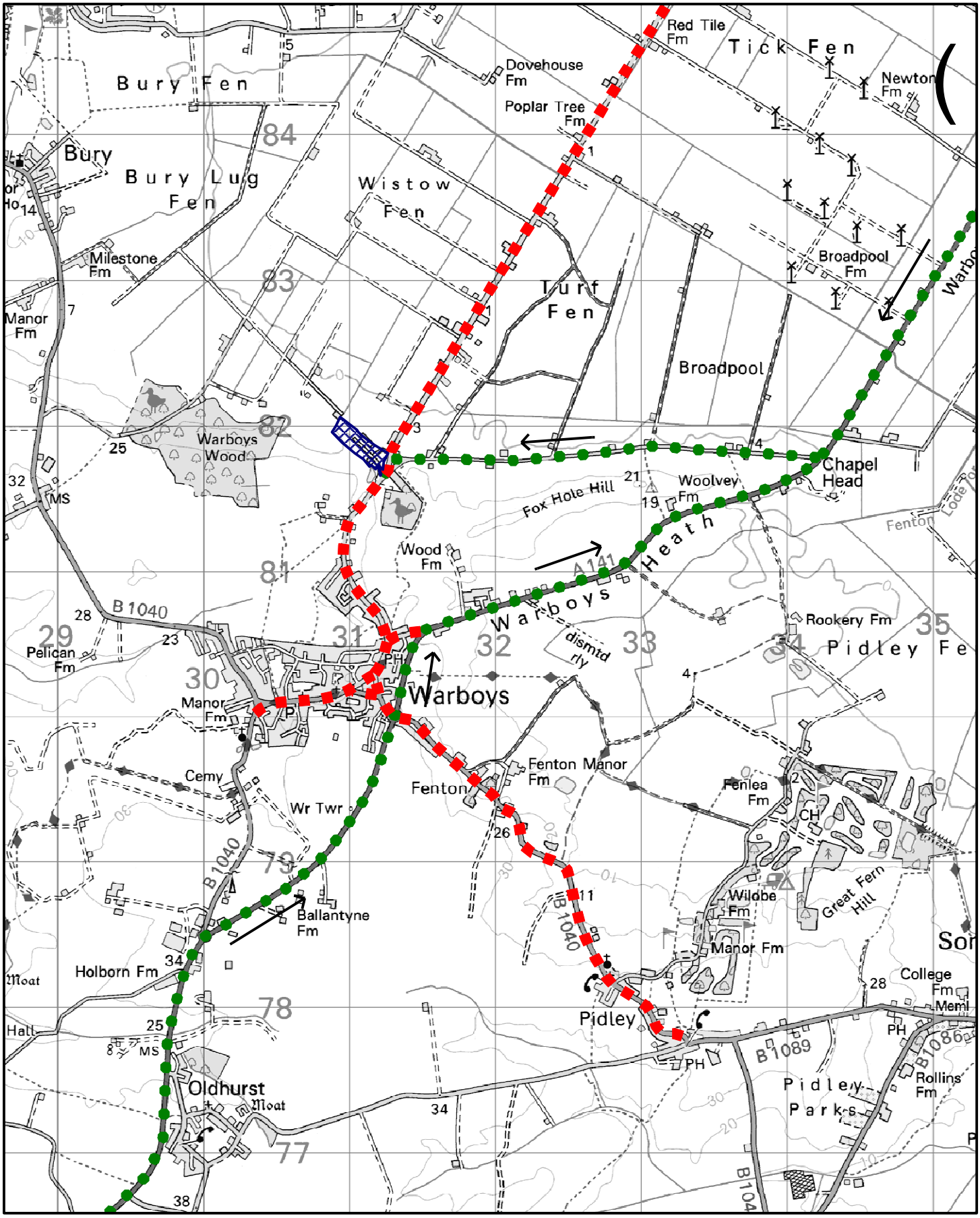
Source Documents	Location
Link to the National Planning Policy Framework: https:11www.gov.uk1government1publications1national-planning-policy- framework--2 Link to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy: http:11www.cambridgeshire.gov.uk1info1200991planning-and-develop ment1491water-minerals-and-waste17 Link to the Huntingdonshire Local Plan and Core Strategy http:11www.huntingdonshire.gov.uk1planning1adopted-development- plans1current-local-plan1	

Agenda Plan 1

Cambridgeshire County Council



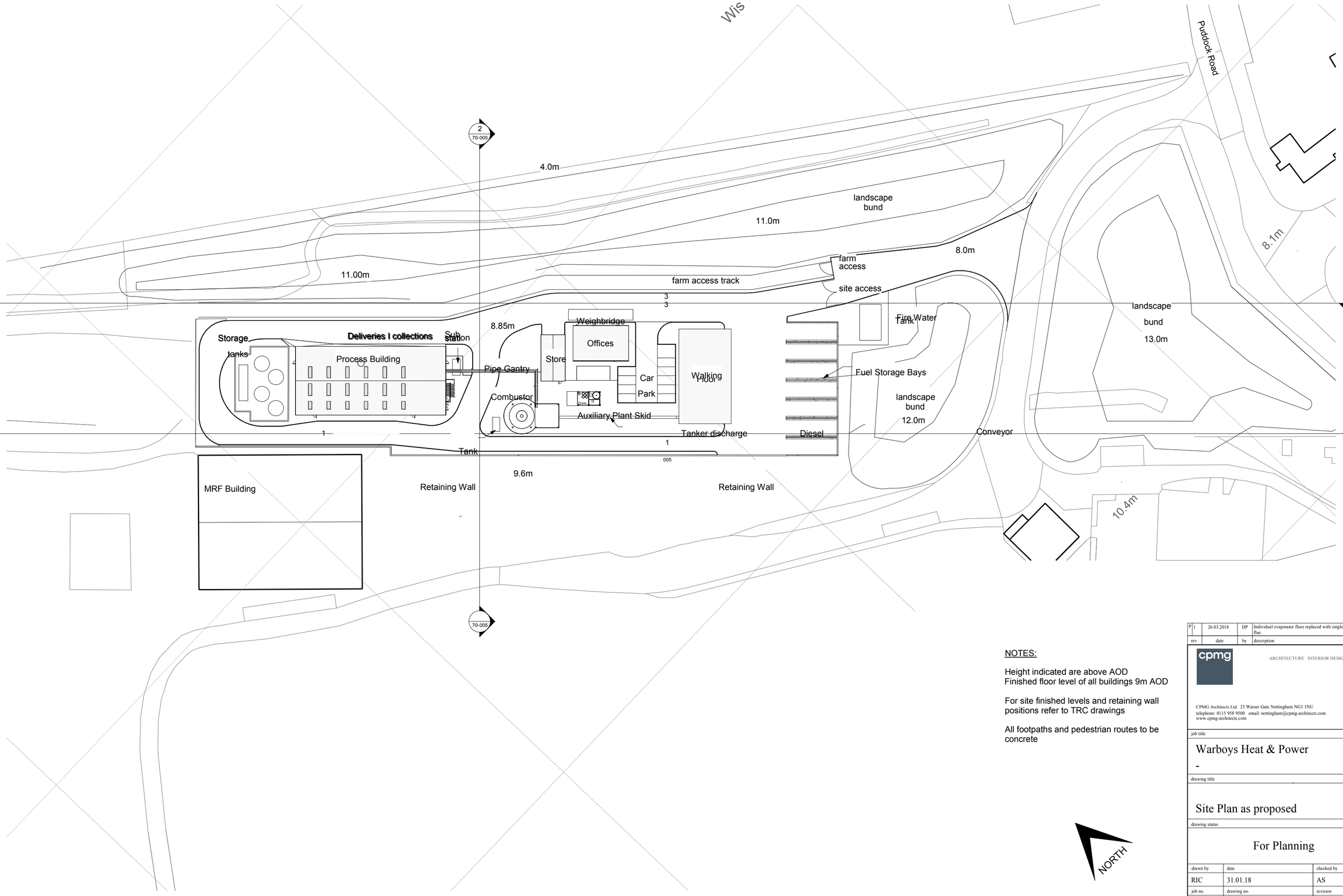
Scale (at A4): 1:17000 Centred at: 532140,282014



Scale (at A4): 1:35000 Date: By:vm308

Traffic Management Plan Legend

- Access route
- Restricted route
- Materials Recycling Facility



NOTES:

Height indicated are above AOD
Finished floor level of all buildings 9m AOD

For site finished levels and retaining wall positions refer to TRC drawings

All footpaths and pedestrian routes to be concrete

NORTH

rev	date	by	description	chkd
P1	26.03.2018	DP	Individual evaporator flues replaced with single common flue.	ST

cpmg
ARCHITECTURE INTERIOR DESIGN VISUALISATION

CPMG Architects Ltd 23 Warser Gate Nottingham NG1 1NU
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job title

Warboys Heat & Power

-

drawing title

Site Plan as proposed

drawing status

For Planning

drawn by	date	checked by	scale
RIC	31.01.18	AS	1 : 500
job no.	drawing no.	revision	media
8190	70-001	P1	A1

Appendix A • Waste wood categories

Waste wood is graded from A to D.
Items of waste wood which are hazardous must be segregated as grade D, before further subdivision of the non-hazardous waste into grades A to C occurs.

Grade A waste wood

Grade A waste wood must be visibly 'clean' non-hazardous waste wood from the arboriculture sector, packaging waste, scrap pallets, packing cases, cable drums and off-cuts from the manufacture of untreated wood products.
Only grade A [untreated, clean] waste wood can be used for animal bedding, as a mulch, in composting, as a fuel in wood burning stoves or other sensitive uses.
Rejected grade A waste wood becomes either grade B or grade C waste wood.

Grade B waste wood

Grade B waste wood consists of non-hazardous waste wood from the production of wood-based panels; for example, chipboard and medium density fibreboard.
Such wood is usually sourced from recycling centres and civic amenity sites, manufacturers of furniture and other wood products.
Rejected grade B waste wood becomes grade C waste wood.

Grade C waste wood

Grade C consist of non-hazardous waste wood sourced mainly from construction and demolition activities, recycling centres and civic amenity sites.
Grade C wood is used as a fuel in permitted co-incinerators but is not suitable for clean waste wood combustion plant.
Visibly clean grade C waste wood may also go to wood-based panel manufacture.

Source: Environment Agency - Waste Wood Quick guide 43_17 issued 02/03/2017

Warboys Parish Geuneil

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2 Blenheim Close,
Warboys,
Huntingdon,
Cambs., PE28 2XF.

Ms H Wass,
County Planning Minerals and Waste,
Cambridgeshire County Council,
Box No. SH 1315
Shire Hall,
Castle Hill,
Cambridge. CB3 0AP.

My ref:

our ref:

8th February 2018

Dear Helen,

Planning Application H/5002/18/CW for construction of a heat and power plant comprising biomass energy from waste bed combustion) facility and treatment of waste water by evaporation treatment plant and associated infrastructure comprising tank farm, combuster with 25 metre high chimney, process building, store building, office building, walking floor canopy, car park, fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxiliary plant skid, high voltage transformers.

Warboys Parish Council objects to the above application and recommends its refusal by Cambridgeshire County Council on the grounds set out below.

1. Relevant Policies

1.1 The following policies of the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document 2011 are relevant.

1.2 Policy CS2 sets out the strategic vision and objectives for sustainable waste management development and lists a number of strategic objectives that support this vision. The following apply in the case of this application and its location in Warboys –

- to encourage waste management practices which do not incur unacceptable adverse impact on the local and global environment or endanger human health in Cambridgeshire and Peterborough
- to ensure high quality of design and operation of waste management facilities in Cambridgeshire and Peterborough, guided by the preparation of Supplementary Planning Documents (the Location and Design of Waste Management Facilities, and the RECAP Waste Management Design Guide)
- to protect the ground and surface water resources of Cambridgeshire and Peterborough
- to safeguard and enhance the distinct landscapes of Cambridgeshire and Peterborough including the wet fens, river valleys, chalk and limestone uplands

- to protect the ground and surface water resources of Cambridgeshire and Peterborough
- to safeguard and enhance the distinct landscapes of Cambridgeshire and Peterborough including the wet fens, river valleys, chalk and limestone uplands

1.3 Paragraph 7.39 in relation to waste water treatment plants states 'Offensive odours from waste water treatment works can adversely impact on residential amenity potentially at some distance beyond the site boundary. In order to protect local amenity a stand-off of normally 400 metres from properties normally occupied by people will be required. Consideration will also need to be given to other potential impacts including lighting and noise.'

1.4 Policy CS32 states that 'Minerals and waste development will only be permitted where:

b. access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and/or the nature of the traffic associated with the development;

c. any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity.

1.5 Policy CS33 headed Protection of Landscape Character states that 'Mineral and waste management development will only be permitted where it can be demonstrated that it can be assimilated into its surroundings and local landscape character area in accordance with the Cambridgeshire Landscape Guidelines, local Landscape Character Assessments and related supplementary planning documents.'

1.6 Policy CS34 headed Protecting Surrounding Uses states that 'Mineral and waste management development will only be permitted where it can be demonstrated that there would be no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities. Mitigation measures will be required, including where appropriate a buffer zone, between the proposed development and neighbouring existing or proposed sensitive land uses.'

1.7 Paragraph 11.31 goes on to state that 'Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets, contributing to the quality of life and the well-being of the community and in supporting research and education.'

2. Accuracy of the Application and Supporting Documents

2.1 There are several discrepancies and anomalies in the information contained in the documents accompanying the application.

2.2 For example, the Supporting Planning Statement and Air Quality Management Plans state that the nearest properties are Wingate (240 metres), Old Railway Tavern (230 metres) and Woodview (170 metres). The Odour Management Plan and Dust Management Plan

distances more accurately at 140, 130 and 85 metres respectively. This places them well within the 400 metre stand-off zone specified in paragraph 7.39 of the Minerals and Waste Plan and without any ability to create a buffer zone required by Policy CS34.

2.3 Similarly the Design and Access Statement states that the site is 1.5 km to the north of Warboys while the Supporting Planning Statement states that it lies 700 metres north of the village. The latter is the accurate measurement.

2.4 The Supporting Planning Statement (paragraph 3.0.3) that the plant will generate 1.5 MW of electricity of which 1.2 MW will be exported to the National Grid with 0.3 MW being required to power the site operations. Elsewhere the estimate of amount generated is lower.

2.5 The discrepancies in the documents suggest a lack of accuracy in the application submission which raises doubts over the authenticity and the veracity of the claims made by the

3. Visual Impact

3.1 The Landscape and Visual Impact Assessment accompanying the application concludes that the landscape impacts are predicted to be slightly adverse with the possibility to create a negligible beneficial effect in time through landscape mitigation and management.

3.2 The artistic impression of the plants proposed presents a bleak industrial appearance wholly out of character with the local area. Although it is proposed that the external walls will be painted green, this will fail to detract from the plant's overall impact in such a rural setting.

3.3 While the contours of the land will effectively shield the site from views from the south where the village of Warboys is located, the plant buildings will be clearly visible from the north. They will project above the ridge line when viewed from Puddock Road and the surrounding fens. Although set against the background of the rise in land, it will create an unsightly and wholly obtrusive and prominent aspect visible for considerable distances.

3.4 The report suggests that the site will be screened by planting but accepts that existing planting on the bund has died or is dying. There is no guarantee that new planting will survive and if it does, it will take many years to grow to maturity.

3.5 The Landscape and Visual Impact Assessment concentrates solely on the impact of the plant buildings themselves. It fails to assess the impact of any plumes of steam that may arise from the processes involved. It is not unreasonable to assume that in certain climatic conditions (and perhaps continuously) vapour emissions will be seen emerging from the plant chimney and flues which will be visible at great distances. This would be a totally alien feature in the fen landscape.

3.6 The Environment Agency's Guidance on the Treatment of Landfill Leachate (pages 118 - 119) states

- Emphasis should be placed on the prevention of the production and displacement of pollutants. Abatement can be readily overloaded and become ineffective.

- Although unlikely to be a significant issue at the majority of leachate treatment plants, the operator should consider the need to minimise water vapour. In order to address local visual amenity issues which in severe cases can include loss of light, fogging, icing of roads etc. and which can also adversely affect plume dispersion. Ideally, therefore, the exhaust should be discharged at conditions of temperature and moisture content that avoid saturation under a wide range of meteorological conditions.

- The use of prime energy to reduce a plume simply because it is visible should be avoided.
  However, it may be appropriate to use waste heat. For example heat could be used from the utilisation or destruction of landfill gas. Nevertheless, the use of energy for re-heat

- Generally, the volume of air involved determines the degree of difficulty in dealing with air emissions. The volume of air has implications not only for the final size of abatement plant but also for the associated equipment such as fans, ducting, pressure losses, etc. Optimum containment of odorous or polluted air is therefore important in either eliminating the need to treat the air or minimising the amount (and consequently cost) of the abatement technology.

- Enclosure of specific units identified as being a source of pollution should be implemented to reduce air volumes requiring abatement.

3.7 There is little evidence in the studies accompanying the application that the above issues have
been addressed.

3.8 The development will therefore present a visually intrusive feature in the local landscape which is totally out of character with the unique nature of the fen environment. It therefore fails to meet Policy C33 of the Minerals and Waste Plan.

4. Proximity of Receptors

4.1 As mentioned above there are three dwellings within a radius of 140 metres from the proposed development, the closest of which (Woodview) is only 85 metres distant.

4.2 The application and accompanying documents also fail to identify the fact that land opposite Wingate has the benefit of planning permission for a touring caravan site. The site has recently changed ownership and is the subject of a current application, yet to be

year. This places a substantial number of additional people within the 400 metre radius of a waste water treatment plant referred to in paragraph 7.39 of the Minerals and Waste Plan.

4.3 The development is located too close to sites of human habitation and would effectively sterilise land with the benefit of planning permission for caravan development. It is therefore contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

5. Impact on Locality

5.1 The documents accompanying the application fail to recognise the proximity of adjoining farmland and its use for food production.

5.2 The site is surrounded by land used for the growing of food crops or for the grazing of livestock. Any escape of emissions or long term accumulation of condensation from potentially contaminated vapour emissions on the land have not been identified or quantified. If it is found by subsequent research that such emissions have an adverse impact in contaminating crops and entering the food chain, it will be too late to reverse any adverse impact on the health of consumers. It would also sterilise the land and lead to the ruin of commercial farm businesses.

5.3 Warboys and Wistow Wood SSSI is located within 800 metres of the site and Pingle Wood and Cutting Local Nature Reserve within 250 metres (although the Supporting Planning Statement incorrectly quotes the distance as 50 metres).

5.4 The application is therefore contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

6. Sourcing of Materials

6.1 The application claims that wood and waste water will be sourced within a 30 mile radius but there is no justification in the documentation to support this proposition. If this proves to be unachievable, the materials required to ensure the viability of the plants will no doubt be sourced from further afield adding the additional journey times and resultant effects on the highway network and vehicular pollution.

6.2 Warboys already has experience of similar claims when the adjoining landfill site was in operation. Once the site was operational, waste was sourced from throughout the south east and east midlands without any ability to restrict the distances travelled.

6.3 There is also nothing in the supporting documentation to indicate when the landfill site at Warboys will cease the production of leachate or whether this will decrease over time. If either occurs, this will result in the importation of additional quantities of waste water to ensure that the treatment plant remains economic.

6.4 The applicants have therefore failed to demonstrate a need for a facility of this nature and scale. The application therefore is contrary to Policies CS2 and CS32 of the Minerals and Waste Plan.

7. Potential Future Development

7.1 It is acknowledged that this is untested technology. If the process proves successful, there is a risk that the plant will be expanded to accommodate additional waste which will be more difficult for the local planning authority to refuse.

7.2 There is always a danger of incremental growth with development of any nature once an initial permission has been granted, thereby creating a precedent for further expansion.

7.3 A clear example is the adjoining landfill site. Planning permission initially was granted for 5 years for the acceptance of inert waste with the applicants issuing publicity for consultation purposes showing the site returned to grazing and a natural wildlife habitat with public access at the end of that period. Nothing could be further from reality. Extensions of time resulted in the landfill site taking 20 years to fill with the deposit of hazardous waste for a without planning permission. The failure to obtain retrospective planning permission for hazardous waste tipping has meant that the site contains unauthorised waste which it is unsafe to remove. This has been followed by the current materials recycling facility and now a proposed combined heat and power plant and waste water treatment plant.

7.4 The County Council is asked to recognise the impact that this particular site has had on Warboys and its residents. The deposit of waste commenced in 1996 with an expected end date of 2001. Throughout the period when tipping took place, there has been concern over the impact on the health of the local populace, culminating in the tipping of hazardous waste for which retrospective planning permission was refused. If permission were to be granted with an expected lifespan of the plant of 25 years, it would mean that Warboys would endure disturbance from this site for 50 years as opposed to the originally anticipated 5.

7.5 When retrospective planning permission for the deposit of hazardous waste was refused, the County Council decided that it would be unsafe to remove the waste that had been tipped without the benefit of permission and that it would be more hazardous to transport it off site for disposal elsewhere. The current application seeks to treat and evaporate into the atmosphere leachate from waste which the County Council itself acknowledges is unsafe to remove from site.

7.6 The County Council is asked not to underestimate the concern that that has arisen in Warboys over this proposal and the fears that it will impact on the health of the local community and result on ongoing unacceptably high levels of disturbance.

8. Air Quality

8.1 The Air Quality Impact Assessments are based on the sensitive receptors for the purposes of human health being Woodview (223 metres), Fenside Road (254 metres and presumably the Old Railway Tavern) and Puddock Hill (271 metres and presumably Wingate). The

distances are 85, 130 and 140 metres respectively. The study also fails to recognise an extant planning permission for a caravan site opposite Wingate at about 170 metres distance from the site.

8.2 There are other dwellings within 400 metres of the site listed in the Odour and Dust Management Plans.

8.3 The study states that the site lies 800 metres north of the residential properties in Warboys. Other reports show the distance as 700 metres but there are several isolated properties including a row of terraced houses between the site and the village.

8.4 The analysis of the results from the testing undertaken by the consultants are therefore flawed and should be treated with great caution.

8.5 The Air Quality Impact Assessment predicts the following impacts on human health from the proposed development:

- Hexavalent Chromium (Cr6) and Arsenic are predicted to exceed the EAL, based on the
- The most significant metal is Arsenic, where the predicted environmental concentration is 23% of the EAL. The predicted environmental concentration of Nickel is 11 % of the EAL. Based on the assessment criteria in Table 2.3, these predicted process contributions are
- The most significant impacts from deposition are from Mercury (22% of EAL) and Cadmium (10% of EAL). These are of minor/moderate adverse significance in terms of the

8.6 It is not clear what the long term exposure to such chemicals may be both to human health and contamination of the local environment.

8.7 Yet this analysis is based on the nearest human receptor being a distance of 223 metres distant as opposed to the more accurate distance of 85 metres. It also fails to recognise the impact on the employees working at the plant and the adjoining Woodford Recycling business.

8.8 Any results that predict emissions that 'exceed the EAL' or are of 'minor/moderate adverse significance' are grounds for refusal of the application rather than its approval.

8.9 The application should be refused on the basis of the risk posed to human health, wildlife, food production and the environment contrary to Policies CS2 and CS34 of the Minerals and Waste Plan.

9. Noise

9.1 The noise impact assessment predicts that various of the processes proposed will generate noise levels of up to 105 dB(A). These will occur throughout the day and night. It is difficult to envisage how this noise will dissipate to an acceptable level within 100 metres of the nearest dwelling in such a rural environment with low ambient noise levels. Moreover it is proposed that the plants will be operational on a 24 hour basis. On calm nights or when the prevailing wind is blowing towards the nearest properties, it is unrealistic to suppose that the residents will not be disturbed by the noise from site.

9.2 The accompanying reports state that the imported wood waste will be pre-shredded but does not explain how the waste wood from the Woodford MRF will be shredded. There is no indication where or how this will take place or the noise that will be generated.

9.3 The development is likely therefore to have an unacceptably adverse impact on nearby residents from the noise that will be generated by the processes proposed. It is therefore contrary to Policy CS34 of the Minerals and Waste Plan.

10. Odour

10.1 The Odour Management Plan identifies various activities at the site capable of producing odour. It fails to predict the type of odours that might arise from the leachate itself. However as the application states that compost run-off will be treated, it is inevitable that some of the liquids will be highly pungent. If planning permission were to be granted, there would be nothing to prevent other types of waste liquid from being accepted which similarly could be odorous.

10.2 While the plant may be designed to prevent any emission of fugitive odours, there is always the risk that these will be ineffective or may fail for whatever reason. In such circumstances, there is every possibility that people living locally will be affected by offensive odours from time to time.

10.3 Similar assurances were given when the landfill site was operational but many occasions were experienced in Warboys when people living in the village were affected by noxious smells from the operations on site.

10.4 The development is therefore likely to have an unacceptably adverse impact on nearby residents as a result of offensive odours and is contrary to Policy CS34 of the Minerals and Waste Plan.

5. Dust

5.1 The Dust Management Plan accompanying the application recognises that dust can arise from various stages of the processes on site and that 'fugitive dust could result in visible dust being observed crossing the site boundary and nuisance can be caused by dust deposition on

5.2 While control measures are proposed, there is no guarantee that these will be rigidly adhered to or will prevent dust from the site affecting nearby dwellings. The application is therefore contrary to Policy

6. Traffic

6.1 Although traffic volumes are expected to be lower than when the landfill site was operational, the use of Fenside Road by HGVs as the access route to the site badly affected the integrity of the road surface which was liable to subsidence and potholes. It has had to be repaired on several occasions by the highway authority in recent years and the County Council should have data on the frequency of such occurrences. A return to an increased use of Fenside Road by HGVs is likely to lead to a continuing deterioration of the road surface. In an era of increasing financial austerity for local government, the ability of the County Council to maintain the road in an acceptable condition is doubtful.

6.2 When the landfill site was in operation, it was a common occurrence for HGVs to park in nearby laybys waiting for the site to open in a morning or to queue at the site entrance. While it is planned that deliveries will not be accepted on site before 7 .00 a.m., the vehicles may have an impact elsewhere as they wait to arrive on site at the designated opening time.

6.3 Materials previously carried to the landfill site were in solid form and while any spillages from vehicles in the event of an accident could be cleared, the current application proposes the use of 27 tonne tankers containing liquids. Any leakages or spillages as a result of a traffic incident
could have damaging consequences for the land affected.

6.4 The development is therefore likely to have an unacceptable impact on local roads and Fenside Road in particular. The application therefore is contrary to Policy CS32 of the Minerals and Waste Plan.

7. **Duration of Operation**

7.1 The application proposes that the plant will be operational on a 24/7 basis through the year except for a two week close down for maintenance. That is a totally alien concept in such a rural location.

7 .2 In the event of disturbance from noise, odours, dust etc., there will be no respite for local residents at any time of the day or night.

7.3 The Environment Agency's guidance quoted to in paragraph 3.6 above refers to emissions to air being regulated by prevailing climatic conditions but it is proposed that this plant will be

8. Regulation

8.1 If permission were to be granted, there is potential for a lack of effective enforcement from the statutory agencies with potentially damaging consequences for the local population and environment.

8.2 Warboys has experience of a reluctance by statutory agencies to take enforcement action for breach of conditions for the operation of the landfill site. Similarly the liquidation of another materials recycling operation in Warboys at the Airfield Industrial Estate led to an accumulation of waste outdoors in contravention of their planning permission for several years.

8.3 In the event of operational issues resulting from contravention of any planning permission or waste management licence issued by the Environment Agency or the failure of the companies operating the plants, there is a danger that enforcement action would either not be taken or would be ineffective or a possibility that the site could be abandoned with long term environmental consequences.

9. Lack of Testing and Experience

9.1 It is understood that the waste water treatment plant involves a process that is untested in this country. As such there is no practical experience or evidence of the effectiveness or otherwise of the processes and controls proposed. If these prove to be ineffective, there is no evidence as to what remedial measures could be taken effectively to rectify problems. It is unlikely that the companies involved would wish to cease operations given the level of their investment or that the statutory agencies would issue enforcement or stop notices. In such circumstances, the local community and environment might endure risks from emissions that exceed required levels for many years.

9.2 Similarly the fact that both the operating companies are newly formed suggests that they have limited experience in such activities or in ensuring that they are operated at safe levels. The fact that there are two separate plants managed by two separate companies suggests that there may be difficulty in attributing responsibility in the event of future problems.

9.3 This is an experimental process which should not be undertaken in such a sensitive location close to dwellings, productive farmland and wildlife sites.

10. Conclusion

10.1 The Parish Council therefore urges the County Council to refuse this application on the following grounds:-

(i) that the proposed development will present a visually intrusive feature on the local landscape which is totally out of character with the neighbouring fen environment;

(ii) that the proposed development would be located in close proximity to dwellings with a consequential risk of harm to health from emissions from the processes proposed;

(iii) that any emissions from the development proposed could contaminate surrounding land which is farmed extensively for the growing of crops and as pasture for livestock with the consequential risk of hazardous chemicals entering the food chain and contaminating land for the future;

(iv) that the applicants have failed to demonstrate a need for development of the scale proposed or that the materials required could be sourced adequately from the proposed 30 mile radius prompting concerns that waste will be imported from a far greater radius;

(v) that the applicants have failed to demonstrate the long term adequacy of supply from
Warboys Landfill Site and Materials Recycling Facility with the consequent potential for the sourcing of greater quantities of waste wood and waste water from elsewhere which would result in additional traffic generation and a further

(vi) that the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste at the adjoining landfill site;

(vii) that the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse;

(viii) that the proposed development would pose unacceptable risks to human health and wildlife from emissions to air of hazardous chemicals;

(ix) that the proposed development is likely to lead to noise pollution to the detriment of

(x) that the proposed development is likely to lead to odour pollution to the detriment of

(xi) that the proposed development is likely to lead to the escape of dust from the site which will affect the quality of life of nearby residents and contaminate the local environment;

(xii) that the proposed access route to the site via Fenside Road is unsuitable for the additional traffic proposed;

(xiii) that there is a likelihood of heavy goods vehicles and tankers queueing to enter the site before it opens in a morning either on local roads or laybys to the detriment of highway safety;

(xix) that there is a potential risk of contamination to the local environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate surrounding land;

(xx) that the proposed operation of the site on a continuous basis throughout the year with the exception of a two week close down for maintenance will represent an intolerable intrusion into the quality of life of local residents from emissions, noise, odours and dust emanating from the site;

(xxi) that insufficiently robust testing has been undertaken of the proposed waste water treatment process to assess its suitably and safety so close to dwellings and farmland;

(xxii) that the companies established to manage the processes involved are newly established

(xxiii) that the operation of the two treatment plants by separate companies will result in a blurring of responsibility in the event of future complaints and enforcement action by the regulatory authorities.

10.2 Given the strength of concern in Warboys about this application, the Parish Council also requests that every opportunity be given to people to express their concern to the Development Control Committee when this application is considered rather than the 20 minutes of time normally allocated for the public to speak.

Yours sincerely,

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R. ReeveJ.

Clerk

Warboys Parish Council

Clerk: R. Reeves, **M.A., D.M.S.**
Tel: *Ramsey (01487) 823562*
E-mail: ;(? ? ? ?b ? ?Mk

2 Blenheim Close,
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Ms H Wass,
County Planning Minerals and Waste,
Cambridgeshire County Council,
Box No. SH 1315
Shire Hall,
Castle Hill,
Cambridge. CB3 0AP.

My ref:

Your ref:

23rd May 2018

Dear Helen,

Planning Application H/5002/18/CW for construction of a heat and power plant comprising biomass energy from waste bed combustion) facility and treatment of waste water by evaporation treatment plant and associated infrastructure comprising tank farm, combuster with 25 metre high chimney, process building, store building, office building, walking floor canopy, car park, fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxiliary plant skid, high voltage transformers.

The following comments are in addition to those contained in my letter dated 8th February 2018 setting out the Parish Council's objection to the above application. These comments are raised in the light of the further information provided by the applicants and which have become apparent since the original consultation period.

In your pre-application advice to the applicant, you wrote 'it is my opinion that subject to satisfactory design, it being demonstrated that the proposed plant can be operated without causing unacceptable adverse impacts on the natural environment (including the landscape or human health or amenity) .... the proposal could be supported. This is an officer view given without prejudice.'

There is nothing in the documentation submitted by the applicant and their consultants where they have demonstrated that the plant can be operated without causing unacceptable adverse impacts on the natural environment. Throughout the documentation submitted in support of the application, there is a continuous reference to the use of the word 'predicted'. As this is untried technology, it is highly questionable as to how accurate the modelling undertaken by the consultants can be. If this plant were to be built and the predictions prove to be inaccurate, it is inconceivable that the County Council would take enforcement action for breach of conditions or issue a stop notice. In the absence of any clear and demonstrable evidence that the plant can be operated without causing unacceptable impacts on the natual environment, it should be refused.

The Supporting Planning Statement (paragraph 3.0.2) states that 'The waste water treatment plant will have the capacity to treat approximately 65,000 tonnes of waste water per annum, which for the purposes of this planning application (including the associated studies) will be primarily landfill

leachate'. The use of the word 'primarily' is incredibly vague. The dictionary definition of 'primarily' is essentially, mostly, chiefly, principally. That could be as little as 51 % or as high as 99%.

There is no explanation in the application and supporting documents as to where the balance of the
waste water will be sourced if these is insufficient leachate to make the plant viable. The only fleeting reference is to compost run-off which is extremely pungent. Yet there is no attempt in the report dealing with odour to examine the types of waste water that will be accepted on site and the strength of the odours that may be associated with the different types of liquid. Indeed, the report almost anticipates that there will be complaints by stating in paragraph 6.1.2 'Typically any complaints received at the Facility are likely to be through the Environment Agency or Huntingdonshire District Council & Cambridge County Council, although the operator is willing to deal directly with the complainants'. It goes on in paragraph 7.4.1 to state that 'Any complaints received directly by the Facility or via the regulatory bodies, including the Environment Agency, Huntingdonshire District Council and Cambridgeshire County Council, will be recorded on the Odour Complaints Form and will instigate further olfactory monitoring at the location of the complaint and on site to determine the extent and location of the plume and the source of the odour will be identified.' This is hardly reassuring in the absence of any definition of the types of subsidiary

The repeated discrepancy in the reports as to the proximity of the nearest dwellings was mentioned in the Council's earlier letter. To repeat, the Supporting Planning Statement and Air Quality Management Plans state that the nearest properties are Wingate (240 metres), Old Railway Tavern (230 metres) and Woodview (170 metres). Whereas the Odour Management Plan and Dust Management Plan assess the distances at 140, 130 and 85 metres respectively. The latter are accurate and the County Council's own assessment of the Warboys site in the Minerals and Waste Plan states 'close to sensitive receptors – three properties within 200 metres'.

The Environment Statement explains that the applicant has engaged in a three stage site selection process before deciding upon Warboys. The final two sites considered at the third and final stage were Warboys and Fordham. In assessing Fordham, the report states that the closest dwelling is circa. 20 metres from the site. As a result in assessing the impact on air quality the report states 'Proposed development may result in unacceptable disposition levels at dwellings'. In terms of noise, the report states 'Closest property circa 20m. from the site, consequently, likely to result in significant adverse noise impact'. In terms of landscape it states 'close to residential properties which may result in overbearing impacts'.

The Environmental Statement states that the closest property at Warboys is over 100 metres away.
That is incorrect. The closest property is 85 metres, with two others at 130 and 140 metres distant, plus a site with the benefit of planning permission for a touring caravan site which has been completely ignored in the application. It is inconceivable that the 'unacceptable disposition levels' and 'adverse noise impact' that would affect a dwelling 20 metres distant will be completely dissipated in a further

The Noise Assessment report submitted in support of the application contains some dubious
interpretations of the level of noise emanating from the plant that can be heard at the nearest properties. It assesses some of the activities resulting in a noise level of up to 105 db(A) yet suggests that during the night when ambient noise is minimal, this will not be heard 85 metres distant at the nearest property. A number of the activities on site are examined in the report in terms of their noise impact but there is no mention of the peripheral impact of a 24 hour operation. In such circumstances, it would be usual for a three shift pattern of working – 2.00 p.m. to 10.00 p.m., 10.00 p.m. to 6.00 a.m. and 6.00 a.m. to 2.00 p.m. is the norm There is likely to be disturbance at shift changeovers with the sound of vehicles, doors slamming, talking, etc. all of which will be audible from a distance

Finally, the Government have announced today stringent controls for emissions to air from wood burning stoves promising new measures to reduce air pollution. Those regulations have yet to be announced but it is clear that the Government acknowledge and have concerns about the effect on human health and the environment from the burning of wood. The prospect of 48,000 tonnes wood being burnt in such close proximity to dwellings and the village of Warboys itself is not reassuring for local residents.

Yours sincerely,

R&1.

Clerk

Wass Helen

From: Roy Reeves <clerk@warboysparishcouncil.co.uk>
Sent: 30 May 2018 14:57
To: Wass Helen
Cc: Rogers Terry Cllr; Jill Tavener; graham.bull@huntingdonshire.gov.uk; Sheila Withams; Geoff Willis; 'David & Betty'; 'Alan Watson'
Subject: Planning Application H/5002/18/CW

Helen,

The current weight limit on Station Road in Warboys that arose from the operation of the landfill site applies from 6.00 a.m. to 7.00 p.m. from Mondays to Fridays. The planning application for the CHP and waste water treatment plants proposes that deliveries be made to the site in HGVs and tankers from 7.00 a.m. to 7.00 p.m. on Mondays to Fridays and 7.00 a.m. to 1.00 p.m. on Saturdays.

Deliveries could therefore be made to the site via Station Road using the proposed 24 tonne HGVs and 27 tonne tankers on Saturday mornings. Moreover as the use of Station Road would not be restricted, the HGVs and tankers could also use Fenton Road, Mill Green or Heath Road to access Station Road from the A141 bypass. These are residential streets with substantial on-street parking and pedestrian movements, some of which are not subject to the County Council's winter gritting regime.

I would be grateful if you would add this to the Parish Council's objection to the application and reasons for its

Regards,

Roy

Roy Reeves,
Clerk to Warboys Parish Council,
2 Blenheim Close, Warboys, Huntingdon, Cambs, PE28 2XF
01487 823562

Warboys Landfill Action Group

Betty Ball
1 Fenton Road, Warboys,
Cambs, PE28 2 SD
1 February 2018

Planning Application No H/5002/18/CW

Dear Sir/Madam

I wish to object to the proposed planning application for a CHP plant at Warboys Landfill Site on behalf of Warboys Landfill Action Group.

Owners and Operators

I have spent considerable time looking into the proposal and the background of both the applicants, Sycamore Planning Ltd, and the proposed owners of the site, Cambridgeshire Biomass Ltd and H2O Resources Ltd. CBL will own the wood burning and energy generation section and H2O will own the waste water (leachate) treatment section. The two processes are totally interlinked and being separately owned gives great concern. If anything goes wrong who will be responsible?

The proposed operators of the site are Silvertree Environmental Ltd who claim to be specialists in biomass CHP operations. Their appear to have no history or experience in the field. The operation of such a site includes potentially hazardous materials and processes. I am convinced that none of those involved in the operation have relevant experience to give any confidence. All the companies are newly formed - CBL was incorporated only three months ago. The Warboys community could yet again be abandoned to the inexperienced and experimental procedures of those who choose to 'learn on the job'!

Many inaccuracies have been detected within the planning document as well as being at variance with information supplied to villagers. There are errors in numbers as in the predicted energy generated referred to later and inaccuracies in the chemicals to be used in treatment of the emissions. These add to the concerns of the village that the applicants do not have the knowledge and understanding of the processes they are asking to be allowed to operate.

Energy Generation - Renewable but NOT Low Carbon Energy?

The "Supporting Planning Statement", section 5.1.11 states:-
'The renewable energy generating capacity put forward by the proposed development represents an important energy contribution at the local level, and this, alongside the support for renewable and low carbon technologies weighs heavily in favour of the proposed development.'

In the applicant's supporting planning statement, section 3.0.3 he states:

'The Biomass CHP facility will … generate 1.5MW of electricity and 16.BMW of thermal energy (heat). It is estimated that 1.2MW of electricity will be exported to the National Grid whilst 0.3MW will be retained to power the site operations.'

In the applicant's supporting planning statement, section 5.1.9 he states:

'… It is estimated that 1.2MW of electricity will be exported to the National Grid, which is enough energy equivalent to power 2,370 households per annum.'

In a letter sent to Warboys Diary, the village newspaper delivered door to door, Sycamore wrote:

> *'Renewable Energy'*
>
> *'The Biomass CHP facility will process up to 144 tonnes of waste wood per day which would previously have gone to landfill. The 16.5MW of waste heat will be used to process up to 195 tonnes of waste water per day and 0.75MW of electricity generated will be exported to the grid. This contributes to Government targets for increasing energy from renewable sources and diverting waste from landfill.'*

1.2MW or 0.75MW, which is it? Quite a difference! On Sycamore's figures 0.75MW is only enough energy equivalent to power 1,480 households per annum. Enough for only 75% of the population of Warboys.

Furthermore, of the energy generated, less than 5% equivalent will be as electricity exported to the grid (using the application figures) or 8% if the figures reported to the village are used. It is hard to trust the competency of the applicants with such discrepancies.

Some of the energy created burning the waste wood will be used evaporating the waste water (leachate), but most will be emitted as CO2 through the 25metre chimney and cannot be claimed to be low carbon energy. The heat thrown out by the leachate evaporation process will have no use except to cause an increase in climate change. I can find nothing to explain just how much heat will be released into the local atmosphere, possibly causing local atmospheric changes.

Wood Burning Process

The claim is to burn 144 tonnes of chipped wood per day, or around 50,000 tonnes per year. The CHP plant proposes to take wood chippings from sources within 30 miles of the site. Is there that much wood needing to be burnt in this local area to require such a facility working full time into the future? Or would the range be extended at a later date increasing traffic pollution?

It is claimed that this process is non-hazardous yet the wood is to be categories B and C including paint and glue, which when burnt can cause harmful emissions. This risks the health of local people causing breathing problems and possible cancers.

In the applicant's supporting planning statement, section 5.8.5:

… *'A stack height of 25m (above local ground level) is proposed to ensure effective dispersion of residual emissions to the atmosphere.'*

I challenge the interpretation of local ground level as being at fen level. The chimney although 25 metres in height will be at the bottom of the hill and the top of the outlet will not be much higher than village level. The emissions have much more impact on the health of the village population than is implied.

Water Treatment Facility

I have looked throughout the 'Guidance for Treatment of Landfill Leachate' document produced by the Environment Agency and found no reference to the process of leachate evaporation proposed for the Warboys site. Not surprising as I believe this procedure is untested in this country.

However on pages 117 - 119 of part 2, the following excerpts concerned me.

'Point source emissions to air….

1. *Abatement is used to clean what could be termed incidental emissions from the leachate treatment process. …. Abatement can be readily overloaded and become ineffective. ……*

4. *The operator should identify the main chemical constituents of the emissions and assess the fate of these chemicals in the environment. ….*

6. *Although unlikely to be a significant issue at the majority of leachate treatment plants, the operator should consider the need to minimise water vapour. In order to address local visual amenity issues which in severe cases can include loss of light, fogging, icing of roads, etc. and which can also adversely affect the plume dispersion. Ideally, therefore, the exhaust should be discharged at conditions of temperature and moisture content that avoid saturation under a wide range of meteorological conditions. ….*

10. *The operator should maintain a plan for the reduction of emissions to air.'*

The proposal for the Warboys site is to rely totally on emissions of water vapour (plus possible contaminants) 24 hours a day/7 days a week. This includes all types of weather

throughout the year. I do not believe that the applicant has the experience to identify the breakdown of the emissions or their effects. In his application's supporting planning statement, sections 5.8.6 to 5.8.9, he brushes off the effects of emissions with the claim that they *'will be predicted to be insignificant'* or *'predicted to be of minor adverse significance, or less'.* Nowhere does he look at any measures or estimates of possible emissions, which does not give any confidence in his technical expertise.

It gives great concern that the effects of these emissions could affect local travel conditions with the potential to cause serious road accidents. It is too dangerous to take the risk with this untested and little understood scheme.

In section 5.8.5 He states:

'….. A stack height of 25m (above local ground level) is proposed to ensure effective dispersion of residual emissions to the atmosphere.'

This refers to the stack height from the wood burner. In the case of the leachate treatment the six chimneys are only 12 metres above the plant level. However the proposed site is well below the ground level of the village and its' primary school, reducing the effectiveness of the stack height, so the village is much more at risks from emissions

In his supporting planning statement, sections 5.8.10 he states:

'The emissions from the proposed installation are predicted to be insignificant at any designated ecological site within 10 km.'

It would be useful to have some measurement to support this statement and an observation on the effect on receptors (people!!) closer to the site.

The Huntingdon Local Plan (December 1995) states:-

CS34 "Mineral and waste management development will only be permitted where it can be demonstrated that there would be ***no significant harm to the environment, human health or safety,***

I do not believe that it has been demonstrated that there would be no harm. Especially as there is no evidence from such an operation, as it has not been achieved or tested previously. The applicants use of terms '*only slight adverse impact or negligible'* are vague, unquantified and unjustified.

In the applicant's supporting planning statement, section 3.0.2 he states:

'… The waste water treatment plant will have the capacity to treat approximately 65,000 tonnes of waste water per annum, which for the purposes of this planning application (including the associated studies) will be primarily landfill leachate. ….'

If it is not all landfill leachate what else might be included? How much does the amount of unspecified material constitute?

In their presentation to the village and to Warboys Parish Council, the applicants were keen to state that the leachate would not be hazardous, in fact that no hazardous substances would be brought onto the site. However much of the Warboys landfill site contains hazardous material - normally accepted as being 250,000 tonnes of hazardous waste have been deposited in the site. How can we be assured that the leachate coming from that waste is not hazardous? How many of the other local sites will have leachate from hazardous materials?

Sycamore were written to and asked about the emissions control of the evaporators. The implication in the application is that only steam/water vapour will be emitted but local people are concerned about what else would be coming from the tall chimneys.

Sycamore answered with:

*'We have the ability to sample but not control. Control (*of leachate?*) is handled at the front end of the process through waste acceptance criteria and the pre-treatment for the emission from the stack don't exceed the agreed limits.'*

The contents of a landfill site do not come compartmentalised but in a cocktail. Are we to believe that they can predetermine the effects of this processing. What reassurance is the ability to sample not control? If you can't control it what is the purpose of sampling. We can have no faith in this situation.

<u>Traffic Issues</u>

Fenside Road is a rural, unlit, single carriageway road approximately 3 km long, with speed limit of 60 mph. Most of its length is no more than 4 metres wide, with passing places about 6.5 metres in width. It has no footpaths and grass verges. It is in very poor condition, with many potholes and deep ruts from the heavy goods vehicles using it regularly accessing the landfill site and the Waste Transfer Station. The edges are broken in many places and could cause lorries/vehicles to tip over especially when passing is necessary. Farm vehicles have to use this road as well as traffic to the landfill site. Several domestic residences are accessed only by this road. Puddock road is an access to the north which is also in a similar condition with much subsidence. There is a weight limit on Station Road access from the village preventing lorries to the site using it.

Lorries travelling from the Peterborough direction in many cases come via Ramsey and hence travel
through the edge of Warboys along Ramsey Road and Church Road up to the roundabout on the A141 and then back crossing the south end of the village via the Fenton Road roundabout. The roundabout off Church Road is quite tight for HGVs turning, so although it is forbidden, some

Access to Fenside Road is from the A141 which is a very busy and fast moving with solid streams of

the south which affects visibility of drivers on the A141 of traffic turning across from Fenside Rd. This means that slow moving, heavily laden HGV lorries will regularly be waiting for a gap in the traffic to exit. If turning towards Warboys from a standing start it will take time for them to manoeuvre and they will be a real hazard. Add problems of visibility in winter from fog or ice and it gives real concern for local people as well as the wider community.

I have read the letter of objection submitted by Guy McCallan and would like to support the findings
of his investigation into the traffic issues on the road conditions, amount of traffic and the effect

Landscape Intrusion

The fen landscape is of course flat and mainly agricultural with no large buildings to intrude. Wind
farms of course are tall but graceful and I believe are accepted over a wide area of this region. The CHP building proposed will be a large block which will be out of place and will be seen from many miles away. The proposal will be above the low level of the fenland which will make it even

The Huntingdon Local Plan (December 1995) states:-

EN17 "Development outside defined village environmental limits and on unallocated land outside the
built-up framework of the market towns will generally be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services"

EN25 "The District Council will expect that new development will generally respect the scale, form,
materials and design of established buildings in the locality of the application site and

CS33 "Mineral and water management development will only be permitted where it can be demonstrated that it can be assimilated into its surrounds and local landscape"
This proposal is not in scale and is completely out of keeping with the area. Landscaping - trees/hedges - within the fenland cannot screen out this development. This proposal fails these criteria.

I note the applicant's Supporting Planning Statement" states:-

*5.2.5 "The LVIA concludes that **landscape impacts are predicted to be slightly adverse**, with the*
possibility to create a negligible beneficial effect in time, through landscape mitigation

*5.2.6 "The LVIA concludes that **visual impacts are predicted to be slight adverse initially**, with the*
potential for this to reduce to negligible adverse impacts, or even beneficial in places, with the implementation of mitigation proposals.

National Planning Policy Framework
Economic Benefits

The "Supporting Planning Statement", section 5.1.14 states:-
The NNPF is clear that Local Planning Authorities should "support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new

The "Supporting Planning Statement", section 5.1.16 states:-
'*Once constructed the plant will create eighteen new jobs; … the majority of the new jobs will be of a highly skilled nature.'*

The skills required for jobs at such a plant are unlikely to be present in the local population. This
would mean workers travelling from outside the area, with no public transport to the site,

The "Supporting Planning Statement", section 5.1.15 states:-
'The proposed development will deliver economic benefits to the local area twofold; via the initial construction of the plant together with the operation of the plant over a period of 25 years. The plant will be constructed over a 9month period with up to 100 contractors employed; during the construction period it is envisaged these contractors will benefit local businesses such as shops, restaurants and hotels.'

There are no hotels or restaurants in the village, so incoming workers will need to travel to find

We believe this application should not be a delegated decision but should be decided at a full meeting of the County Planning Committee where all parties can express their concerns and an open discussion take place before a decision can be made.

We object to this application for many reasons quoted and urge Cambridgeshire County Council to

Your faithfully,

Betty Ball

Betty Ball on behalf of Warboys Landfill Action Group.

Warboys Landfill Action Group

Betty Ball
1 Fenton Road, Warboys,
Cambs, PE28 2 SD
9 February 2018

Planning Application No H/5002/18/CW

Extra objections

Dear Sir/Madam

I wish to add the following objections to the proposed planning application for a CHP plant at Warboys Landfill Site on behalf of Warboys Landfill Action Group. This letter should be read in conjunction with the previous submission by WLAG.

Perceived Risk to local environment

Warboys Landfill Site has caused much anxiety and disruption over nearly 25 years. Hazardous waste was already being tipped in the old brickworks site before local people discovered this in 1999. Warboys Parish Council had not been informed of the change from low level waste and this caused much distress in the village. The hazardous tipping was allowed to continue at great speed until Cambs C. C. stopped the hazardous category being tipped and Fenside Waste Management Ltd appealed the decision in 2004. It became clear that 250,000 tonnes of hazardous waste already in the site would cause more problems for the community to remove than to leave in the site. The villagers have since then remained nervous that a leak in the badly engineered site could cause further problems.

Also when a loaded lorry on its way to the site crashed, it caused further worries that this could happen again at any time. In 2017 with the closure and capping of the waste pit in sight, the village was feeling a little relieved.

The announcement that another unknown applicant was applying to bring a new threat to the village again has brought all these worries to the fore again.
The number of letters sent in response to this application is an indication of the anxiety created.
The perceived threat in the Warboys Community constitutes a planning consideration.

Waste Hierarchy and Useable energy
In 'Defra Energy from Waste Feb 2014' it states that:
'The most common way to generate energy is to use hot gases from the thermal step to boil water to create steam. This is then fed into a steam turbine to generate electricity and/or used for heating. This is the only route for incineration.'

In 'Defra Energy from Waste Feb 2014' it states that:
'Unless the energy output can be effectively used then there is no benefit from maximising its production. Ensuring sites for energy from waste are available that allow potential connection to heat customers is an essential part of maximising the benefits. The updated national planning policy "Planning for Sustainable Waste Management" is expected to reflect this, encouraging local authorities to consider siting, through their local plans, energy from waste facilities in areas which allow them to use heat as an alternative or additional energy output to electricity.'

The application appears to achieve both electricity and heat generation. However the amount of electricity created and available via the Grid is very small. As previously discussed in my original letter,

> 'of the energy generated, less than 5% equivalent will be as electricity exported to the grid (using the application figures) or 8% if the figures reported to the village are used.'

Most of the energy generated is as heat, some of this will be used in the waste water (leachate) evaporation which appears to comply. However this is only a small part and it would seem that the vast amount of heat produced will not be useable on this site and will escape to the atmosphere.

Heat energy can be used in some scenarios to heat homes or buildings but this is not the case in Warboys. I challenge that the vast amount of the energy produced 'cannot be used effectively and hence there is little benefit'. Such a site would be better sited near to where excess heat could be used productively.

The problems created for the village of Warboys in terms of traffic issues, health issues and environmental pollution with little benefit are unreasonable. The energy used in the construction of such a plant would far outweigh the small amount of useable energy which could be produced in this location.

We believe this application should not be a delegated decision but should be decided at a full meeting of the County Planning Committee where all parties can express their concerns and an open discussion take place before a decision can be made.

We object to this application for many reasons quoted and urge Cambridgeshire County Council to refuse permission on behalf of the people of Warboys.

Your faithfully,

Betty Ball

Betty Ball on behalf of Warboys Landfill Action Group.

Ms. H Wass
County Planning Materials and Waste
Cambridgeshire County Council
Box No. SH1315
Shire Hall
Castle Hill
Cambridge
CB3 OAP

3/6/18

Dear Ms. Wass,

Planning Application H/5002/18/CW - Construction of a heat and power plant comprising biomass energy from waste (fluidised bed combustion) facility and treatment of waste water by evaporation treatment plant and associated infrastructure comprising tank farm, combuster with 25m high chimney, process building, store building, office building, walking floor canopy, car park, fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxiliary plant skid, high voltage transformers at Warboys Landfill Site, Puddock Hill, Warboys.

I am responding to this application on behalf of WLAG. My comments concentrate on the Development plan, the issue of need and the waste hierarchy. They should be taken together with the objections of others in relation to highways, nature conservation and leachate treatment and health risk issues.

It is concluded that the application is not consistent with the development plan and that it follows there is a need for the applicants to justify the need for the application and to demonstrate consistency with the waste hierarchy. They have not done so and there is a serious risk that the application would mean over-provision of capacity low in the waste hierarchy which would undermine material recovery/recycling, particularly of Grade B wood and/or increase transport distances unreasonably.

Furthermore the intensification of industrial development in the site at Puddock Hill would be harmful to the quality of local environment. There are no over-riding considerations which would justify the approval of the development and it is recommended that it should be refused.

Development Plan

In Cambridgeshire there is a suite of different documents which have been prepared by the district councils and the county council, which together provide the spatial planning strategy for the area. The Development Plan

- The Huntington Local Plan Saved Policies (adopted December 1995, and updated in 2002);
- The Huntingdonshire District Council Local Development Framework Core Strategy (adopted September 2009);
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (adopted July 2011); and
- The Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Development Plan Document (adopted February 2012).

This is detailed in the application and supporting statement, with reference to the relevant policies. What is notably missing from the application, however, is any commentary on how the application measures up to the policy framework - particularly on a policy specific basis. The consequence is that the applicant "skates very quickly over some very thin ice" in relation to compliance with policies. This is particularly important in relation to the failure of the applicant to demonstrate any waste management 'Need' for the proposed development.

The National Planning Policy for Waste (October 2014) states that waste planning authorities should:

"only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need".

In this case, as can be seen below, the proposals are NOT consistent with an up-to-date local plan. No need for energy for waste treatment of wood waste is identified in the application. Furthermore no need for energy for waste treatment of wood waste is identified by the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) or in the very recent (May 2018) consultation on it's replacement.

The Huntington Local Plan (December 1995)

The saved policies from this plan are longstanding but are not dated - their importance to the protection of the countryside and the environment is as great as ever.

Saved **Policy EN17** relates to Development in the Countryside and states:
"Development outside defined village environmental limits and on unallocated land outside the built-up framework of the market towns will generally be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services."

The application is clearly not in accordance with this policy as it is outside defined village environmental limits and not on land allocated for energy for

waste operations - nor is it "*essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services.*"

Saved **Policy EN25** relates to Design and states:
"The District Council will expect that new development will generally respect the scale, form, materials and design of established buildings in the locality of the application site and where appropriate make adequate provision for landscaping and amenity areas."

The proposed energy from waste plant does not respect the scale of the established buildings in the locality as it is significantly larger than the adjacent MRF (itself an anomalous feature in this landscape) and notably more intrusive by having a tall stack which breaches the skyline of the ridge when viewed from the adjacent fen.

Saved **Policy CS8** relates to Water and states:
"The District Council will require satisfactory arrangements for the availability of water supply, sewerage and sewage disposal facilities, surface water runoff facilities and provision for land drainage when considering planning applications for development."

This is important because it appears that according to the Fire Protection Plan Guidance inadequate provision has been made on the site for the storage of fire water for the site and it has not been demonstrated that the water supply is adequate to satisfy the shortfall. More detail is provided on the shortfall below.

The Huntingdonshire Local Development Framework Core Strategy (September 2009)

Policy CS1 relates to Sustainable Development and states:

"All plans, policies and programmes of the Council and its partners, with a spatial element, and all development proposals in Huntingdonshire will contribute to the pursuit of sustainable development. Reflecting environmental, social and economic issues the following criteria will be used to assess how a development proposal will be expected to achieve the pursuit of sustainable development, including how the proposal would contribute to minimising the impact on and adaptability to climate change. All aspects of the proposal will be considered including the design, implementation and function of development.

The criteria include:

- *Encouraging waste reduction and recycling;*

This has not been addressed because the applicant has not properly considered the need for the proposal or the consistency of the proposal with the waste hierarchy.

Furthermore this policy requires:

- *An assessment will be required to accompany any proposal for major development to demonstrate how the criteria have been met."*

This is a major development with potential impacts on the environment which require a mandatory environmental assessment. In spite of this no assessment has been included of how the criteria in Policy CS1 have been met.

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

Policy CS2 outlines the Strategic Vision and Objectives for Sustainable Waste Management Development
"to determine waste planning applications in the light of the principles for sustainable waste management i.e. sustainability, self-sufficiency, proximate management of waste, and the waste hierarchy"

The applicant has not provided adequate information on these issues and the proposal risks undermining sustainable waste management by incinerating materials which should be recovered for recycling, contrary to the waste hierarchy. This is particularly relevant in relation to the (unquantified) levels of Grade B wood waste it is proposed to incinerate in the energy from waste facility.

The objectives of the policy include:

- the *proximate management of waste* and *minimizing the movement of waste* - which are not secured by this application as explained in more detail below.
- safeguarding the *residential amenity of new and existing communities in Cambridgeshire* - the application is very close to the nearest residential properties and threatens serious disamenity impacts associated with traffic, noise, emissions, odour and visual intrusion

Policy CS14 says that the provision made in the plan is sufficient for local waste needs until 2026

The issues that the MWCS a planning application will need to address in order to give the Minerals and Waste Planning Authorities adequate information to be able to fully consider the proposal are given at para 11.96 and include:

- *the need for the development (in particular waste) and markets to be served*

- *type and quantity of waste to be deposited or handled at the site, including estimated annual throughput, and arrangements for the disposal of residues*

Policy CS15 relates to the location of future waste management facilities and outlines the main considerations for location of sites including:

- *the need for waste management facilities*
- *the existing network of waste management sites*
- *'Netwaste Optimal Localities' for waste management facilities*
- *new developments (including new settlements / urban extensions)*
- *employment / previously developed land*
- *environmental constraints and designations*
- *existing / planned mineral workings*
- *site availability*
- *highway capacity and safety the need to minimise the movement of waste*
- *sensitive receptors*

In this application there are serious gaps in the information required for consideration of this proposals as part of an integrated and adequate network of waste management sites. The need for the site has not been established, for example, and there is no information included in the application about the existing network of sites available for the treatment and processing of wood waste. These omissions risk undermining the waste hierarchy, increasing climate change impacts (which are lower for recycling than energy recovery) and increasing traffic impacts by increasing the distance waste are moved.

Policy CS17 relates to Waste Water Treatment Works and from the text of the plan (see s 7 is directed towards treatment works for municipal waste water discharged to sewers - para 7.38, for example, confirms that " a treatment works would receive waste water via the sewer network". The policy is not helpful to the applicant even if applied to this proposal, however as it says:
"New waste water treatment capacity, including the improvement or extension to existing works, will be considered favourably where it is required to meet the growth in Cambridgeshire and Peterborough"

This proposal has no material impact or linkage with the growth in Cambridgeshire and Peterborough and is certainly not "*required to meet the growth*" nor is there ready access to the *sewer infrastructure* as required by the policy.

The proposed site is immediately adjacent to, and partly overlapping, a waste management allocation in the plan. It is, therefore, outside the allocated area. It is also, however, rather unusual in being so proximate to the land which was considered in detail in the plan making process for waste management uses. Those considerations are therefore relevant to the current application if the plan is to be interpreted consistently.

Policy SSP W1 relates to Waste Recycling and Recovery Facilities (Non-Landfill) and allocates Puddock Hill, Warboys (Reference W1V) for waste recycling and recovery facilities. The boundary for allocation reference W1V is shown on the plan below:

The allocation is supportive of the following technologies: in-vessel composting, materials recovery facility, inert waste recycling, and new waste technologies.

The supporting statement is, however, silent on the technologies for which the allocation is not supportive:

Ref	Site Name	Area of Search	Materials Recovery Facility	Household Recycling Centre	Energy from Waste	Specialist	In Vessel Composting	Inert Waste Recycling	Inset Map No
W1V	Puddock Hill, Warboys	No	Yes	No	No	No	Yes	Yes	58

Most significantly the site was considered unsuitable for "energy from waste" uses[1].

In short, the Purdock Hill site had been carefully and thoroughly considered for suitability for different technologies as part of the plan making process and dismissed as unsuitable for these technologies. For completeness it is noted that the site was also considered and dismissed as being unsuitable for specialist operations - which are likely to include the evaporative treatment of leachates as a specialist waste management operation.

The proposal is therefore not consistent with the spatial strategy for waste management being immediately adjacent to, and partly overlapping, a site for which this type of technology was rejected.

Policy CS18 Deals with Waste Management Proposals Outside Allocated Areas and states:
Proposals for waste management development outside allocated areas will be considered favourably where :-

- *this is consistent with the spatial strategy for waste management, and*

[1] there is no doubt that this is an energy from waste facility and this is even included in the description of the application (although the SS appears to be oddly reluctant to describe the application as such - quite possibly for this reason - and only does so in the final paragraph (6.0.8): "a heat and power plant comprising of biomass energy from waste (fluidised bed combustion) facility")

- *it can be demonstrated that they will contribute towards sustainable waste management, moving waste up the waste hierarchy*

- to determine waste planning applications in the light of the principles for sustainable waste management i.e. sustainability, self-sufficiency, proximate management of waste, and the waste hierarchy

The plan did not envisage any facility of this type being necessary over the plan period - and certainly not in this location. The applicant has also failed to demonstrate the need for the proposal or to justify the waste hierarchy and proximate management of waste (requirements which are unlikely to be satisfied as described in the section on 'need' below).

Policy CS23 deals with the Sustainable Transport of Minerals and Waste and encourages the sustainable transport of minerals and waste by rail, water, conveyor, and pipelines. The proposal is not suitably located for sustainable transport.

Need and the Waste Hierarchy:

This section deals with the 'need' for wood waste management and shows that the 'need' for the proposal has not been demonstrated. There is also 'need' for the treatment of waste water and/or leachate by the proposal - and this is addressed by the submissions by Professor Lake.

Policy CS29 deals with the Need for Waste Management Development and the Movement of Waste and states:

Proposals for new waste management development or an extension of existing waste development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. To ensure that excessive provision is not made within the Plan area, which could result in unacceptable importation of waste, planning permission will be dependent upon applicants entering into binding restrictions on catchment area, tonnages and / or types of waste.

Permission may be granted for waste development involving the importation of waste from outside the Plan area where this is demonstrated to maximise recycling and recovery of waste materials and be the most sustainable option, taking into account the principle of self-sufficiency, the Regional Spatial Strategy, proximity to the point of waste arising, and the waste hierarchy.

Only the most superficial information on the type and quantity of waste to be incinerated at the proposed site is included within the planning application documentation and there is no assessment of proposal in relation to the waste hierarchy.

Furthermore no need for energy for waste treatment of wood waste is identified in the Cambridgeshire and Peterborough Minerals and Waste Development Plan

Core Strategy DPD (adopted in July 2011) nor in the May 2018 Waste Needs Assessment for the Cambridgeshire and Peterborough Minerals and Waste Local Plan consultation draft replacement.

It is very clear that consideration of need together with the waste hierarchy is an essential part of the assessment and determination of this application:

1) The Minerals & Waste Core Strategy Development Plan Document (Adopted July 2011). The MWCS says in order to give the Minerals and Waste Planning Authorities adequate information to be able to fully consider the proposal a planning application will need to address the list of requirements given in para 11.96 which include:

- the need for the development (in particular waste) and markets to be served
- type and quantity of waste to be deposited or handled at the site, including estimated annual throughput, and arrangements for the disposal of residues

2) The response from Public Health England to the proposed scoping opinion said "*Public Health England has provided general recommendations for scoping opinions which are attached as Appendix 5 to this report*". The comments made by PHE in that Appendix on the waste hierarchy were:

"Waste The EIA should demonstrate compliance with the waste hierarchy (e.g. respect to re-use, recycling or recovery and disposal). For wastes arising from the installation the EIA should consider: the implications and wider environmental and public health impacts of different waste disposal options disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated For wastes delivered to the installation: the EIA should consider issues associated with waste delivery and acceptance procedures (including delivery of prohibited wastes) and should assess potential off-site impacts and describe their mitigation" (my emphasis)

CCC did not include and specific requirement for these issues, and especially the 'need' for the facility, the source of the arisings and the markets to be served to be addressed as part of the ES but they are fundamental to a waste application - not least because the environmental impacts can vary dramatically if, for example, the proposal was to burn wood which would otherwise be recycled or the waste had to be collected from a greater distance from the site because local arisings were insufficient to meet the demand from the incinerator.

There was inadequate detail on these issues in the original application and this was not improved in the revised application.

The proposed energy from waste plant would have a capacity of 48,000 tonnes. There is no evidence that more than a fraction of this waste would be available within the 30 mile radius proposed.

The most recent CCC Needs Assessment (May 2018) indicates that existing capacity for the treatment of non-inert wood wastes include:

- East Anglian Resources Ltd, Yard 1, Benwick Rd PE7 2HD
- Waterbeach Waste Management Park, Waterbeach

Following the extension of the East Anglian Resources site, it is envisaged the annual throughput of the site will "*increase up to 50,000 tonnes per annum*"[2].

It can be seen that the two sites cover the counties very effectively spatially.

The proposed EfW plant at Waterbeach would have excess capacity for Cambridge in any case and only around 70 per cent of the 250,000 tonnes of household and commercial waste imported to the Amey site is proposed to originate from Cambridgeshire and neighbouring counties. The remaining 30

[2] East Anglian Resources Ltd Supporting Statement Proposed extension to wood waste recycling site, erection of workshop and perimeter fencing (retrospective) Benwick Road Industrial Estate Whittlesey PE7 2HD August 2016 http://planning.cambridgeshire.gov.uk/swift/MediaTemp/41187-1950958843.pdf

percent capacity would be reserved for excess waste from other Amey plants across England.

The Application Supporting statement says:

3.0.8 The facility will accept up to 48,000 tonnes of Grades B & C wood waste per annum.

The distinction between the grades is important:

Grade B waste wood consists of[3] non-hazardous waste wood from the production of wood-based panels; for example, chipboard and medium density fibreboard.

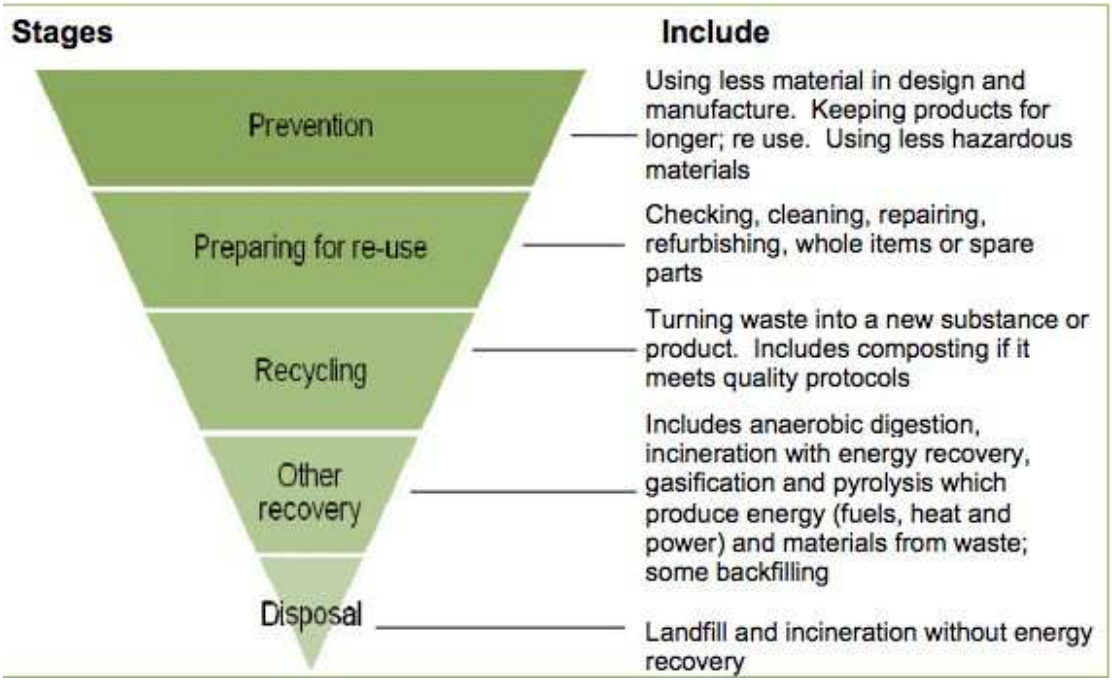
Grade C consists of[4] non-hazardous waste wood sourced mainly from construction and demolition activities, recycling centres and civic amenity sites.

The application gives no indication of the relative proportions of Grade B and Grade C wood. This is a concern because the Environment Agency confirms that Grade B wood, along with visibly clean grade C waste wood may also go to wood-based panel manufacture which is higher up the waste hierarchy than energy recovery [5]. Particular care attention must be paid to these distinctions, as application is likely to undermine the waste hierarchy.

[3] Environment Agency - Waste Wood, Quick Guide 43-17 Issued 2/3/2017

[4] Environment Agency - Waste Wood, Quick Guide 43-17 Issued 2/3/2017

[5] Environment Agency - Waste Wood, Quick Guide 43-17 Issued 2/3/2017



The waste hierarchy[6]

The importance of the waste hierarchy, grounded in Directive 2008/98/EC on waste (the Waste Framework Directive) has recently been re-affirmed by the European Commission[7] specifically in relation to wood waste:
"The Commission study found that wood waste is commonly used as a feedstock for incineration. As highlighted in the circular economy action plan, a cascading use of renewable resources such as wood, with several reuse and recycling cycles, should be encouraged where appropriate, in line with the waste hierarchy."

The SS acknowledges the status of the Waste Hierarchy in National Guidance and the responsibility of local planning authorities to ensure that it is properly implemented (para 4.1.11):

"With regards to waste, the NPPG[8] recognises the importance of moving waste up the waste hierarchy, and that this is the responsibility of both waste planning authorities and local planning authorities"

And also the role of the planning authorities emphasized in the National Planning Policy for Waste 'NPPW' (October 2014) (para 4.1.15):

"The NPPW sets out the Government's ambitions in relation to waste, and the role that planning plays in delivering these, including through delivering sustainable

[6] Defra June 2011: Guidance on applying the Waste Hierarchy

[7] European Commission COM(2017) 34 Final The role of waste-to-energy in the circular economy http://ec.europa.eu/environment/waste/waste-to-energy.pdf
[8] NPPG=National Planning Practice Guidance (6th March 2014)

development and resource efficiency by driving waste management up the waste hierarchy"

It is also a matter of fact that Waste Management Plan for England (December 2013):

"emphasises the Government's commitment to the waste hierarchy, with priority first being given to waste prevention, followed by reuse, recycling, other types of recovery (including energy recovery), and, finally to disposal"

One of the foundation principles of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document, as described above is:

"to determine waste planning applications in the light of the principles for sustainable waste management i.e. sustainability, self-sufficiency, proximate management of waste, and the waste hierarchy" (my emphasis).

The failure to address the waste hierarchy is therefore a significant and serious failing of the proposal.

And Policy CS18, also noted above, which relates to waste management proposals outside allocated areas, specifically requires that it can be demonstrated that proposals will contribute towards sustainable waste management, moving waste up the waste hierarchy".

The wood waste industry has a complex supply chain that involves numerous sectors, and is dependent on a number of interrelated factors. While wood consumption in the UK is well understood and recorded, there is limited data on the actual volume of annual wood waste arisings from the different sources e.g. local authority, commercial industrial and construction and demolition industries.

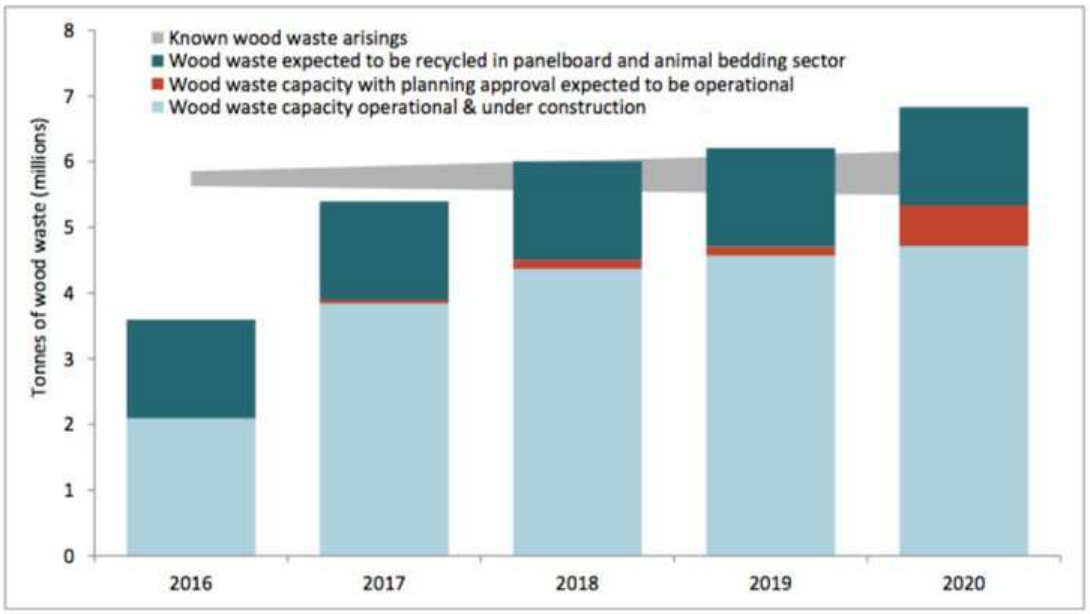
Wood wastes are being used in four primary demand sectors, namely and in the order of the waste hierarchy:
- Recycling in animal bedding;
- Recycling in panel board manufacture;
- Energy recovery in domestic wood biomass facilities;

There are also significant export markets for panel board industry (and some energy recovery) in continental Europe.

Dedicated biomass plants - both at home and abroad - have offered a growing market for recycled woodchip.

A large number of biomass plants due to take waste wood have either come online, or are expected to shortly which will very significantly increase the demand for waste wood and the capacity for energy from waste recovery of wood.

Perhaps the most comprehensive recent study on the market for waste wood is by Anthesis[9]. This shows that the capacity of energy from waste and recycling is already equal to the total tonnage of waste wood and that the capacity will exceed the supply by next year and exceed it by nearly a million tonnes by 2020:



The total energy from waste capacity over the period 2016-2020 is:

Status	Wood waste	Clean biomass	Total
Operational, and under construction for start of operation in 2017/2018	4.7	3	7.7
Planning approval received and potentially operational by 2020/21	0.8	12	12.8
Total	5.5	15	20.5

Summary of wood waste and biomass capacity in the UK (Rounded to the next Mtpa) According the Anthesis waste facility database 2016

On top of this capacity Anthesis confirms that a further 1 million tonnes of wood waste capacity has planning permission and "*might be installed in due course based on CfD, RH/ and direct CHP arrangements with energy users*".

In addition to dedicated wood energy-from-waste schemes, there is currently 1.5-2 Mtpa of multi-fuel capacity in the UK, either with a range of feedstocks or where the intended feedstock mixture ratio between residual waste, RDF and wood waste is unknown.

[9] Anthesis, 2017. The UK wood waste to energy market An Anthesis overview of today's market, and projections for the future. Published February 2017 https://anthesisgroup.com/wp-content/uploads/2017/02/Anthesis_Wood-Waste-to-Energy-Report_February-2017.pdf

Some of the large-scale wood burning energy from waste facilities in the region are listed in Appendix 1. It can be seen that there is very significant existing local capacity. Any additional capacity is very likely to divert wastes from recycling and materials recovery contrary of the waste hierarchy.

Pre-treatment:

The SS says that "*All of the wood waste will arrive to the site pre-shredded.*" This is important because on-site shredding of wood generates high levels of noise and potentially serious dust nuisance. The SS does not, however, give any indication of where the pre-shredded wood would be sourced as it clearly requires that any supplier should have shredding capacity.

3.0.9 It is the preference of the applicant to form a partnership and sign a supply contract with Woodford Recycling Ltd to take all of the waste wood generated from the existing MRF. This is estimated to be approximately 10,000-15,000 tonnes per annum. The remaining waste wood will be sourced from Woodford Recycling Ltd from a circa 30 mile radius of the site under both short and long term contracts

Whilst there may be a '*preference'* there is no indication, and certainly no guarantee, that this supply is even available or that it has been secured and would be used in practice.

Furthermore the application does not confirm how the 10-15,000 tonnes of wood waste from the MRF would be pre-treated for the incinerator. If any additional shredding capacity was needed at either the MRF or this proposed facility then there would undoubtedly be a significant increase in noise and dust from the site - a serious issue on which the ES is silent.

Visual Impacts of the Proposal:

The site is a sensitive one (as noted in Puddock Hill allocation) with three properties within 200m. The Landscape and Visual Impact Assessment indicates that:

8.2.3 Three of the viewpoints, the closest to the site are considered to experience a moderate adverse impacts initially.

The assessments are for impacts from those residential dwellings in close proximity to the development. While these impacts might be mitigated over time with a carefully designed planting scheme they will inevitably detract from the openness of the current views - and planting on and around old landfill and waste sites is often difficult to implement and ineffective in practice. This is likely to be a particular problem at Warboys with the notably high gas emission rates, the increased loading of volatile organic compounds from the proposed evaporator and the long-term groundwater contamination/leachate problems associated with the site.

It is considered that the impact of the combustor stack, which breaks the skyline of the ridge and is an incongruous and intrusive industrial element in an otherwise largely rural landscape has been underestimated by the applicant.

Fire Prevention Plan

Para 3.0.10 of the SS indicates that the wood waste storage would be in "*7 no.SS tonne open air storage bays*" - a total of 385 tonnes of wood. The capacity of each bay is marked on the drawing as 187.5m3 (consistent with the density of unscreened chip[10])

The maximum height of storage in the bays needs to be restricted to 3m to ensure that the walls operate as fire barriers.

The guidance on Fire Prevention Plans requires[11] "*a separation distance of at least 6 metres between waste piles and the site perimeter, any buildings, or other combustible or flammable materials*". It is clear from the site drawings that the bays extend to the boundary of the site and do not provide a 6m separation distance[12].

The supporting statement indicates that:

3.0.31 The Fire Water tank will be 10m long and Sm wide, and dark grey in colour.

The third dimension does not appear to be confirmed in the application but the capacity is marked on the drawing as 225 m^3 (which indicates that the depth of the tank would be c.4.5 m). This is likely to be inadequate because the FPP[13] says:

"You'll need a water supply of at least 2,000 litres a minute for a minimum of 3 hours for a 300 cubic metre pile of combustible material."

This would require a total of 120m^3/hr and thus 360m^3 for the three hours minimum operation. This exceeds the current tank capacity by 60%. The capacity of the incoming water supply is therefore an important consideration to ensure compliance with Policy CS8.

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[10] Environment Agency - Waste Wood, Quick Guide 43-17 Issued 2/3/2017

[11] https://www.gov.uk/government/publications/fire-prevention-plans-environmental-permits/fire-prevention-plans-environmental-permits#manage-waste-piles

[12] Note, however, that there is ambiguity in the fire prevention plan about whether this minimum distance at the boundary can be reduced with adequate fire protection barriers as is allowed between piles.

[13] https://www.gov.uk/government/publications/fire-prevention-plans-environmental-permits/fire-prevention-plans-environmental-permits#manage-waste-piles

Conclusions:

It is concluded that the application is not consistent with the development plan and that it follows there is a need for the applicants to justify the need for the application and to demonstrate consistency with the waste hierarchy. They have not done so and there is a serious risk that the application would mean over-provision of capacity low in the waste hierarchy which would undermine material recovery/recycling, particularly of Grade B wood and/or increase transport distances unreasonably.

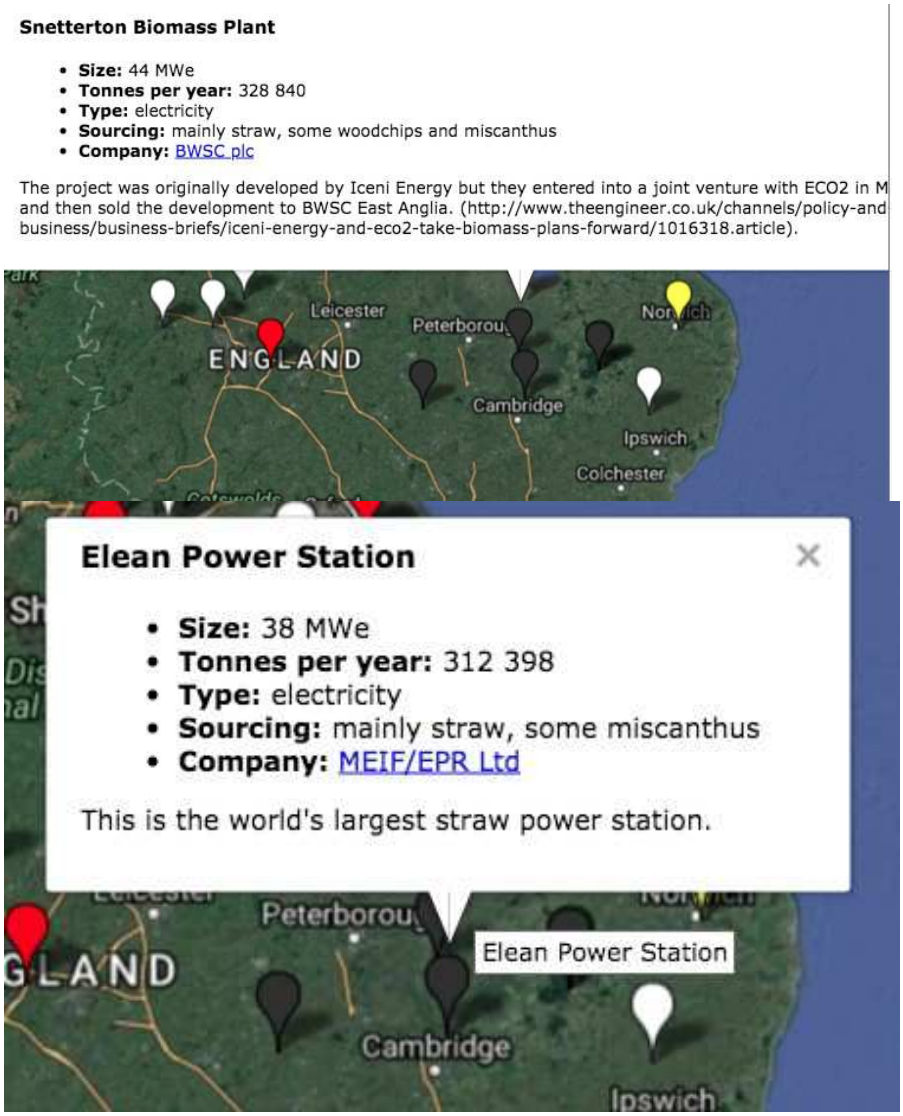
I trust that the comments and objections raised above are clear and helpful. Please do not hesitate to contact me if you require further information or clarification.

Yours sincerely,

Alan Watson C.Eng

Appendix 1

Existing large scale nearby EfW facilities taking wood waste:



Thetford Power Station

- **Size:** 41.5 MWe
- **Tonnes per year:** 457,000
- **Type:** electricity
- **Sourcing:** mainly animal bedding, some wood
- **Company:** MEIF/EPR Ltd

Goosey Lodge Biomass Plant

- **Size:** 16 MWe
- **Tonnes per year:** 84,489
- **Type:** electricity
- **Sourcing:** waste wood, meal and bone meal
- **Company:** Wykes Engineering Co.(Rushden) Ltd.

This is a biomass and bioliquid plant (see Biofuel power plant map for bioliquids details)

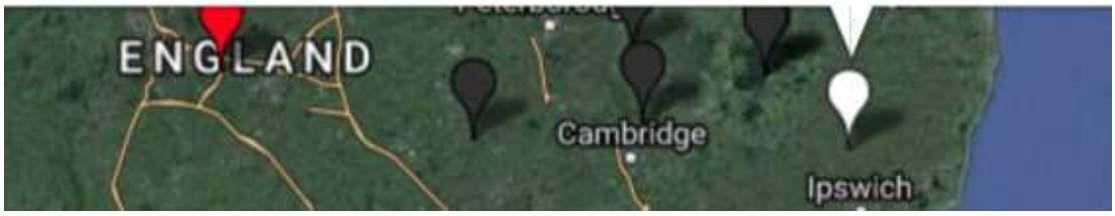
- **Size:** 4.5 MWe
- **Tonnes per year:** 49,000
- **Technology:** pyrolysis
- **Sourcing:** waste wood + C&I waste
- **Company:** Energy 10

Planning consent for an ACT plant was previously granted in 2007 but the scheme was abandone
then involved (Pure Power Energy), which is now in liquidation.

Mendlesham Renewable Energy Plant

- **Size:** 40 MWe
- **Tonnes per year:** 328 840
- **Type:** electricity
- **Sourcing:** straw and wood
- **Company:** Eco2 Biomass

http://www.planningresource.co.uk/news/1192183/developer-considers-appeal-
http://www.eadt.co.uk/business/farming/mendlesham_biomass_battle_hots_up



Warboys Landfill Action Group

Betty Ball
1 Fenton Road, Warboys,
Cambs, PE28 2SD
3 June 2018

Planning Application No H/5002/18/CW

Extra 2 objections

Dear Sir/Madam

I wish to add the following objections to the proposed planning application for a CHP plant at Warboys Landfill Site on behalf of Warboys Landfill Action Group. This letter should be read in conjunction with the previous submissions dated 1 Feb 2018 and 9 Feb 2018 by WLAG.

Need for the Warboys Proposed Plant.

In Chap 1 of Environmental Statement under Site Selection 1.4.2 it states that potential sites were screened by:

No competitors within a 30 mile radius.

And only Warboys and Fordham were found to be acceptable on this criteria. Sycamore are involved with Crowland Biomass, only 20 miles away from Warboys which has planning permission for a biomass facility burning waste wood and a water treatment facility. Many of the sites which Warboys expects to supply inputs would be diverted to Crowland. This reduces the 'need' for the Warboys plant.

Local Availability of Leachate for the Evaporator Unit

A freedom of Information Request on the annual production of Leachate within 30 miles of Warboys listed nine sites and the quantity of leachate disposed of offsite totalled a volume of 47,162 tonnes. This is well short of the 68,000 tonnes required. Of the sites listed only Witcham Meadlands Site is listed as Hazardous. The Warboys Site which contains 250,000 tonnes of Hazardous waste within it however is not listed as Hazardous.

The applicant insisted in a meeting with Warboys Parish Council that everything there and leaving the site was non-hazardous. This is unbelievable to local people and the confidence of the applicants in stating this gives grave concerns as to their ability to deal with such dangerous substances. Historically we know that substances were put into the site without the Operators knowing what they were and we were told the waste was too dangerous to remove. The individual substances in the site is one thing - the cocktail of such substances being mixed and circulated within the site is frightening!!

Proximity of Receptors (People!)

The distances of the proposed sites from the nearest homes are used in the comparison between Warboys and Fordham. The closes receptors at Wingate, Old Railway Tavern and Woodview are quoted as 240m, 230m and 170m yet we believe them to be 140m, 130m and 85m - significantly less than quoted. These erroneous figures have also been used in evaluating the nuisance caused by Noise and Odour. People living near the site quote surveys on Noise being done whilst normal machinery was not being operated on the site giving false data.

Lack of Data - Applicants Over Confidence!

Of the many concerns at this site the over riding one is the fact that the proposed system of evaporation is **UNTESTED** and there is a lack of factual data on the emissions from the process. The operator is very confident - over confident - that fingers crossed it will all be well. I refer to the claims in the Environmental Statement Chap 4, with little justification, the applicant has faith that:

4.1.5. "The main pollutants from the WWTP are ammonia, sulphides, volatile organic compounds (VOCs) and odours that may be released from the evaporation plant. The **assessment is based on the assumption** that the wastewater will be pre-treated to control the release of these substances through the evaporation process."

4.6.2 "Using the EA's 'case - specific' methodology, the process contributions of all metals **are**
predicted to be of minor adverse significance or less. … The emissions from the proposed installation **are predicted** to comply with all Air Quality Objectives, Limit Values and EALs. Levels of

4.2.5. "… There is **insufficient operational experience** of the WWTP to determine if the odour from the evaporation process is highly offensive or moderately offensive."

The application says little about the reliability of filters to remove particles, toxins and odours from the emissions from the evaporator. Enquiries about the capacity of these filters, to result in the clean air leaving the chimneys which the applicant has faith in, have shown that they have limited impact and in certain climatic/humidity conditions their efficiency is greatly removed. The evaporator is proposed to operate 24/7 in all weather conditions.

At this time, we are well aware that the tragic disaster at Grenfell was due to the failure of
materials, which were untested, were imposed upon this community. Even after the disastrous consequences those responsible are offering up more 'untested materials' to be used in the same

In conclusion, there is too much which is unknown, untested, unproven about this application and we urge you to refuse this application.

Betty Ball

on behalf of Warboys Landfill Action Group

Agenda Item No. 4

IMPORTATION BY RAIL AND DEPOSIT OF INERT RESTORATION MATERIAL TO RESTORE FORMER CLAY AND CHALK QUARRY

AT: Barrington Quarry, Haslingfield Road, Barrington, CB22 7RQ

LPA REF: S/0204/16/CW

FOR: Cemex Materials Ltd

To:	**Planning Committee**
Date:	**6 September 2018**
From:	**Assistant Director Environment & Commercial**
Electoral division(s):	**Gamlingay; Sawston & Shelford**
Purpose:	**To consider the above planning application**
Recommendation:	*That planning permission be granted subject to the completion of a S106 planning obligation and the conditions set out in paragraph 9.1*

Officer contact:	
Name:	Helen Wass
Post:	Development Management Officer (Strategic & Specialist Applications)
Email:	Helen.wass@cambridgeshire.gov.uk
Tel:	

1.0 BACKGROUND

1.1 The cement works at Barrington was established in 1918 and the plant substantially extended in 1962. The Barrington Light Railway (BLR), built to connect the cement works to the main line at Foxton opened in 1927. Land to the north of the cement works was for many years quarried for chalk for use in the cement manufacturing process. Planning permission for quarrying the chalk was first granted in 1948 with planning permissions for extensions in 1950 and 1957. The quarrying permissions were subject to conditions imposed following statutory reviews in 1993 and 1997 and are only extant insofar as they include restoration obligations. Parts of the quarry void have been infilled with cement production wastes, capped by overburden (rock or soil which overlay the mineral deposit) and soils with two areas now restored to arable agricultural use.

1.2 Cement manufacture and associated quarrying stopped in November 2008 when the applicant company decided to concentrate its UK production at other sites. Small amounts of chalk known as clunch were still being quarried for use in building restoration projects.

1.3 In August 2011 planning permission ref. S/01080/10/CW (the 2011 permission) was granted for the importation by rail of inert and non-hazardous restoration material to partially infill the void to provide for the restoration of the western part of the quarry to a combination of agriculture and nature conservation (see agenda plan 1). The permission also allowed the refurbishment of the BLR. The development was to be completed within 5 years and the planning permission will expire on 31 December 2018. Cemex had estimated that it will take until September 2019 to achieve the restoration profiles approved under the 2011 permission. However, due to the short remaining duration of the current planning permission Cemex are finding it difficult to secure contracts and operations were suspended in mid-July.

1.4 In October 2016 South Cambridgeshire District Council (SCDC) granted outline planning permission (ref. S/2365/14/OL) for the demolition of the cement plant and buildings and the redevelopment of the cement works site to provide up to 220 residential units and associated works including a cycle and pedestrian link alongside the BLR to Foxton station. It is proposed that houses will be built on both sides of the railway line within the former cement works area (see agenda plan 1). Applications for the approval of the reserved matters are currently being considered by SCDC.

2.0 THE PROPOSAL

2.1 It is proposed to import only inert construction and demolition material to the site by rail, to provide a source of material to complete the restoration of the quarry (see agenda plan 4). The scheme includes most of the 2011 permission area and would extend the area that would be filled across most of the remaining quarry void. The 2011 scheme would have restored the western part of the quarry to some way below original ground level. The current application proposes that the pre-quarrying contours would be reinstated and the land restored primarily to chalk downland with, amenity/meadow grassland, woodland and hedgerows. A small area at the northeasternmost part of the quarry would remain in its existing condition to preserve

access to the geological Site of Special Scientific Interest (SSSI) which features the last remaining exposure of Cretaceous "Cambridge Greensand". The railway tracks would be removed.

2.2 Infilling the quarry with imported inert construction, demolition and excavation waste

- Site area: 69.3 hectares (171 acres)
- Void space: 8.5 million cubic metres
- Annual throughput of waste: 1.08 million tonnes
- Duration of importation of waste: 15 years + 2 years restoration
- Transport: by rail via the BLR
- Rail wagon off-loading: by excavator into dump truck between 0600 – 2200 Monday to Friday (excluding bank and public holidays)
- Infilling operations and restoration work: 0600 – 2200 Monday to Friday (excluding bank or public holidays)
- Phased working with progressive restoration starting north of North Pit, working clockwise and finishing at the end of railway line (see agenda plan 2)

2.3 Train movements

- Maximum 4 in and 4 out of the quarry per day (not weekends or bank or public holidays)
- Average no more than 3 in and 3 out per day (calculated over working days in a calendar month)
- No trains enter Foxton sidings from the mainline at any time before 0530 hours
- No trains enter Foxton sidings from the mainline between 0530 and 0700 hours until noise mitigation measures have been agreed with the WPA
- No locomotives older than Class 59 (1985 – 1995) will enter Foxton sidings before 0700 hours
- 0700 to 2000 hours Monday to Friday (except bank holidays) trains will use the BLR
- 2000 to 2200 hours – trains may not use the BLR but may leave Foxton sidings to enter the mainline
- After 2200 hours – No train movements
- The locomotive will not operate on idle for more than 30 minutes

2.4 Quarry Restoration

- Importation by road of 1,200 tonnes (60 HGV loads) of organic restoration material
- Completed within 2 years of cessation of importation of waste
- Creation of 43.4 hectares (107 acres) of calcareous grassland
- Creation of 7.1 hectares (17.5 acres) of native woodland and 2.6 hectares (6.42 acres) of scrubby woodland
- Creation of 3,210 metres (3,510.5 yards) of hedgerow
- Aftercare for 20 years
- New permissive footpath to link the proposed Barrington to Foxton cycleway with existing public footpath along the northern boundary of the quarry
- Retain geological SSSI exposure to provide access for future study

3.0 PROCESS AND PUBLICITY

3.1 The application was submitted on 23 December 2016. The scale, location and potential impacts of the proposed development are such that it is environmental impact assessment (EIA) development and the application was accompanied by an by an environmental statement (ES) under the Town and Country Planning Environmental Impact Assessment Regulations 2011. The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice in the Cambridge News on 16 January 2017 and 5 notices erected around the site. The occupants of the houses closest to the site and BLR were notified by letter.

3.2 During 2017 the applicant addressed concerns raised by consultees relating to surface water drainage, ecology and noise and on 5 June 2018 submitted further information on those aspects of the proposed development. This information was advertised in accordance with the Town and Country Planning Environmental Impact Assessment Regulations 2011 by means of a notice in the Cambridge News on 15 June 2018 and notices in the same 5 locations around the site. Organisations and individuals who had commented on the original proposal were invited to give their views.

4.0 THE SITE AND ITS LOCATION

4.1 The village of Barrington is 10 kilometres (6.21 miles) southwest of Cambridge between the A603 and the A10. The eastern edge of the village forms part of the outer boundary of the Cambridge Green Belt. The village is within the East Anglian Chalk Countryside Character Area. The quarry is to the north of the village. It is a large site, the area that was covered by the planning permissions for mineral extraction being 135 hectares (334 acres). The former cement works is situated at the south east of the site but the northernmost quarry faces are closer to the villages of Harlton and Haslingfield than Barrington. The cement works and quarry void are surrounded by agricultural land. There are public footpaths along the northern and western perimeters of the quarry.

4.2 Access to the site is from the C class Haslingfield Road. The village of Barrington is served by C class roads from the A603 at Orwell and the A10 at Shepreth and Foxton. The quarry and cement works have been served by the BLR, which has linked the site to the main line at Foxton, since 1927. For part of its 2 kilometre (1.24 mile) length the BLR is bordered by the houses on Bendyshe Way, Malthouse Way, Heslerton Way and Glebe Road. There are level crossings at Haslingfield Road, Glebe Road and Foxton Road and a viaduct carries the railway over the river Rhee which is the boundary between the parishes of Barrington and Foxton.

4.3 The closest existing residential property to the proposed development area is Wilsmere Down Farm, 230 metres (251.53 yards) to the south west of the first phase of proposed landfill. The houses on Haslingfield Road north of the church are approximately 900 metres (984.25 yards) from the southernmost areas of proposed landfill. The closest of the proposed new houses would be approximately 200 metres (218.72 yards) from the nearest (final) phase of the proposed landfill.

4.4 The Eversden and Wimpole Woods Special Area of Conservation (SAC) is approximately 3.6 kilometres (2.24 miles) west of the proposed development area.

The northern part of the quarry and adjacent land to the west and east is designated as the Barrington Chalk Pit SSSI. The River Rhee which is crossed by the BLR is a County Wildlife Site (CWS). The northernmost part of the Barrington Conservation Area is around the church and Barrington Hall some 900 metres (984.25 yards) from the proposed landfill area. There are 8 listed buildings in this part of the conservation area including Barrington Hall, the church and the war memorial. The closest scheduled monuments are in Haslingfield, north of Harlton and between Foxton and Harston.

5.0 CONSULTATIONS

South Cambridgeshire District Council (Environmental Health) (9 August 2018)

5.1 Since originally commenting on this application there have been a number of clarifications to the standards to be applied with regard to establishing noise limits applicable to the operation of the quarry infilling and operation of the trains associated with this work. It has now been established that the Planning Practice Guidance Minerals (PPGM) applies to the site and development. As such it is now confirmed that BS4142: 2014 does not apply and is expressly excluded by the Standard itself.

5.2 The use of the HS2 train noise limits are not considered suitable to be used for this site as the noise from train passes is likely to be of a different character and frequency (dictated by the speed) and not comparable. There remains concern about the reliance on operational controls, such as turning off locomotive engines at the sidings and these mitigation options cannot be relied upon.

5.3 The use of the noise limits proposed in Section 5.1 of Appendix A of the ES for the permitted housing i.e. 45 dB LAeq 1 hr as the Lowest Observed Adverse Effect Level and 55 dB LAeq 1 hr as the Significant Observed Adverse Effect Level is agreed. The evening and night time quarry noise limits are 42 dB LAeq 1 hr.

5.4 It has been shown that the impacts from train noise now affecting existing housing are within existing limits except for Wilsmere Down Farm, which are significantly higher although this will be for a limited duration and only when activities are occurring near the boundary of the site. It is accepted that the provision of a bund to screen from the noise may introduce more issues due to its construction compared to the actual impacts likely to be experienced at this location in the long term.

5.5 The comments made in the 10dB Acoustics, Environmental Statement Review dated 3rd July 2018 produced by Gordon Brown regarding the significance of impact from the proposal as a result of the branch line are noted and supported. This is in line with previous correspondence provided by SCDC. Claims of "unreasonable burden" have not been adequately demonstrated in relation to the provision of the screening or cost benefit of other mitigation required, to provide protection to nearby residential properties as a result of train movements at the Foxton sidings.

5.6 Without mitigation significant noise impacts will also result at the proposed housing development. The applicant’s noise assessment makes reference to the proposed housing development and assumes the initial development and Phase 1A of the

extended infill will be completed prior to the occupation of the nearest houses. However, there is no guarantee this will occur in reality. SCDC is concerned that adequate mitigation cannot be provided for the permitted housing development and therefore about the practicality of allowing the residential development to be occupied whilst the quarry infill activities are still ongoing. The layout of the houses has not been decided. Cemex state that they will collaborate with the housing developer and suggest that the required noise levels will be met. However, there is a "chicken and egg" situation developing where it is also suggested that the proposed layout will be dependent upon the noise levels and mitigation required for the railway noise.

5.7 In view of the above, there is concern over this proposal particularly given the length of time this activity is proposed to last i.e. 15 years. This will impact on existing residential properties and also the proposed housing development once occupied.

Barrington Parish Council (20 July 2018)

5.8 Barrington Parish Council considers that:

- Current planning conditions that apply to the rail operations between Foxton Siding, through Barrington and to the site should be properly enforced and future conditions in relation to noise should be no less onerous and should have a view to preserve the amenity of residents along the track. Reaching the SOAEL [significant observed adverse effect level] is unacceptable.

- Strict adherence to the agreed number of movements, no stopping alongside residential properties, adherence to speed limits, and adherence to air quality and noise standards is required.

- The negative impact of planned operations upon the amenity of Barrington residents and likely future residents at the Redrow housing site on Haslingfield Road is a major concern. Consideration should be given to further restricting, not relaxing the timing and number of train movements.

- The viability of the applicant / operator's proposed long-term approach to restore the former quarry and the need for a re-assessment. Consideration should be given to reviewing the agreed timescale for restoration. In other words, a longer, but better planned and operated filling and restoration may be required.

- BPC recognises the importance of the quarry as a local, regional and national resource. The County Council should ensure that it secures access to a supply of clunch for local restoration works on significant historic buildings.

Foxton Parish Council (27 June 2018)

5.9 No objections to this application but make the following comments. The CCC Planning Officer has stated that this application does not include proposals to increase the number of trains beyond that proposed when planning application S/0204/16/CW was initially submitted. Currently the quarry is restricted to accepting no more than three loaded trains per day. The Company does not, as part of the

development proposed, seek to deviate from this as a calendar monthly average, but does seek to accept no more than four trains per day on any given day. This additional flexibility will allow the Company to better manage peaks and troughs in demand. Will the 4th train be running outside of peak hours i.e. 22.00 to 0600?

Haslingfield Parish Council (26 January 2017)

5.10 Are concerned about the proposal for the following reasons:
• The proposal to run waste water directly into the River Cam could possibly raise the water levels in the low-lying areas of Haslingfield, particularly affecting the houses off Harston Road that back onto the river. Could this also pollute the river?
• The timing and frequency of the trains was a concern, and allowances must be made for Haslingfield villagers using this route to get to, particularly, Foxton, Shepreth and Royston Railway stations during commuter times.
• That 1,200 tonnes of topsoil are to be brought in by road rather than rail.
• Dust control proposals which only cover the internal haul road but not the actual tipping and spreading of waste.
• The nature of what 'inert restoration materials are.

Harlton Parish Council (no comments received)

Environment Agency (24 January 2017 & 25 June 2018)

5.11 Has no objection in principle to the proposed development but has the following recommendations and informatives.

5.12 *Flood risk* - As this site is located entirely in Flood Zone 1 there is no objection, in principle, to this proposal on flood risk grounds. However, the applicant should be aware that a Flood Risk Activity Permit will be required for the installation of a larger outfall (physical structure or flow rate m3) into the River Cam/Rhee, and may be required for other works near the river. Under the terms of the Environmental Permitting Regulations (EPR), a permit may be required from the Environment Agency for any proposed works or structures within the floodplain or in, under, over or within 8 metres (8.75 yards) from the top of the bank of the River Cam, which is designated a 'main river'.

5.13 *Environment Management* - Any new discharge of surface water from settlement ponds to the watercourse may require an environmental permit or need to be incorporated into the existing environmental permit for the site. The issue of water quality from the discharge can be considered as part of the pre-app discussion relating to the permit and the site boundary. The following condition is recommended:

Condition 1. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

5.14 *Conservation* - It should be ensured that the December 2016 Restoration and Outline Aftercare Scheme is followed. This should include ecological monitoring to

ensure that wildlife is thriving and appropriate action to be taken if any issues are found. Connectivity between the site and the wider countryside should be ensured where possible. This will create wildlife corridors encouraging species to move through the countryside and allowing populations to expand. Article 10 of the Habitats Directive stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats and promote the expansion of biodiversity. Further opportunities for habitat creation and enhancement should also be sought. The National Planning Policy Framework paragraph 109 [now at paragraph 170 of the July 2018 NPPF] recognises that the planning system should aim to conserve and enhance the local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

5.15 The assessment of the discharge of water into the River Cam does not take into account potential effects on the fish present in the river. The fish species include brook lamprey, brown trout and eels. Although if the discharge water is clear of suspended solids, as required, there may not be adverse effects on these species. They should still be considered and assessed in the ecological impact assessment.

5.16 *Installations* - The proposed activity is an extension of that already being undertaken to restore the site which includes an environmental permit for the importation and deposit of inert waste material by landfilling. The planning application boundary, as submitted, exceeds the current permit boundary. The proposed activity will require either a variation to the existing permit to accommodate the additional area of landfill or a new separate permit to cover this area.

5.17 *Groundwater* - The applicant should be aware that appropriate Construction Quality Assurance (CQA) proposals, supervision and validation will be required for construction of the new phases and restoration. The Applicant is advised that the CQA plan should include details which will need to be approved by the Environment Agency of the methodology to demonstrate the physical and chemical suitability including chemical testing for all material to be reused (i.e. overburden) or imported before placement onto the site, particularly in the construction of the artificial geological barrier.

5.18 *Waste Planning* - The use is for imported inert material consisting of non-hazardous [whilst the 2011 permission allowed the importation of non-hazardous waste, the current proposal is for inert waste only] construction and demolition material, currently sourced from North London. It is to be used in the restoration of the quarry to create a chalk down land landscape, whilst retaining and enhancing a section of full quarry face exposure as is stated in the consultation. The Company is already importing inert restoration material by train to effect the partial restoration of the former quarry (planning permission ref. S/01080/10/CW).

5.19 If the applicant is successful in their application it is imperative that the use of imported inert waste should not contain contaminants that can cause environmental harm. It is noted that the applicant has stated that the customer will need to sign a form declaring that the material is suitable for use. Therefore the inert waste should be subject to testing to ensure that it is fit for purpose and that the sources of waste are from legal sites and transported by licensed waste carriers. Records should be maintained so as to log all sources. The applicant has stated that samples will be

taken from the receiving waste and any unsuitable material will not be accepted and the material removed for disposal at an appropriate facility. They have also stated that they will take no more loads from that source until further testing has been undertaken. To this end it is essential that all loads should be monitored and checked with contaminated loads being rejected and removed off site to permitted disposal sites. The applicant should be aware of the Duty of care with regard to waste materials and should ensure that they would fully comply with this.

Natural England (1 February 2017, 19 June 2018 & 15 August 2018)

5.20 *European sites – Eversden and Wimpole Woods Special Area of Conservation (SAC)* - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Eversden and Wimpole Woods Special Area of Conservation and has no objection to the proposed development. Eversden and Wimpole Woods is designated as a SAC under the EC Habitats Directive (as amended) as it supports a maternity roost of barbastelle bats, an Annex II species. Barbastelles are known to forage up to 20 kilometres (12.43 miles) from their roosts, hence any impacts on suitable foraging habitat must be considered in the context of the potential for this to provide supporting habitat to SAC species. The EcIA (Andrews Ecology, December 2016) has considered the net effect of the proposed infilling and restoration scheme on potential suitable bat foraging habitat, based on previous bat survey work carried out for this proposal. This has identified no residual negative impact in respect of barbastelle and the Eversden & Wimpole Woods SAC & SSSI, noting an overall net gain of 2.99 hectares (7.39 acres) foraging habitat for the species.

5.21 *Barrington Chalk Pit Site of Special Scientific Interest* - The site is notified for its nationally important geological interest, being the last remaining exposure of the famous Cretaceous 'Cambridge Greensand'. Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. Natural England is generally satisfied with the proposals for the geological features as these reflect details of discussions with the applicant in 2015. An extensive and physically accessible exposure will remain after restoration, and a stockpile of Cambridge Greensand will also be available. Detailed proposals for re-establishment of geological exposures, drainage and access arrangements should be submitted and agreed though a suitably worded planning condition.

5.22 The Geological Conservation Issues report (Richard Small, 11 November 2016, for CEMEX) notes the need for a groundwater sump within the conservation void. The report states that it may be feasible to sustainably pump out such ponded water, by utilising solar and/or wind power generation. It is clear from section 9.3 Hydrogeology) that groundwater levels will rise since de-watering will have ceased. The need for pumping is also recognised at 4.2 of Appendix G. Given the apparent ambiguity with regard to the proposed treatment of any significant ingress of water from groundwater sources within the conservation void, we advise that you request further detail from the applicant to clarify how this will be satisfactorily addressed.

5.23 *Wider biodiversity* - The EcIA has been used to inform Chapter 8 Flora and Fauna of the ES and draws on previous detailed survey work undertaken for this proposal. It

provides a generally quantitative assessment focusing on habitat losses and gains and this is used to assess the likely impact of the proposal on species associated with those habitats. The EcIA is based on 'reasoned assessment' rather than detailed ecological surveys as it is believed that the presence of species can be managed within the scheme proposed. Given the potential for adverse impacts on a number of protected species, Natural England advises that the applicant be required to submit further detail regarding proposed mitigation measures.

5.24 The EcIA suggests there will be some direct negative impact (mortality/injury) on bat roosts (in addition to foraging habitat), badger, nesting birds and other species. Detailed measures to address impacts have not been provided hence it cannot be determined whether these can be adequately mitigated. Natural England advises that the applicant be requested to submit detailed mitigation measures, including details of any licensing requirements, sufficient for your authority to determine that the development will not have an adverse effect on protected species. This information should be sought prior to the application being determined.

5.25 A number of surveys have been undertaken for Red Data Book species, including fairy shrimp, a Wildlife and Countryside Act 1981 (as amended) Schedule 5 species. The surveys did not record the presence of these species within the site hence the need for further consideration has been scoped out of the EcIA.

5.26 It is acceptable that details of all ecological mitigation, compensation and enhancement are to be provided through the Ecological Management Plan (EMP), prior to commencement, as stated in the ES. Natural England advises that this should include a detailed programme of ecological monitoring. The Ecological Management Plan (Andrews Ecology, December 2017) appears to include adequate safeguards, including requirements for pre-commencement survey /mitigation, to ensure no adverse impact to bats, badger, nesting birds and other species. It is helpful to know that the Council's ecology officer is satisfied that wider biodiversity measures have been satisfactorily addressed.

5.27 Natural England is generally supportive of the proposed restoration scheme detailed in the submitted plans and the Restoration and Outline Aftercare Scheme (December 2016). Creation and restoration of a number of UK and local BAP priority habitats, including chalk grassland, will deliver significant biodiversity enhancements and benefit a range of locally important species. However, the scale and nature of this proposal should aim to deliver greater benefits for ecology and should seek to provide net biodiversity gain in accordance with paragraph 109 of the NPPF [now paragraph 170]. The applicant should consider how the proposed development can contribute additional areas of priority habitat creation and connectivity to off-site habitat, to further benefit people and wildlife. We advise that the applicant be requested to provide an extended aftercare programme for the site, beyond the currently proposed five year period. Confirmation of the site's long-term contribution towards a high quality environment for people and wildlife should be sought. Details of the revised restoration scheme, aftercare strategy, ecological monitoring scheme and long-term management should be provided and agreed with relevant parties through an appropriately worded planning condition.

County Wildlife Trust (8 February 2017 & 15 August 2018)

5.28 The thorough quantitative assessment of habitat losses and gains and impacts on protected species in the EcIA report is welcomed as are the restoration proposals including the creation of large areas of priority habitat. The Restoration Outline Aftercare Scheme is supported in general and there are no specific comments on protected species or habitat creation methods.

5.29 The proposed 5 years of aftercare management currently proposed is not long enough. It is noted that restoration of the adjacent area to agricultural grassland was approved with a 5 year aftercare plan. However, research shows that significantly more time is required in order to create high quality priority habitats that will persist in the long term. For example, a summary in the Defra technical paper on biodiversity offsetting (March 2012, see appendix 2) states that timescale to restore chalk grassland is 50 -100 + years (as compared to 1-20 years for eutrophic, i.e. agricultural, grasslands). As existing areas of priority and locally important habitats would be lost through the proposals, a robust aftercare scheme with clear management, monitoring and reporting arrangements will be required to ensure the new habitat creation is successful and to ensure the proposals deliver a net gain in biodiversity, in line with local and national planning policy. We therefore suggest a fully funded aftercare scheme (including management, monitoring and reporting arrangements) covering 25 years, is secured through the use of appropriate planning conditions and if necessary a S106 planning agreement.

Network Rail (21 February 2017)

5.30 No objection or further observations to make.

University of Cambridge (No comments received)

Cambridge Airport (No comments received)

10dB Acoustics (independent noise and vibration consultant for CCC) (3 July 2018)

5.31 *Conclusions* - Following the advice of Counsel it is clear that the noise impact of the quarry site should be judged against the standards in PPGM, as the guidance used in assessing the original application for infilling has either changed or been superseded.

5.32 Comparing the predicted noise levels with the limits contained in the PPGM it is concluded that the noise impact of activities within the quarry is not likely to result in significant adverse impacts to the majority of existing dwellings. One property, Wilsmere Down Farm, is likely to experience adverse noise impacts from infilling activity for at least part of the restoration scheme, but this will be for a limited duration and it is likely that the construction of a mitigation bund would cause a greater degree of disturbance.

5.33 The issue of noise affecting the permitted residential development requires consideration by the SCDC planning authority as they will determine the reserved matters application.

5.34 Judged against the limits given in PPGM, noise from train movements on the branch line is likely to cause a significant adverse noise impact for those dwellings that are adjacent to the line for the duration of the infilling operation, and there will be adverse impacts at other properties.

5.35 Activities at Foxton Sidings during the night have the potential to cause adverse impacts and require control.

5.36 Groundborne vibration levels will increase to a marginal extent if the maximum number of trains using the railway line is increased from 6 to 8, but the limits imposed in the original infilling consent will be met. As these limits are based on a current British Standard they are considered to be the correct limits for this development.

The full report prepared by Gordon Brown of 10dB Acoustics is included as Appendix 1.

CCC Transport Assessment Team (24 July 2017)

5.37 This application is for extending the importation of restoration material at Barrington Quarry for an additional 15 years. The application shows that there may be an additional train movement, up to 4 per day instead of the existing maximum of 3. However the overall average of 3 trains per day per month will not change. The TA looks at the associated traffic impact and demonstrates that this will not have a severe impact on the local highway network.

5.38 This application must not prevent or hinder the construction of the pedestrian/cycle route from the approved 220 dwelling application site. This route is under the terms of the Section 106 Agreement to be provided prior to the first occupation of any dwelling and its construction and use is a key element in the process of making the proposed housing development acceptable on sustainability grounds.

5.39 In conclusion having reviewed the transport assessment information attached to the application there is no objection to this development subject to the above.

CCC Highways Development Management (11 January 2017)

5.40 The Highway Authority seeks that within the application documentation that it is made explicit that the proposed importation of material over the fifteen year period will not prevent or hinder the construction of the pedestrian/cycle route from the approved 220 dwelling application site. This route is under the terms of the Section 106 Agreement to be provided prior to the first occupation of any dwelling and its construction and use is a key element in the process of making the proposed housing development acceptable on sustainability grounds.

5.41 No details of why the last 1,200 tonnes of organic material cannot be imported by rail is given and such information should be provided.

Peterborough City Council Wildlife Officer (27 July 2018)

5.42 The Environmental Management Plan (December 2017 v.2), Final Restoration Plan (November 2017) and Aftercare Scheme (Rev A November 2017) adequately address concerns previously raised including those raised by Natural England relating to wider biodiversity. The development should be carried out in accordance with these documents and with drawing no. BARRIT24 "Outline Woodland, Shrubby Block and Hedgerow Planting Details Plus Conservation Headland Strips" (June 2017) along with the supporting document in respect of the benefits to Turtle Dove, detail of plant species lists, clarification on the volume of restoration material, and a commitment to a longer 20 year aftercare period.

5.43 It will also be important to ensure there is a mechanism in place to require an annual ecology meeting with the applicant (November is suggested in the EMP) to agree all protected species measures required in the coming year, and that any revisions to the EMP are submitted to the planning authority for approval prior to their implementation the following year.

5.44 It is noted that water discharge into the River Cam CWS will be monitored in accordance with the Environment Agency discharge permit and based on this fish are unlikely to be negatively affected by the development.

CCC Flood and Water Team (28 June 2017 & 18 June 2018)

5.45 With the submission of additional details to clarify the drainage proposals the applicant has addressed the matters raised on 8 February 2017. The discharge rate to the River Cam has been reduced to an acceptable rate, infiltration testing has been undertaken at Catchment 5 and all modelling has been updated to incorporate a 40% climate change allowance. Based on the above there is no objection. The following condition is recommended.

Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Technical Note: MicroDrainage modelling results June 2017 prepared by CEMEX UK Operations Limited in addition to the Flood Risk Assessment (FRA) prepared by JBA Consulting (ref: 2015s3432 Final Report V3) dated 20th December 2016, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details before the development is completed.

CCC Historic Environment Team (24 January 2017)

5.46 The site has been previously worked and no archaeological assets will survive within the development area.

Bendyshe Way Residents' Association (BWRA) – (14 August 2018)

5.47 Object to the application on the grounds of noise. They:

- challenge some of the data provided by WBM for Cemex;
- agree with most of 10dB Acoustics' analysis and his conclusion that the residents of dwellings adjoining the railway line will continue to be subjected to Significant

Observable Adverse Effect Levels (SOAEL) unless some form of mitigation is applied;

- question why mitigation is proposed for Wilsmere Down Farm but not the Bendyshe Way area;
- consider that train activity which commenced in July 2016 has been a distressing experience for residents of Bendyshe Way and, now that the period sought is essentially unlimited, greater consideration should be given to reducing the hourly limit to below the SOAEL, or to reducing the frequency of occasions on which SOAELs take place.
- consider careless shunting activities to be the principal cause of brake squeal and consequent noise levels far above those envisaged by CCC;
- believe that CCC should apply some sort of recourse against incidents which produce excessive noise. The affected residents are willing to keep a log of extreme events and to report them to officers directly. Such a log would note both braking events and also excessive speed;
- believe that the project will not be complete in the proposed 15 years;
- ask that the project be limited to 2 loads per day to reduce the number of occasions on which the trackside residents of Bendyshe Way are subjected to SOAEL events and the number of occasions when vehicles travelling on the A10 at Foxton will be subject to the delays caused by the freight train movements; and
- ask that either the allowable hourly noise is reduced to WHO recommendations or the number of occasions on which residents are subjected to SOAELs is reduced.

5.48 The BWRA has submitted a petition signed by all 27 households on Bendyshe Way, 44 households on Glebe Road, 8 households on Heslerton Way and 5 households on Malthouse Way strenuously opposing the proposal to increase the number of train movements to a maximum frequency of 8 per day under any circumstances.

Individual representations

5.49 Representations have been received from 8 local households, the locations of which are shown on agenda plan 3. One included a petition signed by 6 further households on Barrington Road (one of which has also made separate representations). The greatest concern is about disturbance from trains arriving at Foxton sidings before 7 am and then sitting with the locomotive engine running for long periods. There is also concern that increasing the number of trains will result in additional delays to traffic on the A10 at the level crossing. Residents also report unacceptable levels of noise in the Glebe Road area particularly when the train stops at the level crossing instead of being able to pass non-stop into and out of the quarry. Odour from emissions has also been raised as a problem.

5.50 A copy of the full representations will be placed in the Members' lounge one week before the date of the meeting.

6.0 PLANNING HISTORY

6.1 The principal historical permissions are set out below. There are many others for ancillary buildings etc.

1948 Winning and working of chalk marls and clay

SC/50/104 The working of minerals
SC/57/36 Excavation of chalk marl for the purposes of cement manufacture
SC/55/25 Erection of new kiln and chimney
SC/57/174 Erection of 1,756 foot replacement chimney
SC/62/118 Extension of cement works
S/0245/75 Disposal of domestic refuse & restoration to amenity use – granted 27-11-1975 but not implemented
S/0696/87 Landfilling with controlled waste & restoration to agricultural use – granted 02-12-1987 but not implemented
S/00445/92 New conditions on 1948 permission granted 17-09-1993
S/01240/97 New conditions on 1950 & 1957 permission granted 06-11-1997

6.2 S/01080/10/CW - Importation by rail of suitable restoration material over a period of 5 years to partially infill an existing quarry void to provide for the restoration of the western and north-western areas of Barrington Quarry to a combination of agriculture and nature conservation after-uses and all associated works including railway refurbishment and the retention and continued use of existing weighbridge, office and workshop. Granted 5 August 2011. Expires 31 December 2018.

6.3 S/2365/14/OL – Demolition of all existing buildings and structures and redevelopment to provide up to 220 residential units, formal and informal open space including allotments, car parking for Barrington Primary School, new pedestrian and cycle links to Barrington village and Foxton Station, and associated works. Outline permission granted by SCDC 27 October 2016. Reserved matters applications currently being considered by SCDC.

7.0 PLANNING POLICY

7.1 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 policies from the development plan are set out in paragraphs 7.3 – 7.5 below.

7.2 The National Planning Policy Framework (July 2018), the National Planning Policy for Waste (October 2014) and Planning Practice Guidance (PPG) are also material planning considerations.

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

CS2 Strategic Vision and Objectives for Sustainable Waste Management Development
CS9 The Scale and Location of Future Chalk Marl Extraction
CS14 The Scale of Waste Management Provision
CS15 The Location of Future Waste Management Facilities
CS20 Inert Landfill
CS22 Climate Change
CS23 Sustainable Transport of Mineral and Waste
CS24 Design of Sustainable Minerals and Waste Management Facilities

CS25 Restoration and Aftercare of Mineral and Waste Management Sites
CS26 Mineral Safeguarding Areas
CS27 Mineral Consultation Areas
CS29 The Need for Waste Management Development and the Movement of Waste
CS32 Traffic and Highways
CS33 Protection of Landscape Character
CS34 Protecting Surrounding Uses
CS35 Biodiversity and Geodiversity
CS39 Water Resources and Water Pollution Prevention
CS41 Ancillary development

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

SSP M4 Chalk
SSP T2 Transport Safeguarding Areas

7.5 South Cambridgeshire LDF Development Control Policies DPD (adopted July 2007) (the SCDPD)

DP/1 Sustainable Development
DP/3(2) Development Criteria
DP/6 Construction Methods
GB/3 Mitigating the Impact of Development Adjoining the Green Belt
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/7 Sites of Biodiversity or Geological Importance
NE/8 Groundwater
NE/11 Flood Risk
NE/15 Noise Pollution
NE/16 Emissions
SF/8 Lord's Bridge Radio Telescope

7.6 Supplementary Planning Documents

The Location and Design of Waste Management Facilities Supplementary Planning Document (adopted July 2011)

South Cambridgeshire LDF

Trees and Development Sites SPD (adopted January 2009)
Landscape in New Developments SPD (adopted March 2010);
Biodiversity SPD (adopted July 2009)

7.7 Emerging South Cambridgeshire Local Plan 2011- 2031: Submission of Local Plan (SCLP)

The Inspector's Report on the Local Plan is expected imminently at the time of drafting this report. Once the Inspector's report is published, the policies in the

emerging Local Plan should then be accorded considerable weight. An update will provided on an Amendment Sheet/at Committee. The following planning policies are of relevance to this planning application:

Policy S/2	Objectives of the Local Plan
Policy S/7	Development Frameworks
Policy NH/2	Protecting and Enhancing Landscape Character
Policy NH/4	Biodiversity
Policy NH/5	Sites of Biodiversity or Geological Importance
Policy NH/8	Mitigating the Impact of Development in and Adjoining the Green Belt
Policy CC/7	Water Quality
Policy CC/8	Sustainable Drainage Systems
Policy CC/9	Managing Flood Risk
Policy SC/11	Noise Pollution
Policy SC/15	Odour and other fugitive emissions to air
Policy TI/7	Lord's Bridge Radio Telescope

8.0 PLANNING CONSIDERATIONS

8.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. At its heart is a presumption in favour of sustainable development (paragraph 11). It states that for decision-taking this means:

- *approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:*

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

Principle of development

8.2 The development proposal is for the importation of inert construction waste by rail and its deposit in a void created by quarrying which ceased in 2008 and is highly unlikely to resume; to do so would require planning permission. It is a waste disposal operation which would result in the full restoration of the quarry. The application should, therefore, be assessed against policies relating to waste management although those relating to the restoration of mineral extraction sites also have some relevance.

8.3 National waste policy seeks to drive the management of waste up the hierarchy of reduction, re-use, recycling and composting, energy recovery and as a last resort, disposal. The proposed development is for disposal by landfill so is at the bottom of

the hierarchy. On the other hand the NPPF (at paragraphs 204 and 205) emphasises the need for mineral sites to be restored to a high standard at the earliest opportunity.

8.4 The proposed development, if completed, would result in the restoration of the quarry void to approximately pre-quarrying ground levels with the exception of an area in the north east corner that would be left to preserve access to the geological SSSI. The proposal would take 15 years to import the waste and further 2 years to complete the restoration. It must therefore be considered whether the case for importing waste to achieve the proposed restoration of most of the quarry void to near original ground levels is acceptable in planning policy and environmental terms.

Inert landfill

8.5 The application was advertised as being for development which does not accord with the provisions of the development plan. The proposal is the landfill of inert waste imported from major construction projects in London and potentially elsewhere such as HS2. MWCS policy CS14 sets out the scale of waste management provision and identifies a need for 12.09 million cubic metres of inert landfill void to in order to meet Cambridgeshire and Peterborough's need over the Plan period i.e. to 2026. To achieve this an allocation was made at Block Fen / Langwood Fen of which 8.4 cubic metres would be available to 2026 in MWCS policy CS20. CS20 states that to deliver the remaining 3.69 cubic metres capacity will be made at mineral extraction sites requiring restoration and that the sites will be identified through the Site Specific Proposals Plan. MWSSP policy SSP W2 allocates sites for inert waste landfill and does not include Barrington Quarry.

Future mineral extraction

8.6 When the MWCS was being developed Barrington Quarry had significant reserves but due to a chemical imbalance in the permitted reserves policy provision (policy CS9) was made for around 10 hectares (24.7 acres) of chalk marl on land adjacent to Barrington Quarry for the production of cement. MWCS policy CS10 deals with minerals for specialist uses but does not include the clunch at Barrington Quarry. This is referred to in the supporting text (paragraph 6.57) as being worked in association with the chalk marl extraction and not as a standalone mineral (because of the significant depth of overburden that would need to be removed to expose it).

8.7 MWSSP policy SSP M4 makes an allocation at Barrington Quarry containing approximately 20 million tonnes of chalk marl. The permitted reserves and the allocation are protected by a mineral safeguarding area (MSA). The purpose of the MSA is to ensure that proven resources are not needlessly sterilised by non-mineral development. MWCS policy CS26 states that development will only be permitted where it has been demonstrated to the mineral planning authority that one of 4 criteria are met. This matter was raised with SCDC when Cemex submitted the application for residential development in 2014. At that time it was Cemex's view that decommissioning the cement plant means that the mineral is no longer of any economic value. The 1993 and 1997 quarrying permissions are only extant insofar as they include restoration obligations. Further mineral extraction would therefore need a new planning permission. In 2006 Cemex was considering replacing the

cement plant and creating a new access road from the A603. This project was not pursued and Cemex have been withdrawing from the site since the cement work closed and quarrying ceased almost 10 years ago. They have sold the cement works site to housing developer Redrow who have started to demolish it and the land to the west of the quarry void which contained much of the permitted reserve is now no longer in the company's ownership.

8.8 It is considered that there is little likelihood of the quarrying of chalk marl and cement manufacture being resumed within the current application area. If in the future there was an overriding need for cement and a source of mineral to make it, it would probably be possible, subject to planning permission, for the resource to the west and northwest of the current void to be worked as a new quarry with new access arrangements. For these reasons it is considered that at least one of the criteria in MWCS policy CS26 has been met.

8.9 Barrington Quarry and the allocation area are subject to a mineral consultation area (MCA). MWCS policy CS27 has a similar theme to CS26 and states that development will only be permitted where it is demonstrated that this will not prejudice existing or future mineral extraction. For the reasons given in paragraph 8.8 above, it is considered that the proposed development would comply with CS27.

Transport of waste

8.10 MWCS policy CS2 encourages the long distance movement of waste by rail. CS23 states that "Sustainable transport of mineral and waste by rail, conveyor and pipelines will be encouraged" and that "Transport Zones will be defined and they will be protected through the designation of Transport Safeguarding Areas shown in the Site Specific Proposals Plan and defined on the Proposals Map. SSPT2 identifies a Transport Zone and Transport Safeguarding Area at Barrington Cement Works railhead. It is, therefore, the County Council's intention that the BLR be protected for future use for the transportation of minerals and / or waste from or to the quarry. It is considered that the proposed development, which is to import waste by rail, would comply with MWCS policies CS2 and CS23.

8.11 The potential for rail freight movements to cause disturbance to nearby residents is acknowledged. In the current case the potential disturbance has been identified by both the technical assessment of the County Council's independent noise adviser (see paragraphs 5.30 – 5.36 above and Appendix 1), by the environmental health officer (see paragraphs 5.1 – 5.7 above) and by the concerns raised by residents themselves as set out in paragraphs 5.47and 5.49. The County Council as waste planning authority must, therefore, consider whether, with the proposed mitigation measures, the identified adverse effects of the proposed use of the BLR would have an unacceptable impact on the amenity of local residents. If it would, the waste planning authority will need to consider if there are any other material considerations which should be given more weight in the decision-making process.

8. 12 The following aspects of the project need to be considered: the impact of running the trains and the landfill operation itself.
Traffic and highways

8.13 MWCS policy CS32 states that minerals and waste development will only be permitted where:

a. it is demonstrated that opportunities for the use of alternative methods of transport have been evaluated and the most appropriate pursued where practicable;

b. access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and / or the nature of the traffic associated with the development;

c. any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity; and

d. binding agreements covering lorry backloading, routeing arrangements and HCV signage for mineral and waste traffic may be sought. In Cambridgeshire this will be informed by the Cambridgeshire Advisory Freight Map.

8.14 The waste would be imported by rail which would be in accordance with MWCS policy CS32 (a). It is proposed that 1,200 tonnes of organic restoration material would be brought to the site by road. This would amount to 60 loads (120 HGV movements) and due to the phasing of the restoration works would be needed in years 4, 8, 13 and 15. The 15 loads would be likely to occur over about one week a rate of 2 (4 HGV movements) per day. The organic restoration material would be different in nature to the inert waste that would be imported to fill the void. It would come from different sources and it would not be practicable or economic to deliver such small quantities by rail. It is considered that this low level of HGV traffic would be accommodated safely on the highway network and if subject to an agreement that they use the A10 the proposal would comply with MWCS policy CS32 (b-d).

Impact on A10 Foxton Station Level Crossing

8.15 The arrival and departure of waste-carrying trains will increase the total duration of time that the level crossing is closed for the passage of trains. This has been raised as a matter of concern by Barrington Parish Council and some local residents. Network Rail has been consulted on the proposals and has no objections to the proposal.

8.16 The applicant's transport statement included the results of a survey of traffic queuing on the A10 at the Foxton level crossing. It acknowledges that the barrier closures associated with a train serving Barrington Quarry are typically longer than for National Rail services so theoretically should result in longer queues of traffic. However, they have found no evidence of increased vehicle queuing to accommodate the Barrington Quarry trains. The maximum queuing is when the peak period for passenger trains combines with the peak period for road traffic. It is unlikely that there would be rail capacity for an additional train at peak periods.

8.17 The County Council's transport assessment team has noted that whilst there may be an additional train movement in a single day the overall average of 3 trains per day will not change and agrees with the findings of the applicant's transport statement which demonstrates that the traffic impact associated with the proposed

development would not have a severe impact on the local highway network including on the A10 at the Foxton level crossing. Using survey data from early 2016, i.e. less than 3 years old, is considered acceptable to the transport assessment team.

Train operations on the BLR

8.18 Historically the train operations on the BLR were dictated by the operational needs of the cement works; trains were used in the importation of fuel for the cement kilns, receiving supplies of minerals for admixture in the manufacture of cement and the onward transport of finished cement in powder or bagged form. However, in more recent years, the railway was primarily used for the importation of fuel (petroleum coke) for the rotary cement kilns. Fuel deliveries by rail were not continuous, no more than approximately one train of fuel per week.

8.19 The 2011 permission allowed the BLR to be upgraded to a standard that could accommodate mainline locomotives with up to 23 wagons. It restricts train movements on the branch line between the Foxton Road and Haslingfield Road level crossings to no more than 3 loaded trains in and 3 empty trains out per day between 0700 and 2000 hours Mondays to Fridays. Train speeds are limited to 10mph in Foxton exchange sidings, 15mph on the branch line and 5mph within the quarry.

8.20 Manually operated level crossing gates were provided at Glebe Road crossing and new active road warning signs (flashing lights) were provided at Foxton Road and Haslingfield Road level crossings. There is an operational protocol involving "shunters" who open the level crossing gates so that the trains can pass from the Foxton sidings to the quarry or vice versa without sounding the warning horn or stopping when passing through the residential area.

8.21 The current application proposes that the frequency of deliveries of waste be increased to a maximum of 4 trains per day i.e. 8 train movements but that over a calendar month the average would not exceed 3 trains (6 movements) calculated on working days. There would therefore be no overall increase in the total number of train movements per month.

Foxton Exchange Sidings

8.22 The 2011 permission allows trains to enter the sidings from the mainline before 0700 hours which is counted as night time for the purposes of setting a noise limit. A noise limit was set based on Cemex's consultant's measurements of the background noise level at representative locations near houses closest to the sidings. Monitoring has shown that this limit has been exceeded and complaints have been received from local residents who have had their sleep disturbed by trains in the sidings, particularly when the engines are left idling for periods in excess of the 15 minutes that is specified in the BLR Management Plan which forms part of the S106 agreement.

8.23 The current application proposes a higher more realistic noise limit for the period before 0700 hours which could be complied with if the locomotive is stabled at specific points with the engine switched off until 0700 hours. Cemex also propose that no trains would enter the sidings before 0530 hours and trains would not be

accepted between 0530 and 0700 hours until noise mitigation measures are in place. Stabling locations have been identified for use during the day depending on whether the engine is at the front or rear of the train.

8.24 Whilst mitigation measures could be required by condition, the condtition must be reasonable and the waste planning authority must consider its enforceability, two of the tests of a planning condition. Some of the proposed mitigation measures are operational controls and would rely on the management of third party train operators. A 5 metre high, 60 metre long acoustic barrier at locomotive stabling point X (shown on Figure 1 below) has been proposed by Cemex as a mitigation option. This would provide a barrier between the sidings a short distance from the mainline and the properties on Foxton Road. Figure 2 below is an example of what an acoustic fence could look like.

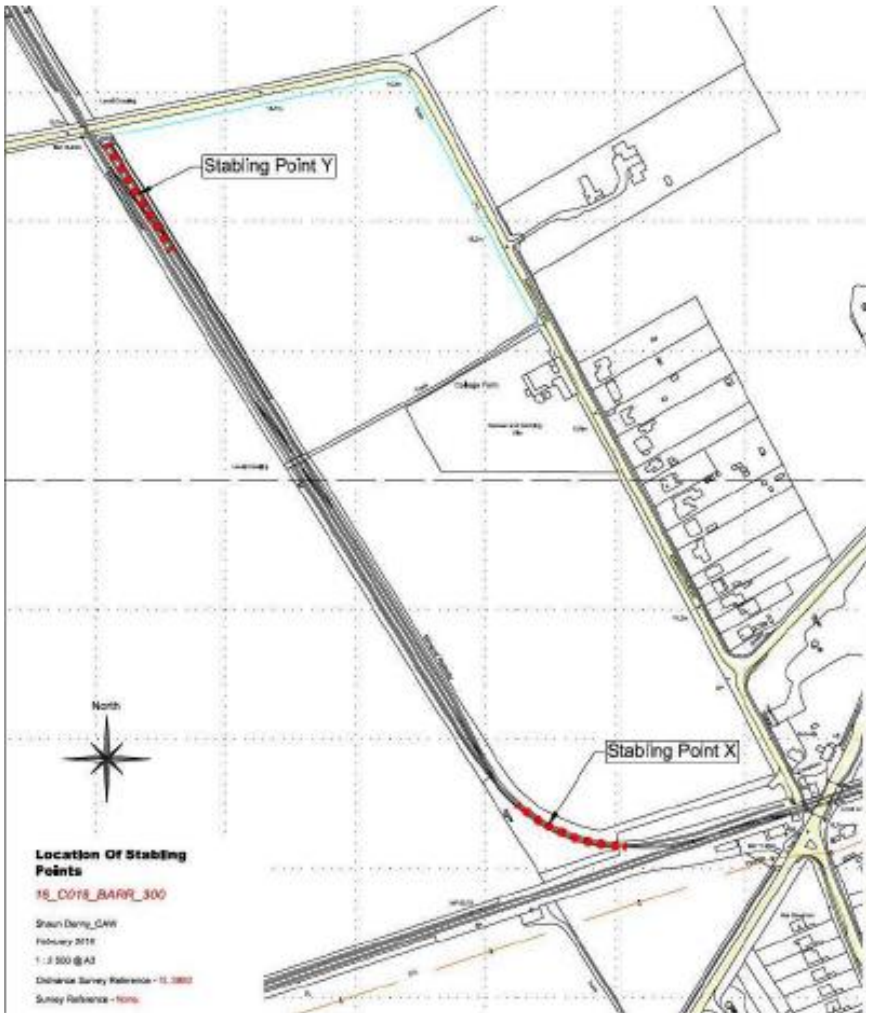


Figure 1: Proposed locomotive stabling points

Figure 2: Example of an acoustic fence alongside a railway line

8.25 The mitigation relates to trains received into the siding between 0530 and 0700 hours. Cemex is proposing that no trains would be received prior to 0700 without the submission, approval and implementation of mitigation measures. It is considered that this be secured by a condition precluding the acceptance of any train into Foxton Sidings before 0700 hours unless a noise mitigation scheme has been submitted and fully implemented.

Foxton Road level crossing to Haslingfield Road level crossing

8.26 This is the area where houses on Glebe Road, Bendyshe Way, Malthouse Way and Heslerton Way abut the BLR. The 2011 permission is subject to a noise limit for daytime train movements on the branch line of 62dB LAeq,1hr. Train noise levels are currently generally within the limits given in the 2011 permission but changes are proposed to the operation of the trains and the effects of these changes have been considered. Measurements of train noise at Barrington undertaken by Cemex's noise consultants, WBM, indicate that this limit is currently being achieved for 1 train event per hour, provided brake squeal does not occur.

8.27 Due to the nature of the railway line it is not possible to operate more than 2 trains engaged in delivering waste in any one hour and allowing for a maximum of 2 train events per hour, the noise limit of 62 dB LAeq,1h at 10 metres (10.94 yards) from the head of the nearest rail would still be achieved. Allowing 4 trains per day (i.e. 8 train events) would still result in a maximum of 2 trains in any one hour, therefore this change would not result in a breach of the current noise limits.

8.28 The current permission allows for a maximum of 3 loaded trains and 3 empty trains in any one day on the branch line between 0700 and 2000 hours. This is an upper limit per day. Cemex are seeking permission to increase this to up to 4 loaded trains and 4 empty trains on the branch line between 0700 and 2000 hours but with an overall limit of 3 loaded trains and 3 empty trains per day as a calendar monthly average. If this change is permitted the averaging should be made over the working days contained in any calendar month to avoid any ambiguity. Operating 4 loaded trains and 4 empty trains on the track would not give rise to any breach of the current noise limits, based on monitoring results, but the overall noise emission level over the period from 0700 to 2000 would increase by approximately 1dB. Such an increase in noise level would normally be regarded as insignificant.

8.29 When the 2011 permission was being considered it was acknowledged that noise

from trains would be very significant at existing residential properties and the limit was in excess of both the World Health Organisation noise limits and the limits in MPS2 (the minerals guidance in force at that time). The limit therefore does not in the opinion of the council's acoustic adviser, Gordon Brown, represent the lowest observed adverse effect level (LOAE) as suggested by the applicant's noise consultants; it is at the very least the significant observable adverse effect level (SOAEL). In 2011 Gordon Brown and the SCDC environmental health officer were very concerned that predicted railway noise levels at existing houses would exceed 55dB LAeq,1h and this exceedance was not in their view acceptable. The decision to allow the 62dB level was made on the basis that any consent granted for the operation would be limited to 5 years and the County Council specified the limit in order to exercise some control over the train activity.

8.30 Meeting the 62dB level is dependent on the train being operated in accordance with the BLR Management Plan which requires there to be 2 "shunters" to ensure that the level crossing gates at Foxton Road, Glebe Road and Haslingfield Road are open so that the train can pass along the branch line without stopping. The noise of braking worsens the impact on local residents and has resulted in the 62dB noise limit being exceeded, 67dB having been measured.

8.31 Given that the predicted daytime noise from the operation of the railway line exceeds the PPGM upper limit of 55dB LAeq,1h at existing houses immediately adjacent to the railway line the conclusion must be that the noise associated with the operation of the Foxton to Barrington railway is likely to have a significant adverse impact on a number of residential premises. This conclusion was reached in respect of the original infilling application and remains the same for the current application. However, the current application, if approved, would allow the significant adverse impact to continue over a very much longer period, potentially 15 years. The options for mitigation are very limited.

8.32 The provision of noise barriers between the railway track and the existing adjacent houses was considered in 2011. To be effective such barriers would have to be located on both sides of the track and be approximately 5 metres (16.4 feet) in height. The erection of the barriers would have a severe impact on the outlook from adjacent housing and could result in shading of gardens. On balance, it was considered that any beneficial impacts on amenity from reduction to noise would not outweigh the significant visual impact of such structures especially given the occasional nature of the train movements being proposed. Clearly it would not be feasible to erect any noise barriers across Glebe Road in any event.

8.33 The passage of full length main line trains along the branch line has the clear prospect of causing noise and disturbance to people living close to the railway, albeit that the duration of such exposure will be limited to a few minutes potentially up to a maximum of eight times during the daytime on weekdays only. It needs to be considered whether these impacts are sufficient to justify refusing planning permission or whether there are other planning considerations to be taken into account which would carry more weight. This "planning balance" will be discussed later in this report.

Proposed houses on the cement works site

8.34 WBM have considered the impact of the proposed infilling of the quarry on the occupiers of the permitted houses, some of which could be approximately 200 metres (218.72 yards) from the closest waste deposition area. The mitigation options discussed comprise limitations on the setback distances for working at specified times and the provision of earth bunds at the infill edge. WBM have calculated that by using the proposed mitigation there should be no adverse impacts during the evening or night time. There would be some adverse impact during Phase 3 operations close to the infill boundary at one location, but this is not predicted to exceed the PPG Minerals upper noise limit of 55dB LAeq,1hr and physical mitigation is not likely to be effective.

8.35 In Gordon Brown's opinion, overall, the mitigation proposed by WBM in respect of the permitted dwellings appears to be satisfactory. It is noted that the SCDC environmental health officer has concerns about the compatibility of the new houses and the landfill operations (see paragraphs 5.6 and 5.7 above. It is also noted that the housing developer, Redrow, has not made any comments on the application to extend the landfill operation. It would ultimately be for the environmental health officers to advise their colleagues when SCDC is considering the reserved matters application for a noise insulation and mitigation scheme for the new houses.

Wilsmere Down Farm

8.36 Wilsmere Down Farm is the closest existing residential property to the proposed development area, 230 metres (273.4 yards) to the south west of the first phase of proposed landfill. It has been calculated that noise levels at Wilsmere Down Farm would exceed the LOAEL of 10dB above background for at least some portion of the life of the development so mitigation must be considered in order reduce the adverse impact.

8.37 WBM have calculated that the noise from infilling operations would exceed the noise limits when working occurs within approximately 85 metres (92.96 yards) of the working edge and this time taken to complete the works within this distance would be approximately 27 working days. However, the noise levels would still be below 55dB LAeq,1hr, which is the overall limit given in PPGM. The provision of a 2 metre high bund along the boundary would reduce the exceedance to 1dB, which is regarded as a minor issue, but the construction of the bund would itself generate relatively high noise levels for a significant period. Temporary works such as bund construction are subject to a higher PPGM noise limit of 70dB LAeq,1hr and this higher noise impact must be offset against the extent of mitigation provided by the bund.

8.38 WBM have proposed a schedule of operational controls that would avoid adverse noise impacts during the more sensitive evening and night time periods. On balance, given the relatively short duration of the potential daytime noise limit exceedance, the construction of the bund may cause more disturbance that it mitigates and it is considered that the provisional of operational controls is sufficient.

Vibration

8.39 The waste planning authority has received complaints from occupiers of houses close to the Glebe Road level crossing that vibration from trains has caused

structural damage to their properties. Monitoring in accordance with the approved scheme has shown that vibration from the trains was well below both the limit set out in the planning condition and the level at which even cosmetic damage would occur.

8.40 The submission for the current application in respect of vibration considers the potential effects of groundborne vibration on buildings and on occupiers, and from groundborne noise on occupiers. The conclusions are that the level of vibration would be below recommended limit levels in respect of even minor damage to buildings and that there would be no significant effects on occupiers from either groundborne vibration or groundborne noise. Even with the increase in the number of train movements on a single day from 6 to 8 the current daily vibration dose value (VDV) (16-hour) limit would be met.

8.41 The vibration limits in force for the current infilling operation are likely to be met in respect of the permitted housing development. However, the scope of the existing vibration monitoring scheme should be extended to include the permitted housing development if any are to be occupied during the operation of the railway line.

Air quality

8.42 It is acknowledged that the use of mainline locomotives on the BLR gives rise to exhaust fumes and that there will be an impact on air quality for short periods during passage of the train. The S106 agreement linked to the 2011 permission requires Cemex to use reasonable endeavours to source “low emission” locomotives. These would be Class 66 (built 1998 – 2015) or more modern. Cemex has proposed that no locomotives older than Class 59 (built 1985 – 95) would be accepted after 12 months of the implementation of a new planning permission.

8.43 Whilst it is acknowledged that residents close to the railway line experience emissions from the trains, the exposure is for a few minutes and would be for a maximum of 8 times per weekday. The impact on air quality is therefore unlikely to be significant.

8.44 The most likely source of dust is from the transportation of waste by dump truck on the internal haul road. A dust mitigation scheme was approved for the 2011 permission and could be secured by condition for any new permission. Principally this involves the use of a water bowser on haul roads and limiting vehicle speeds. Haslingfield Parish Council is concerned that the dust mitigation measures are limited to the haul roads. Dust from the waste deposition area would be regulated by the Environment Agency through the environmental permit. With this mitigation in place it is considered that the proposed development would be compliant with MWCS policy CS34 and SCDPD policies DP/3(2) and NE/16.

Flood risk and risk of pollution

8.45 MWCS policy CS39 seeks to protect the quantity and quality of ground and surface water; the quantity and quality of existing water abstraction; and the flow of groundwater. NPPF paragraph 163 states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

8.46 Some concerns have been raised about the nature of the waste and the risk of pollution to surface and groundwater. The application is to import only inert waste. This can be controlled by planning condition (recommended no. 46) and is also regulated by the Environment Agency through the environmental permit. It is, therefore, considered that the risk of pollution to the water environment is very low and that the proposal is in accordance with MWCS policy CS39 and SCDPD policy NE/8.

8.47 The Lead Local Flood Authority has asked that the detailed design of the surface water drainage scheme be secured by condition (see recommended condition 47). This would ensure that the development would comply with NPPF paragraph 163 and SCDPD policies NE/9 and NE/11.

Lord's Bridge radio telescope

8.48 The northern part of the application site is within the Lord's Bridge Restricted Area referred to in SCDPD policy SF/8 which states that planning permission will only be granted for development that would not result in any risk of interference to the Mullard Radio Astronomy Observatory at Lord's Bridge. It is also within Lord's Bridge Consultation Area 1 which requires consultation with the University of Cambridge on development proposals which could adversely affect the operation of the observatory. The proposed development is not dissimilar to the quarrying which previously took place in terms of the plant and machinery which would be used. No concerns were raised when the 2011 proposal was being considered and no comments have been received from the University of Cambridge on the current proposal.

8.49 For the reasons given in the previous paragraph it is considered that the proposed development would not have an adverse impact on the operation of the Mullard Radio Astronomy Observatory at Lord's Bridge so would comply with SCDPD policy SF/8.

Historic environment

8.50 The NPPF requires planning authorities to consider the impact of the proposed development on designated and non-designated heritage assets. The heritage setting of the proposed development site is describe in paragraph 4.4 above. The site has been previously worked and no archaeological assets will survive within the development area. The proposed development is sufficiently separated from the village to impact on the Barrington Conservation Area or the listed buildings within it for there to be no harm to the designated heritage assets. It is considered that the proposed development complies with MWCS policy CS36 which seeks to protect the historic environment and with the NPPF.

Visual impact

8.51 The NPPF at paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;

- recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services;
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land.

8.52 MWCS policy CS33 requires mineral and waste management development to be assimilated into its surroundings and local landscape character. SCDPD policy N/4 states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located. The site is within the National Character Area: East Anglian Chalk, positioned on the side of a hill, with a southerly aspect. The most prominent features in the landscape are the cement works, particularly the chimney. These buildings and structures are outside the current application area and will be demolished to allow the redevelopment of the land for housing. It is proposed that the works would be undertaken in a phased manner, working from south to north which would screen most of the operations from views from the south and the proposed new residential area.

8.53 Most of the landfilling operation within the quarry void would not be readily visible from publicly accessible viewpoints outside the application area. When the works are undertaken at higher levels and during the restoration phase they would be more apparent. The landfill and restoration activities would be similar visually to quarrying activities at the same land level.

8.54 The environmental statement was accompanied by a landscape and visual impact assessment. It concludes that there would not be a significant adverse effect on landscape features, landscape character or visual amenity during the landfilling and restoration operations. This is not disputed. It also concludes that there would be significant beneficial effects on landscape character, landscape features and visual amenity from restoration of the site as proposed in that “the landform would be vastly improved by the infill works so that it would marry in with the surrounding topography”. The site if restored as proposed would create 43.4 hectares (106 acres) of lowland calcareous grassland together with woodland/scrubby blocks, hedgerows with trees dividing the fields, drainage gullies and ponds. In the applicant’s opinion, the positive contrast between the proposed restoration landscape with the current large, unrestored quarry void would be immediately obvious and would also offer many benefits to biodiversity and nature conservation.

8.55 It is considered that the proposed development whilst being undertaken would not have a significant impact on the landscape and that the restored site would be assimilated into its surroundings and local landscape character area having a positive impact on the landscape. For these reasons it is considered that the proposal complies with the NPPF, MWCS policy CS33 and SCDPD policies NE/4 and DP/3(2).

Cambridge Green Belt

8.56 The northern boundary of the quarry and current application area is adjacent to the Cambridge Green Belt. SCDPD policy GB/3 requires account to be taken of any adverse impact on the Green Belt. For the reasons set out in paragraph 8.55 above it is considered that the proposed development would not have an adverse impact on the Green Belt so complies with policy GB/3.

Ecology

8.57 MWCS policy CS35 states that minerals and waste development will only be permitted where it has been demonstrated that there will be no likely significant adverse impact on sites of local nature conservation, such as County Wildlife Sites. SCDPD policies NE/6, NE/7 and DP/3 (2) also seek to protect sites of local importance.

8.58 The Wildlife Officer is satisfied that the conservation interests of River Rhee (Cam) CWS will be protected by the discharge permit. The applicant's supplementary ecological information has addressed concerns raised by the Wildlife Officer and Natural England. Provided the mitigation measures set out in the Ecological Management Plan are secured by condition it is considered that the development would comply with MWCS policy CS35 and SCDPD policies NE/6, NE/7 and DP/3 (2).

Designated sites

8.59 The Eversden and Wimpole Woods SAC is approximately 3.6 kilometres (2.24 miles) west of the proposed development area. Based on the advice of Natural England (see paragraph 5.20 above) it is considered that the proposed development will not have significant effects on the SAC. The requirements of the Habitat Regulations have therefore been met.

8.60 As well as paragraph 170 (referred to in paragraph 8.49 above) the NPPF at paragraph 175 states that when determining planning applications, amongst other things:

- development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it, should not normally be permitted; and
- opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

8.61 MWCS policies CS2, CS25 and CS35 promote the enhancement of landscapes and biodiversity. SCDPD policy NE/6 states that development should aim to maintain, enhance, restore or add to biodiversity. NE/7 seeks to protect sites of biodiversity or geological importance, in this case the Barrington Chalk Pit SSSI.

8.62 The northern part of the quarry and adjacent land to the west and east is designated as the Barrington Chalk Pit SSSI. Natural England is generally satisfied with the proposals for the geological features and concludes that the proposed development

would not damage or destroy the interest features for which the SSSI has been notified. However, they consider that more detail should be sought in respect of access and drainage. This could be sought by condition (see recommended condition 50 and would ensure that the proposed development would comply with paragraph 170 of the NPPF and SCDPD policies NE/6 and NE/7.9

Restoration of the quarry

8.63 The County Council has a duty to seek to further protect and enhance the conservation of designated sites and priority species under the Natural Environment and Rural Communities Act 2006 and the Countryside and Rights of Way Act 2000 (as amended).

8.64 Natural England considers that the proposed restoration scheme would create and restore a number of UK and local Biodiversity Action Plan priority habitats, including chalk grassland and would deliver significant biodiversity enhancements and benefit a number of locally important species. This would be in accordance with the NPPF, MWCS policies CS2, CS25 and CS35 and SCDPD policies DP/3(2), NE/4, NE/6 and NE/7. In addition, the proposed permissive path linking the northern end of the site with the southern end would be a positive addition to the local public right of way network. This would be in accordance with MWCS policy CS37.

8.65 Whilst the restoration outcome would comply with national and development plan policies relating to landscape character and biodiversity so is on the face of it desirable, it would not meet the NPPF policy that mineral sites should be restored at the earliest opportunity. There is material within the site which could be used to restore the base of the quarry albeit to a different landform from what is proposed and which could be achieved a lot quicker than 17 years. It is likely that this option would require water from the base of the void to be pumped in perpetuity. It would be difficult to argue that the proposal which is the subject of the current application is the *only* practical option for achieving a beneficial afteruse.

8.66 In purely landscape terms it is considered that, on balance, restoring the majority of the quarry to pre-development contours would in the long term be a better outcome than partially filling the void with imported waste in accordance with the 2011 permission or using the material on site to restore effectively only its base. Both these options would leave the quarry face to a greater or lesser degree as a backdrop to the former quarry and the proposed new houses although this is not an uncommon situation elsewhere in the country where hard rock quarries are abundant. The proposed restoration would, as has already been noted, deliver significant biodiversity benefits which may not be achievable with restoration at a lower level. It would also remove the need for ongoing pumping of water so would be more sustainable in that respect.

8.67 If Barrington Quarry is to be restored to approximately the original contours there are a number of factors that lend weight to it being done now rather than revisited at a later date:

- There are a number of current and planned national infrastructure projects that would generate material of a suitable nature i.e. inert and in sufficient quantities to make transport by rail viable which may not be the case in the future;

- The BLR was upgraded under the 2011 permission to enable it to be used by modern locomotives. If not used it would either be taken up or there is a risk that it would not be maintained. Importing 8.5 million cubic metres of waste by road would be unacceptable; and
- If the proposed scheme is not implemented a low level restoration scheme would be carried out under the terms of the 1993 and 1997 mineral permissions which high level restoration would destroy.

Conclusions

8.68 If it is accepted that the proposed restoration of the quarry by importing 8.5 million cubic metres of inert waste is desirable, the benefits of this outcome need to be weighed against the impacts of doing so on the local community, particularly those living close to the railway line.

8.69 As discussed in paragraphs 8.22 – 8.33 above the passage of trains along the BLR is likely to cause noise and disturbance to people living close to the railway, albeit that the duration of such exposure will be limited to a few minutes up to a maximum of eight times a day on weekdays between 0700 and 2000 hours. The noise from idling trains, if not satisfactorily mitigated, could be experienced for up to 30 minutes.

8.70 In respect of activities in the Foxton Exchange Sidings it is considered that the proposed night time noise limit is realistic and appropriate and would be complied with if the proposed mitigation measures are put in place as described in paragraphs 8.23 -8.25 above. Principally these would limit the hours during which trains could use the sidings and potentially erecting an acoustic barrier at engine stabling point X if trains were to be accepted before 0700 hours. It is considered that these measures would satisfactorily mitigate the impact of trains using the sidings on the residents on Barrington Road.

8.71 There is evidence that operation of the railway over the last 3 years has caused disturbance to residents living near the Glebe Road level crossing and on Barrington Road from activities in the Foxton Exchange Sidings. The concerns about damage caused by vibration are not substantiated by monitoring which shows that the operation of the trains complies with the limit set in the planning condition and is well below a level that would cause even cosmetic damage to property. On the other hand there is evidence that the 62dB noise limit has been exceeded because of brake squeal when trains stop at the level crossing instead of passing along the whole branch line unimpeded which is a requirement of the BLR Management Plan.

8.72 Whilst the past performance of a developer should not be taken into account because the planning permission would go with the land not a specific operator, there is no escaping the fact that a noise limit of 62dB is above the upper limit of 55dB LAeq,1h set out in the PPGM. The erection of noise barriers has been considered (see paragraph 8.32 above). The 2011 permission was granted on the basis that the importation of waste would be completed and therefore train movements would be cease within 5 years. The current proposal is for 15 years which is significantly longer.

8.73 It therefore needs to be considered whether the benefits of restoring the quarry as

proposed in landscape and biodiversity terms outweigh the disturbance to those living alongside the BLR for a period of 15 years. The trains would pass along the BLR between 0700 and 2000 hours on weekdays only which should not affect the sleep of most people. The number of train passes in any one day would be between none and eight depending on the nature of Cemex's contract. The trains would not run to a timetable so it would be difficult for people to know with any certainty when one was due. It is considered that if trains are not operated in accordance with the BLR Management Plan and need to stop at the Glebe Road level crossing, the resulting noise (from brake squeal) would be an annoying and intrusive disturbance. If the trains are operated in accordance with the BLR Management Plan and pass along the branch line without stopping it is acknowledged that the noise they generate would be clearly noticeable and therefore affect the quality of life of some local residents to a greater or lesser degree depending on their location, lifestyle and sensitivity to the noise.

8.74 The past performance of a developer or operator is not a material planning consideration therefore is should be assumed that the trains would be operated in accordance with the BLR Management Plan. The level of noise that a continuously passing train would generate has been noted in the context of PPG Minerals advice. This would be for a maximum of 8 occurrences of a short duration on a single weekday and for an average of no more than 6 occurrences per working day over a calendar month.

8.75 The proposed restoration scheme is considered to be the best outcome for the site in terms of the final landform and its assimilation into the landscape. It would also achieve Biodiversity Action Plan targets and protect the geological interest of the SSSI. It would, once established be relatively low-maintenance with a sustainable surface water drainage scheme.

8.76 On balance, officers consider that overall the proposal is in line with the general principles of the NPPF and the objectives of both local and national policy. It is considered that the benefits of the proposed restoration of the quarry by importing inert waste using the BLR over a period of 15 years just outweigh the level of disturbance that would be experienced by local residents from the passage of trains.

9.0 RECOMMENDATION

9.1 It is recommended that planning permission be granted subject to the applicant entering into a planning obligation to secure the application of planning conditions to the part of the Barrington Light Railway which is outside the application area and the following conditions:

Commencement date

1. The development hereby permitted shall be commenced no later than three years from the date of this decision notice. Within seven days of the commencement the operator shall notify the waste planning authority in writing of the exact commencement date.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act and Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to be able to establish the timescales for the approval of details reserved by conditions.

Site Area

2. This permission relates to the land outlined in red on drawing no. 16_C018_BARR_002_D Extent of Planning Application Boundary dated December 2016 (received 23 December 2016) and referred to in these conditions as "the site".

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

Duration of permission

3. This permission shall be for a limited period expiring on 31 December 2035 by which time the site shall have been restored in accordance with the Written Restoration and Outline Aftercare Scheme – Revision A Dated November 2017 (received 5 June 2018) and the scheme referred to in condition 4. No waste shall be deposited at the site after 31 December 2033.

Reason: To define the timescale for the completion of the development and ensure the restoration of the site to a beneficial afteruse in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS25, CS33 and CS35 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3, NE/4, NE/6 and NE/7.

Approved plans and documents

4. The development hereby permitted shall be carried out in accordance with the application form dated 16 December 2016, Supporting Statement dated October 2016, Environmental Statement dated October 2016 as amended by the Supplementary Submissions dated May 2018 (received 5 June 2018) and in accordance with the following drawings and documents (received 23 December 2016 unless otherwise specified), except as otherwise required by any of the conditions set out in this permission:

- 16_C018_BARR_001 Site Location Plan dated November 2016;
- 16_C018_BARR_002_D Extent of Planning Application Boundary dated December 2016;
- 16_C018_BARR_003 Phasing Summary dated 16/12/2016;
- 16_C018_BARR_004 Proposed Vibration Monitoring Locations dated October 2016;
- 16_C018_BARR_005_A Proposed Noise Monitoring Locations dated December 2016;
- 16_C018_BARR_007 Retained Structures dated November 2016;
- 16_C018_BARR_009 Area of Disturbance dated December 2016;
- 16_C018_BARR_010 Retention and Protection of Existing Vegetation dated July 2011;
- 16_C018_BARR_012 Initial Development Phase dated 16/12/2016;

- 16_C018_BARR_013 Phase 1A dated 16/12/2016;
- 16_C018_BARR_014 Phase 1B dated 16/12/2016;
- 16_C018_BARR_015 Phase 1C dated 16/12/2016;
- 16_C018_BARR_016 Phase 2 dated 16/12/2016;
- 16_C018_BARR_017 Phase 3 dated 16/12/2016;
- 16_C018_BARR_018 Phase 4 dated 16/12/2016;
- 16_C018_BARR_019 Final Restoration Phase dated 16/12/2016;
- 16_C018_BARR_020 Final Restoration Works 16/12/2016;
- 16_C018_BARR_021 Cross Sections dated 16/12/2016;
- 16_C018_BARR_022 Extent of Clay Seal dated 14/12/2016;
- 16_C018_BARR_023 Combined Noise Exclusion Zones dated 14/12/2016;
- 16_C018_BARR_025 Conceptual Surface water drainage dated 21st November 2016;
- BARRIT15 Rev A Fully Infilled Quarry: Final Restoration Plan dated November 2017 (received 5 June 2018);
- BARRIT17 Rev 0 Fully Infilled and Restored Quarry: Sections A-A' to E-E' dated October 2016;
- BARRIT19 Rev A Fully Infilled Quarry: Composite Restoration Masterplan dated November 2017 (received 5 June 2018);
- BARRIT22 Rev 0 Restoration Plan: Habitat Areas to be Created dated December 2016;
- BARRIT24 Rev 0 Outline Woodland, Shrubby Block and Hedgerow Planting Details plus Conservation Headland Strips dated June 2017 (received 28 June 2017);
- 16_C018_BARR_301_A Location of Potential Noise Attenuation Barrier dated May 2018 (received 5 June 2018);
- P4/1741/6 Siding Details Condition 18 & 36 [of S/01080/10/CW] dated Feb 2013 (received 19 September 2014 and approved by the waste planning authority 20 October 2014);
- Written Restoration and Outline Aftercare Scheme – Revision A Dated November 2017 (received 5 June 2018); and
- [Cemex response to] Comments Received from County Ecology Officer Regarding Planning Application no. S/0204/16/CW (received 28 June 2017)

Reason: To ensure the development is carried out in accordance with the approved plans and to define the site and preserve the character, appearance and quality of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS25, CS33 and CS35 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3, NE/4, NE/6 and NE/7.

Maintenance, silencers and reversing alarms

5. All vehicles including locomotives, plant and machinery operated on the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with effective silencers that shall be used at all times. All vehicles with the exception of locomotives, that are fitted with reversing alarms shall be fitted with "white noise" type or similar, reversing alarms.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Prevention of pollution of groundwater

6. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed, with no discharge to any watercourse, land or underground strata. The associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be directed to discharge into the bund.

Reason: To prevent pollution in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS39 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/8.

Operation of trains on the branch line

7. No development shall take place other than in accordance with The Barrington Light Railway Operating Manual Issue 2 dated May 2018 (received 5 June 2018). No locomotive shall operate on idle for more than 30 minutes. No locomotive older than Class 59 shall be accepted after 12 months of the implementation this planning permission.

Reason: In the interests of limiting the effects on local amenity to control the impacts of the development in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise monitoring *[scheme with up to date references to be provided by the applicant]*

8. No development shall take place other than in accordance with the Noise Monitoring Scheme (dd mm 2018) (received dd mm 2018).

Reason: To monitor whether the noise limits in conditions 19, 20, 25, 42, 43 and 44 are being complied with in the interests of residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Vibration monitoring *[scheme with up to date references and including monitoring new houses to be provided by the applicant]*

9. No development shall take place other than in accordance with the Revised Proposed Scheme for Monitoring Groundborne Vibration from the Railway during Operation (Rupert Taylor dd mm 2018) (received dd mm 2018).

Reason: To monitor whether the vibration limit in condition 26 is being complied with in the interests of residential amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Routeing agreement *[plan to be updated with reference to plan no.]*

10. The site shall not be operated except in accordance with the Traffic Management Plan dated dd mm 2018 received dd mm 2018).

Reason: In the interests of limiting the effects on local amenity to control the impacts of the development and to comply with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policy DP/3.

Use of the branch line

11. The Barrington Light Railway shall not be used for any purpose other than the development hereby permitted and site open days and heritage services on no more than 4 days per calendar year.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Ecological mitigation

12. No development shall take place other than in accordance with the Ecological Management Plan for the Restoration of Land at Barrington Quarry, Haslingfield Road, Cambridgeshire, CB22 7RQ (Andrews Ecology December 2017(v.2))

Reason: In the interests of protecting wildlife in accordance with paragraph 175 of the National Planning Policy Framework (July 2018) and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/6.

Replacement planting

13. If within a period of five years from the date of planting any tree or shrub fails, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place in the first available planting season, unless the waste planning authority gives its written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS33 and CS34.

Site Liaison Committee

14. Within 3 months 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 by the waste planning authority. The approved scheme shall be implemented for the duration of the development hereby permitted.

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).

School safety training

15. Within 3 months of the date of this planning permission a scheme for the inauguration, implementation and regular undertaking of rail safety training at Barrington Primary School shall be submitted to and approved by the waste planning authority. The approved scheme shall be implemented for the duration of the development hereby permitted.

Reason: To increase awareness of local school children to the dangers of active railway lines.

Area A – Foxton Exchange Sidings (land shown coloured blue on plan CCC1 at the end of this report)

Restriction on train times

16. No trains shall be operated within the Foxton Exchange Sidings between 2000 hours and 0530 hours.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise mitigation scheme

17. No trains shall enter the Foxton Exchange Sidings between 0530 and 0700 hours until a noise mitigation scheme has been submitted to and approved in writing by the waste planning authority and the approved scheme has been implemented in full. The approved noise mitigation measures shall be maintained for the duration of the development.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan

Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Wheel flange lubricators

18. The wheel flange lubricators shall be maintained in an operational condition for the duration of the development.

Reason: To minimise noise emissions in the interests of residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise limit (0530 - 0700 hours)

19. Noise emissions attributable to operations in the Foxton Exchange Sidings between 0530 and 0700 hours shall not exceed 42 dB $L_{Aeq, 1hour}$ free field at the boundary of any residential property.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise limit (0700 - 2000 hours)

20. Noise emissions attributable to operations in the Foxton Exchange Sidings between 0700 and 2000 hours shall not exceed 55 dB $L_{Aeq, 1hour}$ free field at the boundary of any residential property.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Plant working hours

21. The operation of mobile plant and powered hand tools shall only be undertaken between 0700 and 1800 hours Mondays to Fridays and between 0700 and 1500 hours on Saturdays. There shall be no Sunday or bank or public holiday working.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Vehicle loading hours

22. The loading of track materials and rail ballast from either road or rail vehicles associated with track removal shall only be undertaken between the hours of 0700 to 1800 Mondays to Fridays. There shall be no Saturday, Sunday and bank or public holiday working.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Foxton level crossing

23. The Foxton Road level crossing shall be retained in accordance with the details set out in the document Barrington Quarry – Planning Permission S/0180/10/CW – Submission of level crossing details as required by conditions 19, 30, 40 & 41 (Chris Lewis dated 22 February 2013) which were approved by the waste planning authority on 27 March 2013.

Reason: In the interests of highway safety and local amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/14.

Area B – Foxton Road Level crossing, River Cam viaduct, Glebe Road level crossing to Haslingfield Road level crossing (land shown coloured green on attached plan CCC1)

Plant working hours

24. The operation of mobile plant and powered hand tools for track, bridge and level crossing maintenance, shall only be undertaken between 0700 and 1800 hours Mondays to Fridays. There shall be no Saturday, Sunday and bank or public holiday working.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise limit

25. Noise emissions attributable to train movements shall not exceed 62dB$L_{Aeq,1hour}$ free field at a distance of 10 metres from the head of the nearest rail. Levels may be measured directly or derived from a combination of measurement and calculation using propagation corrections.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Vibration limit

26. Vibration levels from the operation of the railway line, as measured in accordance with BS6472, shall not exceed a 16 hour daytime vibration dose value (VDV) of 0.4ms $^{1.75}$ (0700-2300hrs) measured either at the position of the building foundation or at the centre of any floor of any residential property adjacent to the line. Where it is not practicable to measure inside dwellings or at foundation positions, measurements may be made at other positions and foundation levels calculated according to the methodology in the scheme for periodic monitoring referred to in condition 9.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Movement of trains (time of day)

27. There shall be no movement of trains before 0700 or after 2000 hours or between 0840 and 0910 hours or between 1510 and 1540 hours between Foxton Road level crossing and Haslingfield Road level crossing. There shall be no movement of trains between Foxton Road level crossing and Haslingfield Road level crossing at any time on Saturdays, Sundays and bank or public holidays except in accordance with condition 11. For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Number of trains per day

28. There shall be no more than 8 train movements in any one day on the railway between Foxton Road level crossing and Haslingfield Road level crossing. There shall be no more than an average of 6 train movements per day per calendar month measured excluding Saturdays, Sundays and bank or public holidays. For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Number of trains per hour

29. There shall be no more than 2 train movements in any 60 minute period on the railway between Foxton Road level crossing and Haslingfield Road level crossing.

For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Glebe Road level crossing

30. The Glebe Road level crossing shall be retained in accordance with the document Barrington Quarry – Planning Permission S/0180/10/CW – Submission of level crossing details as required by conditions 19, 30, 40 & 41 (Chris Lewis dated 22 February 2013) which were approved by the waste planning authority on 27 March 2013.

Reason: In the interests of highway safety and local amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/14.

Prevention of unauthorised access

31. The measures to minimise the risk of unauthorised entry of the railway line between points "X" and "Y" on the attached Plan CCC1 set out in the attachment to Keith Frost's email dated 28 March 2013 and approved by the waste planning authority on 3 May 2013 shall be maintained for the duration of the development hereby permitted.

Reason: In the interests of safety in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policy DP/3.

Wheel flange lubricators

32. The automatic wheel flange lubricators outside the cement works by the Haslingfield Road level crossing shall be maintained in an operational condition to grease the curve for the duration of the development.

Reason: To minimise noise emissions in the interests of residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Area C – Haslingfield Road level crossing to end of quarry railway extension (land shown coloured pink on attached plan CCC1)

Plant working hours

33. The operation of mobile plant and powered hand tools for track and level crossing maintenance, shall only be undertaken between 0700 and 1800 hours Mondays to Fridays. There shall be no Saturday, Sunday and bank or public holiday working.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Number of trains per day

34. There shall be no more than 8 train movements in any one day on the railway in Area C. There shall be no more than an average of 6 train movements per day per calendar month measured excluding Saturdays, Sundays and bank or public holidays. For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Number of trains per hour

35. There shall be no more than 2 train movements in any 60 minute period on the railway in Area C. For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Haslingfield Road level crossing

36. The Haslingfield Road level crossing shall be retained in accordance with the document Barrington Quarry – Planning Permission S/0180/10/CW – Submission of level crossing details as required by conditions 19, 30, 40 & 41 (Chris Lewis dated 22 February 2013) which were approved by the waste planning authority on 27 March 2013.

Reason: In the interests of highway safety and local amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/14.

Movement of trains (time of day)

37. There shall be no movement of trains before 0700 and after 2000 hours in Area C. There shall be no movement of trains in Area C at any time on Saturdays, Sundays and bank or public holidays except in accordance with condition 11. For the avoidance of doubt a light engine movement (i.e. a locomotive with no wagons) shall be classed as a movement for the purposes of this condition.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Area D – Existing worked quarry area including lake, haul routes and plant repair workshop (land coloured yellow on attached plan CCC1)

Prevention of dirt on public highway

38. The surface of the sealed access road at the entrance into the site from the Haslingfield Road shall be kept free of dirt and debris by regular cleaning by mechanical sweeping as necessary for the duration of the use.

Reason: In the interests of highway safety and the amenity of local residents in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policy DP/3.

HGV movements (restriction of hours)

39. The delivery of no more than 1,200 tonnes of restoration materials by road and the export by road of materials for re-use, recycling or disposal (including leachate) shall only take place between 0700 and 1800 hours on Mondays to Fridays. There shall be no HCV movements on Saturdays, Sundays, bank or public holidays.

Reason: *To minimise any disturbance in the interests of residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policy DP/3.*

Means of delivery of waste

40. No waste shall be imported into the site for the purposes of this development other than by rail except a maximum of 1,200 tonnes of restoration material.

Reason: In the interests of local amenity and highway safety in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policy DP/3.

Dust

41. No development shall take place other than in accordance with the dust control measures set out in Cemex letter dated 9th July 2015 (Appendix E of the Supporting Statement dated October 2016 (received 23 December 2016).

Reason: To minimise the risk of fugitive dust emissions from the site in the interests of residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE16.

Noise limits (0600 – 0700 hours)

42. Noise levels at the boundary of any residential property attributable to quarry infill operations shall not exceed 42dBLAeq, 1 hour between 0600 and 0700 hours. Levels may be measured directly or derived from a combination of measurement and calculation using propagation corrections. All measurements shall be carried out in accordance with the requirements of BS7445 *Description and measurement of environmental noise*.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise limits (0700 – 1900 hours)

43. Noise levels at the boundary of any residential property attributable to quarry infill operations shall not exceed either 10dB above the background noise levels specified in the periodic noise monitoring scheme or 55dB LAeq, 1 hour free field whichever is the lower between 0700 and 1900 hours. Levels may be measured directly or derived from a combination of measurement and calculation using propagation corrections. All measurements shall be carried out in accordance with the requirements of BS7445 *Description and measurement of environmental noise*.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Noise limits (1900 – 2200 hours)

44. Noise levels at the boundary of any residential property attributable to quarry infill operations shall not exceed 10dB above the background noise levels specified in the periodic noise monitoring scheme from 1900 to 2200 hours. Levels may be measured directly or derived from a combination of measurement and calculation using propagation corrections. All measurements shall be carried out in accordance with the requirements of BS7445 *Description and measurement of environmental noise*.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Working hours

45. The unloading of trains, transport of waste to the receptor areas, land levelling, soiling and initial cultivation shall only take place between 0600 and 2200 hours Mondays to Fridays and between 0600 and 1300 on Saturdays. There shall be no Sunday or bank or public holiday working.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Waste types

46. Only inert waste arising from construction and demolition shall be imported to and deposited at the site.

Reason: To define the nature of acceptable wastes to be deposited in the former quarry area in the interests of the prevention of pollution and residential amenity in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS9, CS34 and CS39 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/8.

Surface water drainage

47. No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Technical Note: MicroDrainage modelling results June 2017 reference CMP 16/06/207 and the Flood Risk Assessment prepared by JBA Consulting (ref: 2015s3432 Final Report V3) dated 20 December 2016 and inclusive of a scheme to treat and remove suspended solids from surface water run-off during the development, has been submitted to and approved in writing by the waste planning authority. The approved scheme shall subsequently be implemented in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development and to prevent the contamination of surface water that will be discharged into the River Rhee/Cam in accordance with National Planning Policy Framework paragraphs 163 and 165; the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS39 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/11. This is a pre-commencement condition because the surface water drainage arrangements need to be agreed before construction work starts.

Leachate management

48. No development shall take place other than in accordance with the leachate management scheme Arup ref BAR DOP001 Draft 1 12 November 2012 approved by the waste planning authority on 30 August 2013.

Reason: To prevent pollution of surface and in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS3 and CS39 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/8.

Pumps

49. All fixed pumping apparatus shall be electrically powered.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3 and NE/15.

Geological exposure

50. No waste shall be deposited in the area shown in yellow as Active fill area for phase on drawing no. 16_CO18_BARR_017 Phase 3 dated 16/12/2016 until detailed proposals for re-establishment of geological exposures, drainage and access arrangements have been submitted to and approved in writing by the waste planning authority. The development shall be carried out in accordance with the approved details.

Reason: To protection of the geological interest of the site in accordance with paragraph 170 of the National Planning Policy Framework (July 2018) and South Cambridgeshire Development Control Policies DPD (July 2007) policy NE/7.

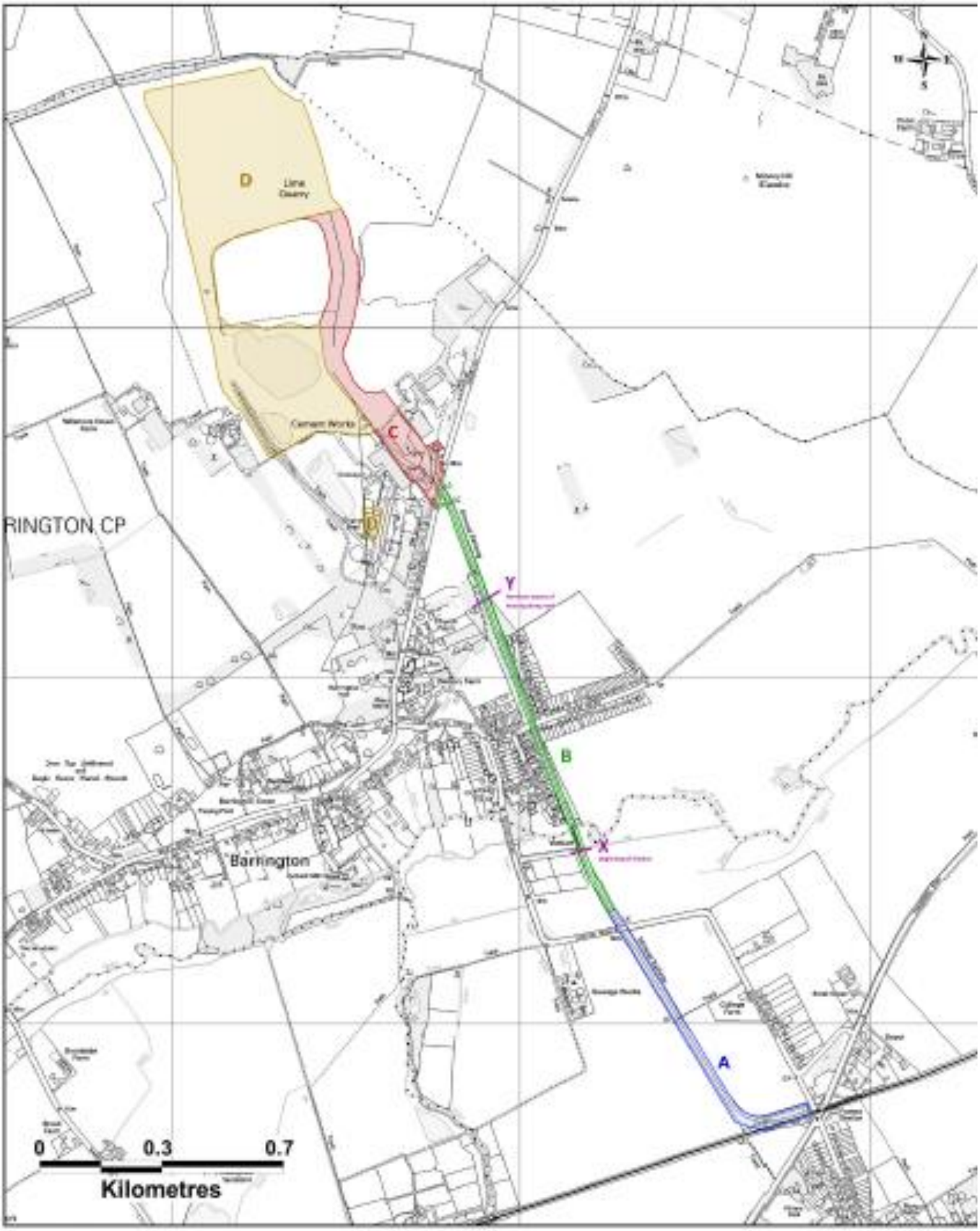
Unexpected cessation of development

51. Should for any reason the infilling cease for a period in excess of 12 months the developer shall upon written request from the waste planning authority submit a revised scheme for the restoration of the site, including a schedule of timings, provision of soiling, grass, shrub and tree planting in similar manner to that referred to in the aforementioned conditions. All work of restoration shall be completed within two years of the date of cessation of infilling in accordance with the revised scheme which shall have been agreed in writing by the waste planning authority. The approved revised scheme shall be implemented in full.

Reason: To define the timescale for the completion of the development and ensure the restoration of the site to a beneficial afteruse in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS25, CS33 and CS35 and South Cambridgeshire Development Control Policies DPD (July 2007) policies DP/3, NE/4, NE/6 and NE/7.

Source Documents	Location
Link to the National Planning Policy Framework 2018: https://www.gov.uk/government/publications/national-planning-policy-framework--2 Link to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011: http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste/7 Link to the South Cambridgeshire Local Development Framework (2007) https://www.scambs.gov.uk/categories/local-development-framework Link to the Emerging South Cambridgeshire Local Plan 2011- 2031: Submission of Local Plan https://www.scambs.gov.uk/services/emerging-local-plan	

Plan: CCC1



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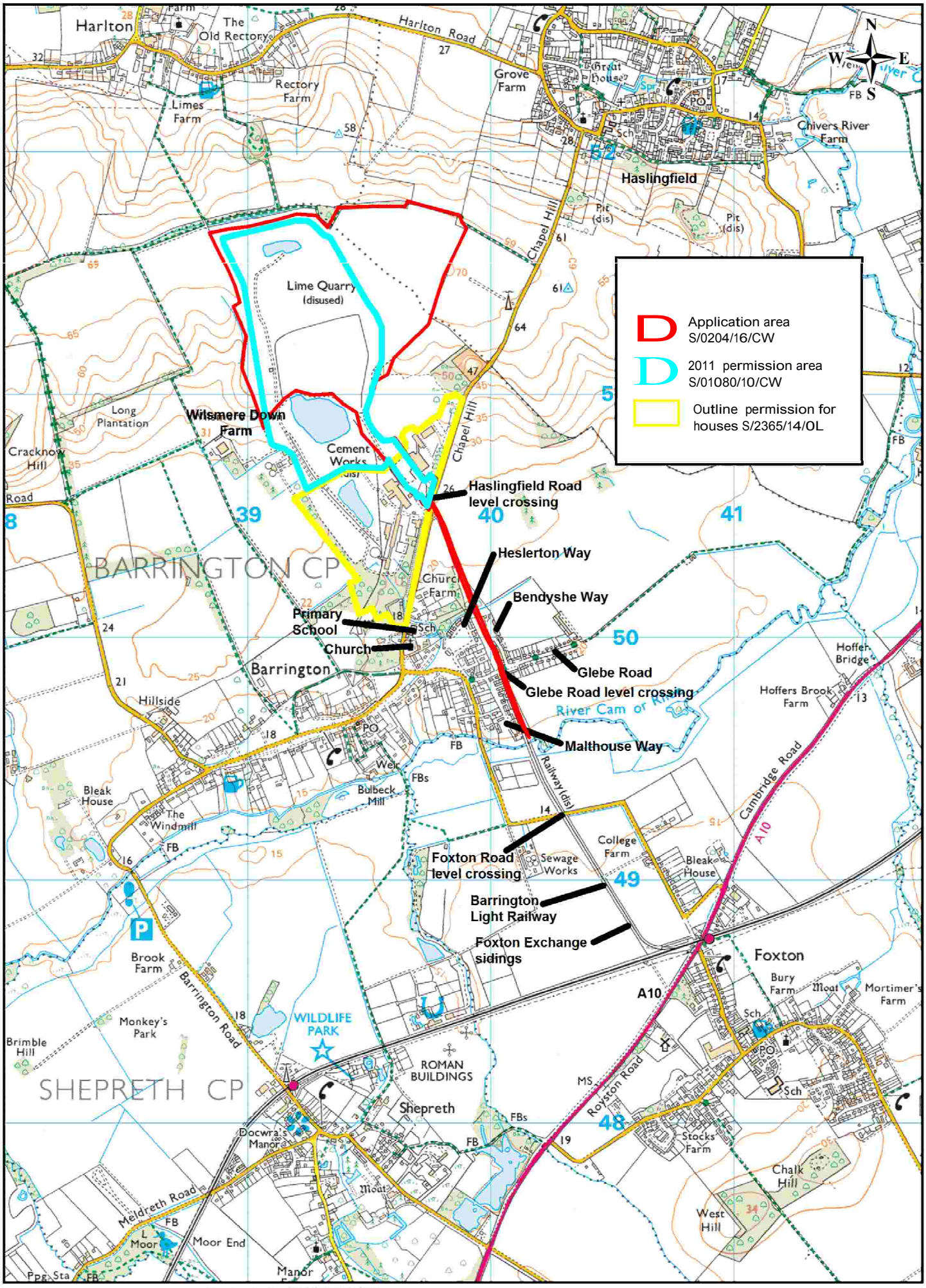
Date: 18/03/11 V2
By: tp484

Agenda Plan 1

Cambridgeshire



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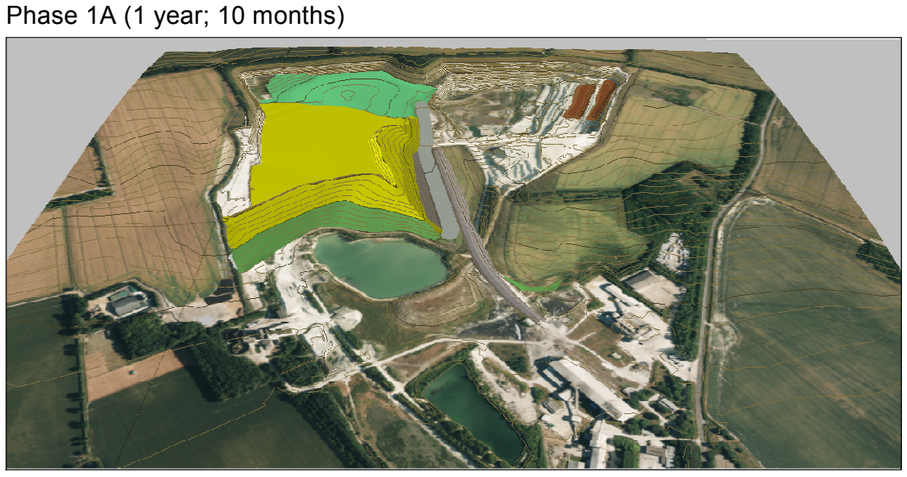
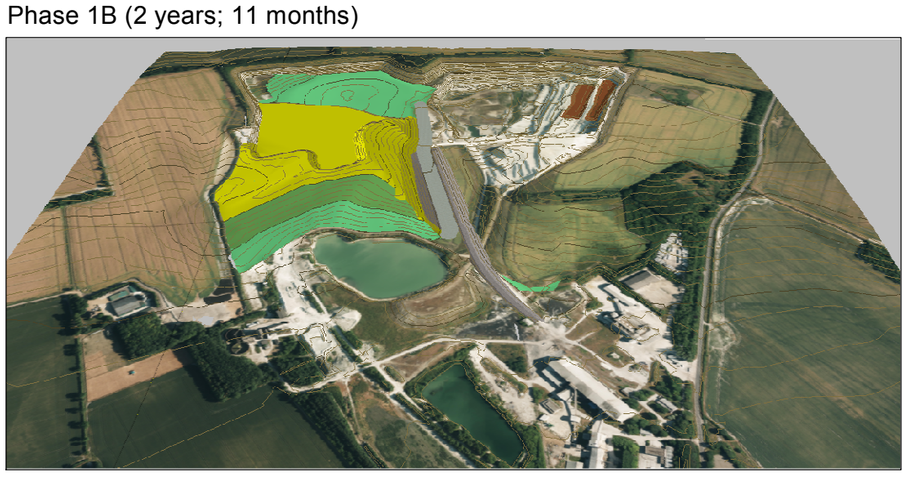
Site Survey (October 2015)

Initial Preparatory Phase (2 months)

Phase 1A (1 year; 10 months)



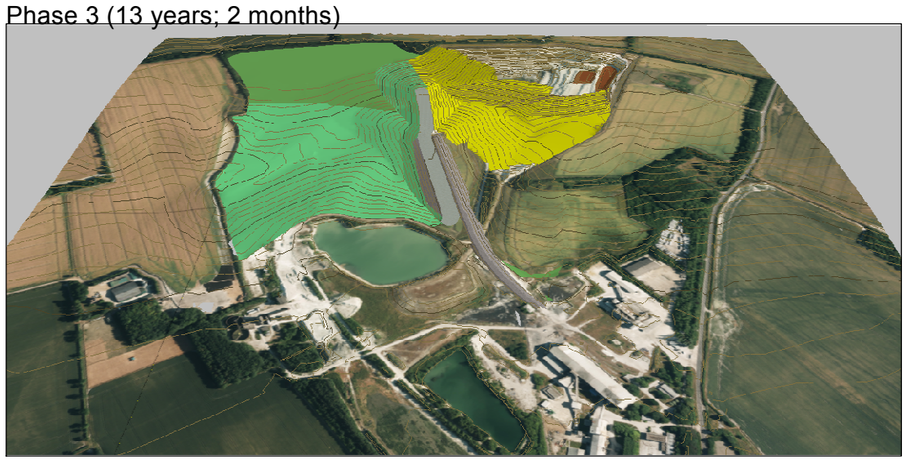
Phase 1B (2 years; 11 months)



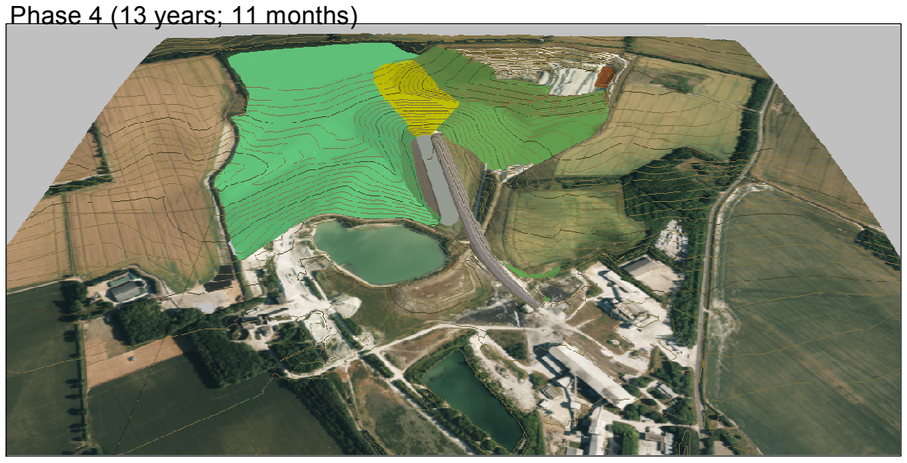
Phase 1C (4 years; 10 months)

Phase 2 (8 years; 5 months)

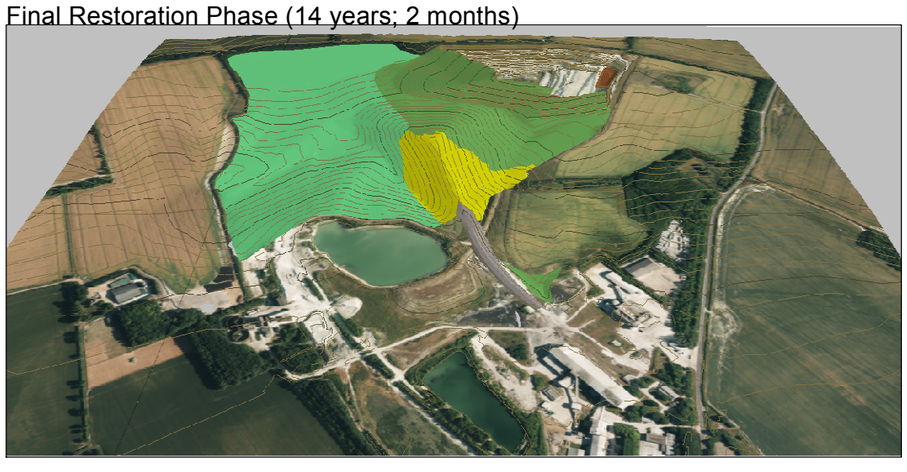
Phase 3 (13 years; 2 months)



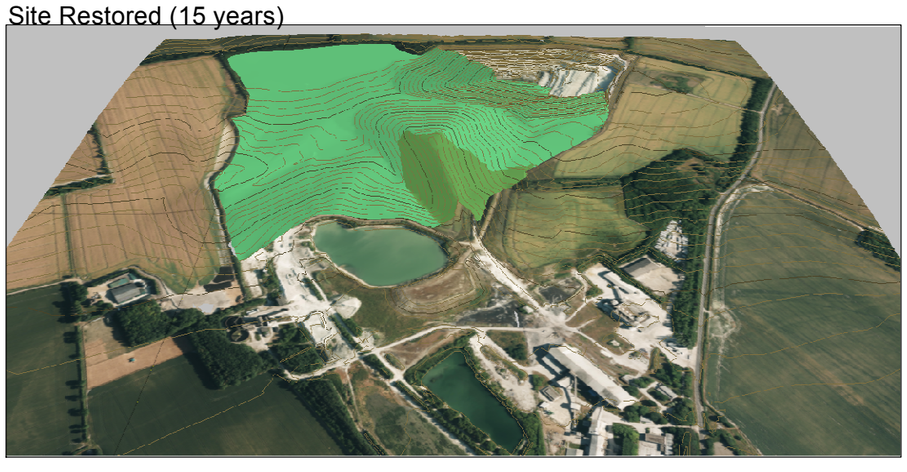
Phase 4 (13 years; 11 months)



Final Restoration Phase (14 years; 2 months)



Site Restored (15 years)



Legend

- Active infilling during phase
- Active restoration during phase
- Restored

UK National Reserves Dept.
CEMEX UK Operations Limited
Wolverhampton Road, Oldbury
Warley, West Midlands
B69 4RJ

Site Barrington Quarry Project

Proposed Restoration Scheme

Drawing Title Phasing Summary Drawing Number

16-C018-BARR-003

Scale: n/a Date: 16/12/2016

Drawn by: S Hopkins (steven.hopkinss@cemex.com; tel. 0121 569 7466)

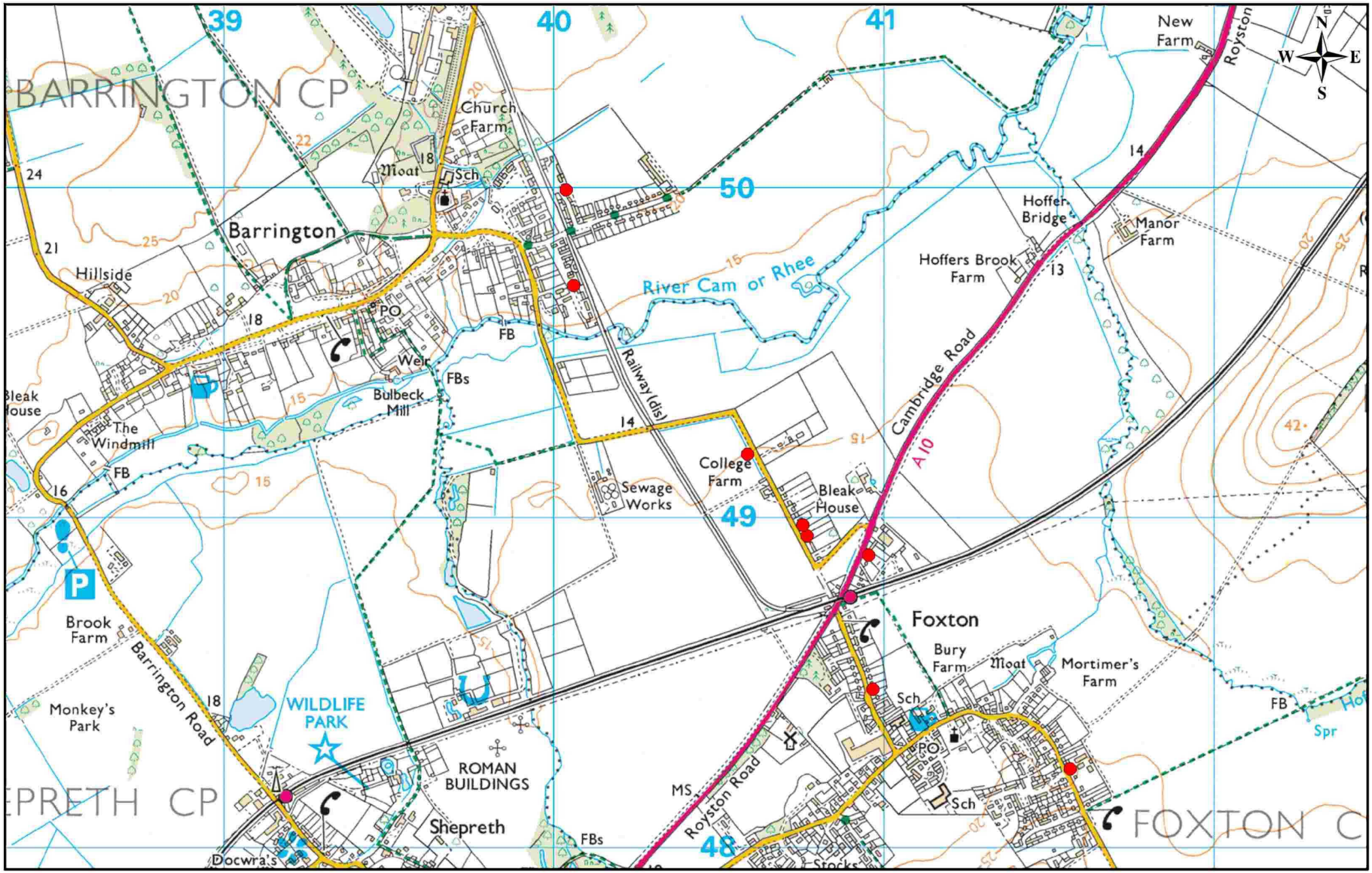
LSS models

Plotted from: n/a

Base Surveys: n/a

Agenda Plan 3 • Barrington Quarry Individual Representatives

Cambridgeshire County Council



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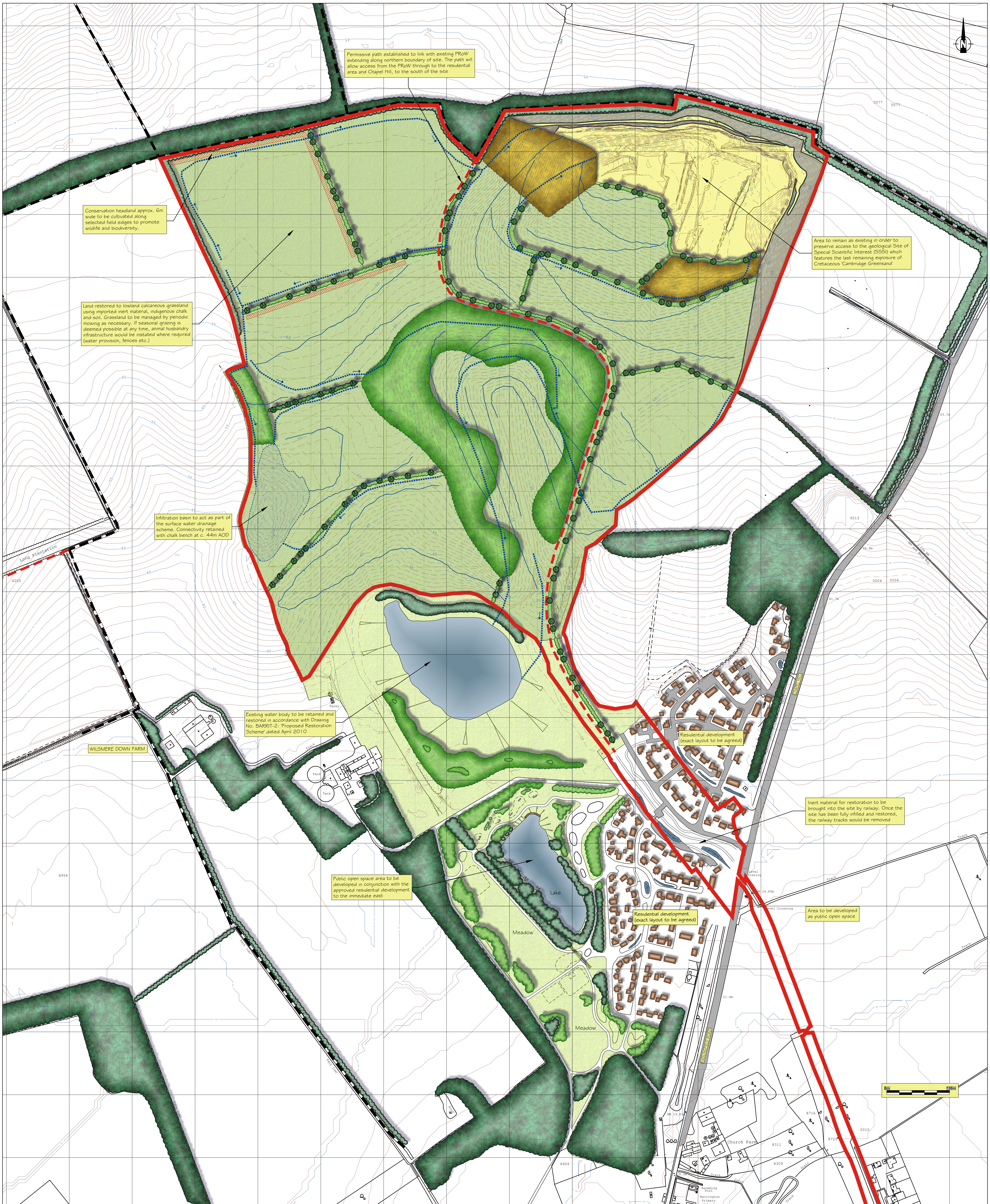
Permissive path established to link with existing PRoW extending along northern boundary of site. The path will allow access from the PRoW through to the residential area and Chapel Hill, to the south of the site
Conservation headland approx. 6m wide to be cultivated along selected field edges to promote wildlife and biodiversity.
Land restored to lowland calcareous grassland using imported inert material, indigenous chalk and soil. Grassland to be managed by periodic mowing as necessary. If seasonal grazing is deemed possible at any time, animal husbandry infrastructure would be installed where required (water provision, fences etc.)
Area to remain as existing in order to preserve access to the geological Site of Special Scientific Interest (SSSI) which features the last remaining exposure of Cretaceous 'Cambridge Greensand'
Infiltration basin to act as part of the surface water drainage scheme. Connectivity retained with chalk bench at c. 44m AOD
Long Plantation
Existing water body to be retained and restored in accordance with Drawing No. BARRIT-2: 'Proposed Restoration Scheme' dated April 2010
WILSMERE DOWN FARM
Tanks
Tank
Tank
Track
Residential development (exact layout to be agreed)
CHAPEL HILL
Inert material for restoration to be brought into the site by railway. Once the site has been fully infilled and restored, the railway tracks would be removed
Public open space area to be developed in conjunction with the approved residential development to the immediate east
Lake
Meadow
Drainage channel
Level Crossing
Area to be developed as public open space
Residential development (exact layout to be agreed)
HASLINGFIELD ROAD
Church Farm
Swimming Pool
Barrington Primary School
0m
100m
Path (um)
Pond

Key

PLANNING APPLICATION BOUNDARY	PROPOSED LOWLAND CALCAREOUS GRASSLAND
EXISTING CONTOURS (1m intervals)	AMENITY/MEADOW GRASSLAND
PROPOSED RESTORATION CONTOURS (1m intervals)	CONSERVATION HEADLAND APPROX. 6m WIDE TO PROMOTE WILDLIFE AND BIODIVERSITY
EXISTING PUBLIC RIGHT OF WAY	EXISTING WOODLAND AND HEDGEROWS
PROPOSED TRACK AND PERMISSIVE PATH	PROPOSED WOODLAND PLANTING

PROPOSED SCRUBBY PLANTING BLOCK

PROPOSED NATIVE HEDGEROWS WITH TREES

PROPOSED DRAINAGE GULLY

PROPOSED DRAINAGE DITCH

WATER BODY

GEOLOGICAL SSSI AREA TO BE LEFT UNRESTORED TO ALLOW PERMANENT ACCESS FOR STUDY

Client: CEMEX

Site: BARRINGTON QUARRY

Project: INERT INFILL PLANNING APPLICATION

Drawing Title: FULLY INFILLED QUARRY: COMPOSITE RESTORATION MASTERPLAN

Date: NOVEMBER 2017

Scale: 1:4,000 @ A2

Drawing No.: BARRIT19RevA

File Ref.: 1711_002.001_BARRIT19Rev.A

Revision: A

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PROPOSED RESTORATION OF BARRINGTON QUARRY, CAMBRIDGESHIRE

ENVIRONMENTAL STATEMENT REVIEW

Client: Ms Emma Fitch, Minerals and Waste Planning, Cambridgeshire County Council, Shire Hall, Castle Hill, Cambridge, CB3 0AP

Brief: To examine the submitted Environmental Statement in respect of noise and

Site: Cemex, Barrington Quarry, Cambridgeshire.

Dates: This report 3 July 2018

Author Gordon Brown MCIEH, FIOA

CONTENTS

1. OBJECTIVES

1.1. Cambridgeshire County Council has granted planning consent for importation by rail of restoration material to infill an existing quarry void and the operators of the site, CEMEX, have applied to extend the period for restoration and increase the amount of

1.2. The application includes an Environmental Statement (ES) that contains noise and vibration assessments, the purpose of this report is to review these assessments and advise the County Council regarding their content.

2. ADVICE FROM COUNSEL

2.1. Following the submission of the ES comments were made and passed to the authors of the Noise Chapter, WBM, discussions were held and a final response to those comments was provided dated 4 June 2018. In view of concerns regarding the interpretation and applicability of the current guidance relating to this type of development the County Council has sought advice from Counsel and this has been taken into account in this review. It should be noted that the comments from Counsel

2.2. In this regard it is appropriate to note that since the original consent was granted for this site the planning guidance system has changed radically and the standards used in assessing that application have either been withdrawn or changed. Furthermore, information has emerged from a recent planning appeal in respect of fracking in Lancashire (Department for Communities and Local Government, Cuadrilla Bowland Ltd and Cuadrilla Elswick Ltd) giving advice on noise standards for minerals planning

2.3. In view of its importance in clarifying the current position regarding guidance and

standards the advice from Counsel is considered first, followed by an examination of

2.4. The points that Counsel was requested to clarify are as follows;

- Whether the Planning Practice Guide Minerals (PPGM) applies to this site and development.
- Whether BS4142:2014 ¯Methods for rating and assessing industrial and commercial sound was relevant to the assessment of some noise aspects of this application.
- What is the correct interpretation of the noise limits contained in the PPGM in the context of an Environmental Statement?

- What guidance is available on what would constitute an unreasonable burden as applied to the provision of noise mitigation?
- What degree of evidence should be provided if a claim of unreasonable burden is made based on financial impact?

2.5. The first three points are of critical importance in determining what noise limits should be applied to certain activities, in particular noise from quarry infill operations affecting existing and proposed residential receptors, and noise from operations at

2.6. The last two points relate particularly to the provision of physical mitigation in respect of the area near to Wilsmere Down Farm and potentially to Foxton Sidings.

2.7. **Whether the Planning Practice Guide Minerals (PPGM) applied to this site and development** – the advice from Counsel may be summarised as follows. Firstly, provided that what is applied for comprises *normal operations* significant weight should be given to the PPGM. It is clear that this is National Guidance from the Government on noise standards for minerals applications.

2.8. Secondly, in the recent decision on fracking in Lancashire this guidance was central to setting of the appropriate night time noise level. The Secretary of State clearly adopted the Inspector's analysis in the decision letter. The Inspector gave considerable weight to the PPGM guidance in arriving at his *Conclusions on the appropriate night-time noise limit .*

2.9. Thirdly, the only use of the Foxton Sidings is for the restoration of the quarry and thus it is absolutely part of the operations of the restoration, and the importation by rail is preferable than by road for good planning reasons.

2.10. **Whether BS 1 2:201 "Methods for rating and assessing industrial and commercial sound" was relevant to the assessment of some noise aspects of this application** –the

original application for infilling at the quarry was determined in 2011, prior to the

publication of the current version of 854142, which was released in 2014. There are significant differences between the two versions and in respect of this application it is important to note that paragraph 1.3 (h) of 854142:2014 states that, *The standard is not intended to be applied to the rating and assessment of sound from: h) Other sources falling within the scopes of others standards or guidance.* This limitation was not contained in 854142:1997, which was used in determining the original

2.11. It was this section that led the Inspector in the Lancashire Fracking decision to give

The scope of this British Standard is set out in section 1 of the document. It describes methods for rating and assessing sound of an industrial and/or commercial nature. The methods described use outdoor sound levels to assess the likely effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes upon which sound is incident. It states that the standard is not intended to be applied to the rating and assessment of sound from sources falling within the scopes of other standards or guidance. …..I conclude that, although BS 4142 highlights some useful concepts which may assist in the assessment of likely noise impacts, its specific application to the proposed development should be viewed with some caution and all

2.12. This reasoning was endorsed by the 5ecretary of 5tate in the Decision Letter.

2.13. **What is the correct interpretation of the noise limits contained in the PPGM in the context of an Environmental Statement?** – Counsel has advised that the correct interpretation of the 42d8 $L_{Aeq,1h}$ night time noise limit is that it is an upper longstop limit, not one that will be acceptable in all cases. The reasons for this are as follows.

2.14. Firstly the wording of the PPGM paragraph 21 is consistent with this meaning. That is why it speaks of reducing to a minimum any adverse impacts. If 42dB was always acceptable that would not make sense.

2.15. Secondly the last sentence of paragraph 21 suggests that 42dB will not always be the correct limit. The sentence says *Care should be taken, however, to avoid any of these suggested values being implemented as fixed thresholds as specific circumstances may justify some small variation being allowed…*

2.16. Thirdly this accords with the fracking decision endorsed by the Secretary of State.

There the Inspector clearly set this out in analysis that was accepted by the Secretary of

However, it seems to me that the in any event level of 42dB;A LAeq,1h ;free field at a noise sensitive property is plainly an upper limit or a ceiling. Indeed, this is how Dr Hiller describes it in para 5.45 of his proof of evidence. Subject to the issue of unreasonable burdens, para 21 of PPGM requires that noise limits are set to reduce to a minimum any adverse impacts. I concur with LCC that that must refer to significant adverse impacts and other adverse impacts within the noise hierarchy. In terms of the noise hierarchy, adverse impacts cease to arise only below the threshold of the LOAEL (Lowest Observable Adverse Effect Level).

Having regard to para 21 as a whole, it is clear that this upper limit or ceiling cannot reasonably be regarded as representing a LOAEL. Its drafting reflects the assumption that, in principle, adverse effects can occur below 42dB(A) LAeq, 1h (free field). If it were otherwise, then no requirement to reduce to a minimum below that level would have been imposed. Furthermore, the noise hierarchy table set out PPGM, para 5, makes it clear that the requirement to mitigate and reduce to a minimum applies to the observed adverse effects which occupy the ground between the LOAEL and the SOAEL (Significant Observed Adverse Effects Level). It is below the SOAEL that the requirement

the view that 42dB(A) LAeq, 1h (free field) should be regarded as the LOAEL in this

2.17. The analysis then goes on in that decision to set out a lower level than 42dB for the LOAEL of 39dBA. That was after considering the particular characteristics of the noise in that case and, in addition, the World Health Organisation (WHO) Night-time Noise Guidance.

2.18. The fracking decision also set out some helpful guidance that the *minimum adverse impacts* level can be equated with the LOAEL. This is set out in paragraph 12.244 which provides that, *PPGM in respect of night-time noise requires compliance with noise limits set to 'reduce to a minimum any adverse impacts… . This poses the question as to what might amount to a minimum adverse impact in this case. I agree with LCC (Lancashire County Council) that it seems logical to equate the minimum*

2.19. This is again a passage that was endorsed in the Decision letter.

2.20. **What guidance is available on what would constitute an "unreasonable burden" as applied to the provision of noise mitigation?** –although the costs of barriers have been provided by WBM in their response dated 23 May 2017, no other financial information relating to the project has been provided. In the Lancashire Fracking case costs were provided for a barrier that would reduce the number of residents that would experience noise levels of 40dB from 3 to 0 and above 35dB from 22 to 6. Although the costs of the barrier, £1.46 million, was provided the Inspector did not regard this as disproportionate, and the Inspector did not think the costs were very meaningful in the absence of the overall scheme construction, operational costs and

2.21. Although the WBM response of 23 May 2017 contains estimated costs of barriers, no overall scheme value is given to set that against and it is therefore not possible to give

any consideration to whether or not those costs would be unreasonable. There is also little or no consideration of the effectiveness of other potential mitigation options, such as the provision of a short fence to shield noise from waiting engines, or limiting/prohibiting the early morning arrivals of trains and what that would do to the length of construction time. Counsel has therefore concluded that it would be surprising if the evidence submitted so far would be sufficient to suggest getting to the

3. ASSESSMENT OF NOISE CHAPTER (APPENDIX A OF ES)

3.1. The ES revised by WBM and dated 4 June 2018 is examined in some detail below.

3.2. **1 Introduction** – no comments.

3.3. **2 Relevant Policy and Guidance Documents** – this section copies current planning guidance and the current planning conditions relating to noise. Section 2.5 considers the issue of train nose and I am not convinced that guidance for the control of noise from a high speed train line which is part of a major national infrastructure project is relevant to this application. Although the noise may be from trains, it is likely to be of a significantly different character and the Barrington application is not one of national significance. However, this may be a moot point in terms of limits and is clearly a point

3.4. **3 Existing Planning Permission and Noise Limits** – the existing planning conditions are described and proposals made for limits to apply to the various activities and receptors associated with the current proposal.

3.5. Although the limit relating to daytime train movements on the branch line (62dB $L_{Aeq,1hr}$) is quoted as representing the Lowest Observable Adverse Effect Level (LOAEL) it should be noted that when this level was set in the original planning consent it was

acknowledged that noise from trains would be very significant at existing residential

properties and the limit was in excess of both the World Health Organisation noise limits and the limits in MPS2 (the minerals guidance in force at that time). The limit therefore does not represent LOAEL, it is at the very least the Significant Observable Adverse Effect Level (SOAEL). I would also point out that in the original application for this site I was very concerned that predicted railway noise levels at existing houses would exceed SSdB LAeq,lh and this exceedance was not in my view acceptable. The decision to allow the 62dB level was against my advice and was made on the basis that any consent granted for the operation would be limited to S

3.6. WBM have indicated that a limit for train movements at the permitted residential

development will be SSdB $L_{Aeq,lhr}$ and that train movements through Barrington will be assessed by considering the suggested hourly limit of SS dB LAeq,lh and also the HS2

3.7. Much of section 3.3 is given over to discussion of why the original noise limit for

Foxton Sidings was incapable of being met; I do not intend to consider this in detail other than to point out that the limit was based on WBMs own response to the Regulation l9 request and that it was not anticipated that this would require some form of extended consideration and interpretation of train noise variation not

3.8. Again, this is something of a moot point, it is my view that the advice given by counsel Richard Ground should be taken; the sidings are part of the quarry operation and as the guidance has changed since the original consent was granted the PPGM limits therefore apply and this limit coincides with that suggested by WBM, 42dB LAeq,lh. However, I am concerned that achieving this limit relies upon the locomotive being stabled at particular positions and the engine being switched off until 07:00. This requires the cooperation of third party organisations and individuals (drivers) and I am

indicates that train operators are often reluctant to switch off engines for relatively

short durations. The issue of mitigation at Foxton Sidings is considered in detail later in

3.9. **4 Site Description** - This section describes the site and the proposal. The previous

consent was for an infilling of the quarry over a 5 year period, this proposal is to infill

3.10. The proposed hours of operation are identical to those in the previous consent.

3.11. The applicants are seeking to vary the current permission in respect of the number of trains using the branch line, increasing this to a maximum of 4 loaded and 4 empty trains per day but maintaining an average of 3 loaded and 3 empty trains per working day over a calendar month.

3.12. No trains will enter Foxton Siding prior to 05:30 and the applicants are currently proposing that no trains will enter the sidings until a noise mitigation scheme is submitted and approved.

3.13. **5 Baseline** – baselines are considered for both the permitted new housing and existing dwellings. Measurements have been made by WBM in respect of the permitted housing development and the results of these used to propose site noise limits.

3.14. **5.1 Permitted Housing** - In respect of the daytime noise affecting the permitted new housing the proposal is to regard 45 dB $L_{Aeq,1h}$, which is considered to be the representative daytime background noise level +10dB, as the Lowest Adverse Effect Level (LOAEL) and 55 dB $L_{Aeq,1h}$ as the Significant Observed Adverse Effect Level (SOAEL). The suggested limits for evening and night time quarry noise are both 42dB $L_{Aeq,1h}$.

3.15. The proposal to use background +10dB as LOAEL and 55dB LAeq,1h as SOAEL for daytime noise are considered reasonable, as is the proposal to use background +10dB as the evening limit.

3.16. **5.2 Existing Housing** - The proposed evening noise limits for existing dwellings are

where the proposal is to increase the evening noise limit from $L_{Aeq,1h}$ to 44dB 42dB

3.17. **5.3 Foxton Sidings** – Measurements of background and ambient noise have been made near to College Farm, which is representative of properties in the vicinity of Foxton Sidings. Background noise levels have been reviewed for the period from around 5.30am to 7am. The baseline background noise levels during this period ranged

median value is 40 $L_{A90,15min}$ and the modal value is 39 $L_{A90,15min}$. The baseline ambient noise levels in this period range from 40 dB to 58 dB $L_{Aeq,5min}$. The logarithmic average of the samples is 52 dB $L_{Aeq,5min}$.

3.18. **5.4 Train Noise** - Train noise is also considered and results of measurements given.

These indicate that current noise levels from 2 trains per hour could be between 56 and 62 dB $L_{Aeq,1h}$, at 14m and 10m distance respectively. It should be noted that where brake squeal has occurred during measurements, noise levels may be up to 67dB

3.19. **6 Impact Assessment** – This section gives details of the type of activity taking place on the site and the methods of calculating the noise impact of these activities. I have checked the detail of the example calculation given and am broadly satisfied with the methodology and input data.

3.20. Paragraph 5.3 contains a table of calculated noise levels affecting existing housing and in general these are within the limits given in the current consent. However, the levels

predicted for Wilsmere Down Farm are significantly higher than the current consent

limits, but it should be noted that the exceedance only occurs when site activity

3.2l. Noise levels will exceed 44dB $L_{Aeq,lh}$ (i.e. more than lOdB above the quoted background noise level) at Wilsmere Down Farm when infill activity is taking place

relatively close to the dwelling, but Cemex advise that the overall duration of activity

daytime SOAEL of 55 $L_{Aeq,lh}$, and will only occur when activity is carried on in relatively small area, the impact is not significant.

3.22. The issue of mitigation for Wilsmere Down Farm is considered in more detail later in this report.

3.23. **6.4 On-Site Activities Affecting Permitted Housing** - Noise impacts have been

calculated for the permitted new housing and without mitigation night time and evening noise levels will exceed the proposed noise limits at all assessed

3.24. In their 2Ol4 report on noise likely to affect the residential development Jacobs derived the following noise limits from their measured background noise levels and these were used in the outline application Environmental Statement to assess the residential development.

Table 8.24: Background levels and limits for restoration operations

Period	Limit	Average Background level measured in September 2014	Limit adopted for this assessment
Early Morning (0600 - 0700)	42 dB $L_{Aeq,1hour}$ (condition 51)	-	42 dB $L_{Aeq,1hour}$
Daytime (0700 - 1900)	Either 10 dB above the background noise levels specified in the periodic noise monitoring scheme or 55 dB $L_{Aeq,1h}$ free field whichever is the lower (condition 52)	32 dB L_{A90}	42 dB $L_{Aeq,1hour}$
Evening (1900 - 2200)	10 dB above the background noise levels specified in the periodic noise monitoring scheme (condition 53)	29 dB L_{A90}	39 dB $L_{Aeq,1hour}$

3.25. It should be noted that the outline application did not consider any levels in excess of those given above in their assessment of noise impact and the ES noise chapter contains the following statement regarding Significance Criteria;

Planning conditions 51, 52, and 53 set out noise limits to be achieved during the restoration activities, and these are consistent with the limits for minerals working set out in the Technical Guidance to the NPPF. These limits have been adopted as thresholds of significance for the purpose of this assessment. If noise levels at proposed properties exceed these levels, then a significant effect has been deemed to occur.

3.26. The later measurements carried out by WBM indicate that the representative

background noise levels are higher than those used by Jacobs and the proposal is to use a limit of 45dB $L_{Aeq,1hr}$ for daytime noise, and the suggested limits for evening and

3.27. In the report to the South Cambridgeshire planning committee the comments of the Environmental Health Officer are reported as follows;

The restoration activities associated with the quarry (county planning reference

against noise if the two were to co-exist. Recommend refusal unless a Grampian style condition or 5106 is imposed preventing the commencement of any residential development until the county minerals permission for restoration activities have been completed in full or additional noise mitigation measures to address activities is agreed. These measures would indicate siting of earth bunds/acoustic fences, operational noise management plan, reduction in hours when restoration permitted and dust mitigation and management strategy.

3.28. The planning officer's assessment of that was;

The Council's environmental health officer advises that without mitigation the restoration activities associated with the quarry would result in an unacceptable impact on the living conditions of future residents. The quarry is within the control of the applicants and subject to mitigation measures such as installing earth bunds, acoustic fences, controlling hours of restoration no harm arises through noise

3.29. In respect of mitigation for train unloading and infilling activities the Jacobs report

If the residential development is to be occupied during restoration activities, Cemex

would implement a programme of noise mitigation aimed at reducing noise levels associated with rail unloading and earth moving operations such that the limits specified in conditions 51, 52, and 53 attached to permission 5/1080/10/CM are met at

This programme of mitigation would be submitted to accompany the information submitted to discharge condition 49 attached to permission 5/1080/10/CM, when the detailed design information relating to the rail/road transfer facility is determined.

With a suitably designed programme of mitigation in place, it is considered that the

planning limits specified in conditions 51, 52, and 53 attached to permission

3.30. Condition 17 decision notice for the residential development states;

No development shall commence until a detailed noise insulation scheme or noise mitigation strategy to address noise associated with Barrington Quarry Minerals Permission 5/01080/10/CW has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details

3.31. It should also be noted that in respect of daytime noise Minerals Permission

Noise levels at the boundary of any residential property attributable to quarry infill

operations shall not exceed either 10 dB above the background noise levels specified in the periodic noise monitoring scheme or 55 dB LAeq,1h free field ***whichever is the lower*** *between 0700 and 1900 hours. Levels may be measured directly or derived from a combination of measurements and calculation using propagation corrections. All measurements shall be carried out in accordance with the*

3.32. The condition therefore appears to be based on the premise that there was no reason why the LOAEL in respect of quarry infill operations, background plus 10dB, could not be met at all residential properties.

3.33. Clearly the South Cambridgeshire District Council will in due course determine a reserved matters application for the residential development, but it is unclear what effect the application considered in this report (S/0204/16/CW) will have in this

basis of one set of noise limits being met, but the current application to extend the

period for restoration and increase the amount of material to be placed in the quarry void over a larger area considers the noise impact on the permitted residential

3.34. There is an overlap of responsibility in respect of noise from infill activities affecting

the permitted housing, the County Planning Authority having responsibility for determining the current application for infill activities and potentially imposing conditions to control noise, whilst the South Cambridgeshire District Council has the responsibility for determining any reserved matters application for

3.35. As a reserved matters application has not yet been submitted it is not possible to give any firm indication of the noise levels that are likely to be acceptable to SCDC. It should be borne in mind that even if the levels proposed by WBM are accepted as being satisfactory by the minerals planning authority there is no guarantee that the same

3.36. **6.5 Train Noise on Branch Line** - Train noise levels at Barrington are currently generally within the limits given in Condition 25 of the permission for the existing site but changes are proposed to the operation of the trains and the effects of these changes are considered. Measurements of train noise at Barrington undertaken by WBM indicate that this limit is currently being achieved for 1 train event per hour, provided brake squeal does not occur.

3.37. Due to the nature of the railway line it is not possible to operate more than 2 trains in any one hour and allowing for a maximum of 2 train events per hour, the noise limit of 62 dB LAeq,1h at 10m from the head of the nearest rail would still be achieved. Allowing 4 trains per day would still result in a maximum of 2 trains in any one hour, therefore this change would not result in a breach of the current noise limits. Based upon monitoring results this conclusion is correct.

3.38. The current permission allows for a maximum of 3 loaded trains and 3 empty trains in any one day on the branch line between 7am and 8pm. This is an upper limit per day.

3.39. CEMEX are seeking permission to increase this to up to 4 loaded trains and 4 empty trains on the branch line between 7am and 8am, but with an overall limit of 3 loaded trains and 3 empty trains per day as a calendar monthly average.

3.40. Operating 4 loaded trains and 4 empty trains on the track would not give rise to any breach of the current noise limits, based on monitoring results, but the overall noise emission level over the period from 07:00 to 20:00 would increase by approximately ldB. Such an increase in noise level would normally be regarded as insignificant.

3.4l. If this change is permitted it is essential that the averaging period is carefully defined as the use of a calendar monthly average is open to interpretation. I would prefer the averaging to be made over the ***working days*** contained in any calendar month to avoid any ambiguity.

3.42. It must be recognised that although consent was granted for the operation of the railway line in conjunction with the original quarry infilling scheme, it was acknowledged at that time that the noise from the trains passing through Barrington would represent a significant adverse noise impact, as assessed against the guidance in force at that time, Minerals Planning Statement 2 (MPS2). It should be noted that the daytime and night time noise limits in the PPGM and MPS2 are effectively identical. The only difference between the two guidance documents in this respect

3.43. Counsel has indicated that as the only use of the Foxton Sidings, and by inference the railway line, is for the restoration of the quarry they are thus absolutely part of the operations of the restoration. This means that the guidance given in the PPGM will apply to the railway line and Foxton Sidings.

3.44. Given that the predicted daytime noise from the operation of the railway line exceeds the PPGM upper limit of $L_{Aeq,lh}$ at existing houses immediately adjacent to railway line the conclusion must be that the noise associated with the operation of the Foxton to Barrington railway is likely to have a significant adverse impact on a number of residential premises. This conclusion was reached in respect of the original infilling application and remains the same for the current application. However, the current application, if approved, would allow the significant adverse impact to continue over a very much longer period, potentially lS years. However, the options for mitigation are very limited and it is clear that there are other planning considerations to be taken into

3.4S. Without mitigation the noise impact of train noise on the permitted dwellings may exceed the PPGM upper limit of SSdB $L_{Aeq,lh}$ at some new dwellings, but WBM consider

3.46. **6.5 Train Noise at Foxton Exchange Sidings** – The train noise limits proposed by WBM in respect of the Foxton Sidings area are $L_{Aeq,lhr}$ prior to 07:00 with no train 42dB $L_{Aeq,lhr}$ during daytime. These would apply at the facade of any dwelling in respect of night time noise and at the boundary of any residential property during daytime. These noise limits accord

3.47. The calculations carried out by WBM indicate that without mitigation the limits may be exceeded under some circumstances, dependent upon the type of train and duration of idling when stationary.

3.48. **7 Proposed Mitigation Measures** – This section considers potential mitigation measures to reduce the noise impact of the proposed development. In considering mitigation it is essential that the aims of the National Planning Policy

Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established (subject to the provisions of the Environmental Protection Act 1990 and other relevant law); and*
- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason*.

3.49. The Planning Practice Guidance Minerals expands upon this concept as follows;

Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours (0700-1900). Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations

For operations during the evening (1900-2200) the noise limits should not exceed the background noise level (LA90,1h) by more than 10dB(A) and should not exceed 55dB(A) LAeq, 1h (free field). For any operations during the period 22.00 – 07.00 noise limits should be set to reduce to a minimum any adverse impacts, without imposing unreasonable burdens on the mineral operator. In any event the noise limit should not

3.50. One of the critical issues in considering noise limits is whether or not mitigation is

required and if it is, whether requiring such mitigation would be an unreasonable burden on the mineral operator. Minerals Planning Authorities are required to take a view on whether or not to impose the requirement for mitigation but can only do so if they are provided with sufficient information on which to

3.5l. WBM have provided costings for the provision of barriers in respect of both Barrington and Foxton Sidings but without information from Cemex regarding the overall scheme construction, operational costs and budget it is difficult to place these into context. Although there are obvious commercial sensitivities in this respect, this clearly makes it difficult for the local planning authority to make an informed judgement on this

3.52. **7.1 On site Activity Affecting Existing Dwellings** - In this instance it is clear that noise levels at Wilsmere Down Farm will exceed the LOAEL of l0dB above background for at least some portion of the life of the development and under those circumstances mitigation must be considered in order reduce the adverse impact.

3.53. WBM have calculated that the noise from infilling operations would exceed the noise limits when working occurs within approximately 85m of the working edge and this time taken to complete the works within this distance would be approximately 27 working days. However, the noise levels would still be below 55dB $L_{Aeq,lhr}$, which is the

3.54. The provision of a 2m bund along the boundary would reduce the exceedance to ldB, which is regarded as a minor issue, but obviously the construction of the bund would generate relatively high noise levels for a significant period. Temporary works such as bund construction are subject to a higher PPGM noise limit of $L_{Aeq,lhr}$ and this higher noise impact must be offset against the extent of mitigation provided by the

3.55. WBM have proposed a schedule of operational controls that would avoid adverse noise impacts during the more sensitive evening and night time periods. On balance I am of the view that given the relatively short duration of the potential daytime noise limit exceedance, the construction of the bund may cause more disturbance that

3.56. **7.2 On site Activity Affecting Permitted Dwellings** – the proposed mitigation, comprising barriers and operational controls, is described in detail in the ES chapter. However, the mitigation has been assessed against the limit levels proposed by WBM, which differ from the limits used in the outline consent assessment. At present the views of the SCDC planning authority regarding these proposed limits are not

3.57. The mitigation options discussed comprise limitations on the setback distances for working at specified times and the provision of earth bunds at the infill edge. WBM have calculated that by using the proposed mitigation there should be no adverse impacts during the evening or night time. There will be some adverse impact during Phase 3 operations close to the infill boundary at one location, but this is not predicted to exceed the PPGM upper noise limit of 55dB LAeq,lhr and physical

3.58. Overall, the mitigation proposed by WBM in respect of the permitted dwellings appears to be satisfactory.

3.59. **7.3 Train Noise on Branch Line** - No physical mitigation is proposed in respect of train noise affecting existing dwellings in Barrington, however this issue was considered in respect of Barrington when the original infill application was determined, and the following is an extract from the committee report submitted at that time;

'Consideration has been given to the desirability of erecting noise barriers between the single track railway and the adjacent housing. To be effective such barriers would have

to be located on both sides of the track and be approximately 5 metres in height. The erection of the barriers would have a severe impact on the outlook from adjacent housing and could result in shading of gardens. On balance, it is considered that any beneficial impacts on amenity from reduction to noise is not outweighed by the significant visual impact of such structures especially given the occasional nature of the train movements recommended. Clearly it would not be feasible to erect any noise

3.60. These concerns are likely to be relevant to the current application, and WBM have considered the effect of a 2m high barrier. Such a barrier would be ineffective against noise from the locomotive due to the noise source height but would provide

3.61. Costings have been provided for a 2m barrier but these need to be put into the context of the overall scheme construction, operational costs and budget, which have not been provided. WBM have indicated that they consider the noise from train passbys in Barrington as not constituting a significant adverse noise impact. However, as indicated in paragraphs 3.42 to 3.44 of this report, the noise levels from train movements exceeds the SSdB $L_{Aeq,1hr}$ overall limit specified in PPGM and in this context does constitute a significant adverse noise impact.

3.62. **7.4 Train Noise at Foxton Exchange Sidings** – Mitigation is discussed comprising a mix of operational controls and barriers but WBM are suggesting that this may be approved following the grant of any consent for the project, and the mitigation is presented in the form of examples of what may be employed.

3.63. Night time controls that have been suggested include a time restriction with no trains entering the sidings prior to 0S:30, specific operational requirements for any train arriving between 0S:30 and 07:00, and physical mitigation in the form of a barrier. The result of these controls would allow trains arriving prior to 07:00 to meet

limit of 42dB $L_{Aeq,1hr}$. The provision of the barrier means that there is significantly less reliance on third party operatives turning off the locomotive after arrival.

3.64. During daytime if a Class 66 locomotive is allowed to idle within the sidings the noise levels is predicted to be below the noise limit of SSdB $L_{Aeq,1hr}$ but older locomotives (to be phased out within l2 months) will exceed the limit if allowed to idle for more than 30 minutes.

3.6S. The proposal to erect a barrier to mitigate noise prior to 07:00 is welcome but I am concerned that this presented as an example of mitigation and not a firm commitment. This aspect requires clarification and confirmation that it will be included in the mitigation package.

3.66. **8 Residual/Secondary Impacts** – this section begins by stating that there are no impacts at or above SOAEL, which I do not agree with as the noise impact of train movements within Barrington is above the SSdB $L_{Aeq,1hr}$ limit given on PPGM. However, it is for the planning authority to determine if this exceedance is allowable in the circumstances taking into account the need to achieve other planning

3.67. There will be further residual impacts at Wilsmere Down Farm and the permitted

housing development, the extent of the latter depending upon the final site layout and

3.68. **9 Summary and Conclusions** – this sections summarises the ES Chapter and I have no comments to make in respect of it as all points have been covered elsewhere in this report. However, I remain concerned that the issue of physical mitigation at Foxton Sidings is merely suggested as a possibility and not a commitment.

4. ASSESSMENT OF VIBRATION CHAPTER (APPENDIX B OF ES)

4.1. The submission in respect of Vibration is technically complex, extremely comprehensive, and is considered to be satisfactory in its entirety.

4.2. In respect of existing residential receptors in Barrington the only change that would be brought about by the application proposal in comparison to the current railway operation is that the maximum number of trains permitted in a day would be increased from 3 each way to 4 each way, with a limitation that the average number of trains in any calendar month would not exceed 3 each way. Even with the increase in the number of train movements on a single day from 6 to 8 the current daily VDV (16-hour) limit would be met.

4.3. The chapter considers the potential effects of groundborne vibration on buildings and on occupiers, and from groundborne noise on occupiers. The conclusions are that the level of vibration would be below recommended limit levels in respect of even minor damage to buildings and that there would be no significant effects on occupiers from either groundborne vibration or groundborne noise.

4.4. The combined effects of internal airborne noise with groundborne noise and with

groundborne vibration have also been examined and the conclusion is that the internal airborne noise levels would not be significantly increased by the predicted groundborne noise levels. It was also concluded that the noise level equivalent to the vibration level in terms of annoyance did not result in any significant increase in the

4.5. With regard to the permitted residential development the Chapter contains a brief

consideration of the potential for vibration to have an adverse effect on buildings and future occupiers. The original 2010 ES included a Chapter on Vibration and this indicated the relevant vibration limit values could be achieved at the property with the

the permitted housing development states that the nearest housing would be

approximately 20m from the railway, and it is reasonable to assume that groundborne vibration level would be lower at the increased distance. The operating manual for the Barrington Light Railway, submitted with the application, imposes a speed restriction for trains within the works sidings of Smph, whereas where trains pass the existing housing on the branch line speeds of up to 1Smph are permitted. It should be noted that Mr Taylor quotes speed limits of 8 km/h and 1S km/h in his report, the first value is a direct conversion of Smph to km/h, but the second figure is incorrect and

4.6. The conclusion that may be drawn from consideration of these factors is that the

vibration limits in force for the current infilling operation are likely to be met in respect of the permitted housing development. However, the scope of the existing vibration monitoring scheme should be extended to include the permitted housing development

S. CONCLUSIONS

5.1. Following the advice of Counsel it is clear that the noise impact of the quarry site

should be judged against the standards in PPGM, as the guidance used in assessing the

5.2. Comparing the predicted noise levels with the limits contain in the PPGM it is concluded that the noise impact of activities within the quarry is not likely to result in significant adverse impacts to the majority of existing dwellings. One property, Wilsmere Down Farm, is likely to experience adverse noise impacts from infilling activity for at least part of the restoration scheme, but this will be for a limited duration and it is likely that the construction of a mitigation bund would cause a

5.3. The issue of noise affecting the permitted residential development requires consideration by the SCDC planning authority as they will determine the reserved matters application.

5.4. Judged against the limits given in PPGM, noise from train movements on the branch line is likely to cause a significant adverse noise impact for those dwellings that are adjacent to the line for the duration of the infilling operation, and there will be adverse impacts at other properties.

5.5. Activities at Foxton Sidings during the night have the potential to cause adverse impacts and require control.

5.6. Groundborne vibration levels will increase to a marginal extent if the maximum number of trains using the railway line is increased from 6 to 8, but the limits imposed in the original infilling consent will be met. As these limits are based on a current British Standard they are considered to be the correct limits for this

Agenda Item No: 5

Summary of Decisions Made Under Delegated Powers

To:	**Planning Committee**
Date:	**6th September 2018**
From:	**Head of Growth and Economy**
Electoral division(s):	**All**
Purpose:	**To consider the above**
Recommendation:	**The committee is invited to note the report**

Officer contact:	
Name:	Vikki Etheridge
Post:	Planning Co-ordinator
E-mail:	vikki.etheridge@cambridgeshire.gov.uk
Tel:	01223 715518

1.0 INTRODUCTION

1.1 At the committee meeting on 31 January 2005 it was agreed that a brief summary of all the planning applications that have been determined by the Head of Strategic Planning under delegated powers would be provided.

1.2 The Scheme of Delegation set out in Part 3D of the Council's Constitution describes the extent and nature of the authority delegated to the Executive Director: Economy, Transport and Environment to undertake functions on behalf of Cambridgeshire County Council. The delegations are made either by the Full Council or one of its committees. The Executive Director, has considered it necessary and expedient, to authorise the Head of Strategic Planning (now Head of Growth and Economy) to undertake functions on his behalf. These authorisations are included within a written schedule of authorisation published on the Council's website which is available at the following link: https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/.

2.0 SUMMARY OF DECISIONS

2.1 Eight applications have been granted planning permission under delegated powers during the period between 07/07/18 and 27/08/18 as set out below:

1. **H/5005/18/CW** – Temporary change of use of buildings 4002 and 4003 and adjacent land to form an advanced bio-fuel demonstration and production centre (Sui Generis) for the processing of waste coffee grounds, including installation of plant and machinery, temporary buildings, ancillary storage and associated works.

   Location: Building 4002 and 4003, Alconbury Airfield, Alconbury Weald, PE28 4WX

   Decision granted 23/07/2018

   For further information please contact Jack Millar on 01223 703851

2. **H/5007/18/CC** – Section 73 planning application to retain 6 bay mobile classroom unit for a temporary period for school use until 31st August 2020 without compliance with condition 1 of planning permission 15/00667/S73.

   Location: Sawtry Infants School, Middlefield Road, Sawtry, PE28 5SH

   Decision granted 02/08/2018

   For further information please contact Jack Millar on 01223 703851

3. **F/2004/18/CC** – Erection of one pre-school 5- bay classroom including play deck and canopy for a temporary period until 31 August 2023 following removal of existing mobile classroom

   Location: Parson Drove Pre-School, Payne Primary School, 9 Main Road, Parson Drove, Wisbech, PE13 4JA

Decision granted 09/08/2018

For further information please contact Jack Millar on 01223 703851

4. **S/0089/18/CC** – Development of the existing 0.5 form entry primary school (120 pupils) to include the erection of a two storey rear extension and single storey infill extension and internal refurbishment to part of a Grade II Listed Building, together with the removal of the existing temporary classroom, additional on-site parking and associated landscaping to expand the primary school to a 1 form of entry (220 pupil) place school.

   Location: Barrington C Of E School, 12, Haslingfield Road, Barrington, CAMBRIDGE, CB22 7RG

   Decision granted 13/08/2018

   For further information please contact Kirsty Carmichael on 01223 703216

5. **F/2007/18/CC** – Erection of a 5 bay temporary mobile classroom with access ramp and paved pathway for a temporary period until 31 August 2023

   Location: Manea Primary School, Station Road, Manea, MARCH, PE15 0HA

   Decision granted 14/08/2018

   For further information please contact Kirsty Carmichael on 01223 703216

6. **H/5012/18/CC** – Erection of a 4 bay temporary mobile classroom to accommodate the breakfast and afterschool club for a temporary period until 31 August 2023

   Location: Stilton C Of E School, Church Street, Stilton, PETERBOROUGH, PE7 3RF

   Decision granted 14/08/2018

   For further information please contact Kirsty Carmichael on 01223 703216

7. **S/0094/18/CC** – Erection of one 7-bay temporary classroom for a temporary period until 31 August 2020

   Location: Waterbeach Cp School, High Street, Waterbeach, CAMBRIDGE, CB25 9JU

   Decision granted 14/08/2018

   For further information please contact Jack Millar on 01223 703851

8. **H/5015/18/CC** – Section 73 application to develop land without complying with condition 1 of permission H/5008/17/CC, to allow retention of the mobile classroom until 31 August 2023.

   Location: St. Annes C Of E Primary School, London Road, Godmanchester, HUNTINGDON, PE29 2WW

   Decision granted 21/08/2018

   For further information please contact Tracy Rockall on 01223 699852

Source Documents	**Location**
Applications files	SH1315, Shire Hall, Cambridge, CB3 0AP