

PLANNING COMMITTEE



Date: Thursday, 01 November 2018

Democratic and Members' Services

Fiona McMillan

Monitoring Officer

10:00hr

Shire Hall

Castle Hill

Cambridge

CB3 0AP

Kreis Viersen Room

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>

- 2 Minutes - 17th September 2018 3 - 24**

- 3 Minutes - 4th October 2018 25 - 50**

PLANNING APPLICATIONS

- 4 F-2003-18-CW - Recycplas Ltd, Eastwood End Industrial Estate, 51 - 82
Wimblington, PE15 0QN**

ITEMS FOR INFORMATION

- 5 Summary of Decisions Made Under Delegated Powers 83 - 86**

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

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PLANNING COMMITTEE: MINUTES

Date: Monday 17th September 2018

Time: 10.00am – 5:02pm

Place: Council Chamber, Shire Hall, Cambridge

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

Also present: Councillor Ian Bates

Officers: David Atkinson – Development Management Officer (Strategic and Specialist Applications), Hannah Edwards – LGSS Law, Emma Fitch – Business Manager County Planning Minerals and Waste, Daniel Snowdon – Democratic Services Officer.

Specialists present: Nick Atkins (Environmental Health Officer, South Cambridgeshire District Council), Toby Lewis (Noise consultant for the County Council), Andrew Winter (South Cambridgeshire District Council planner), Penny Wilson (Air Quality consultant for the County Council), Graham Farrier (Landscape consultant for the County Council), Jon Finney (Highway Authority), Tam Parry (Transport Assessment Team for the County Council), Quinton Carroll (Cambridgeshire County Council Historic Environment Team), Liz Robin (Director of Cambridgeshire County Council Public Health), and Stuart Keeble (Cambridgeshire County Council Public Health)

56. APOLOGIES AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillor Bradnam declared a non-statutory interest regarding the planning application being considered by the Committee. Councillor Bradnam advised that she was the County Councillor for the Waterbeach division, District Councillor for Milton and Waterbeach ward and a member of Milton Parish Council. Councillor Bradnam informed the Committee that since her election as a County Councillor, she had been a member of the Amey Liaison Forum, Chair of the South Cambridgeshire District Council (SCDC) Waterbeach New Town Community Forum and a member of the Board of Trustees to the Waterbeach Internal Drainage Board, although as a new member has not yet sat on a meeting.

Councillor Bradnam advised that she was SCDC's nominated representative to the Board of Trustees of Denny Abbey and the Farmland Museum. The position was that of an observer and Councillor Bradnam had no voting rights.

Councillor Bradnam informed the Committee that as Local Member, she had assisted Waterbeach, Landbeach and Milton Parish Councils together with local residents in their consideration of the planning application. The assistance provided solely related to directing residents to Council Officers for information and at no time had Councillor Bradnam expressed personal opinions regarding the planning application and had

disassociated herself from the views expressed by her political party. Councillor Bradnam assured the Committee that she had carefully not expressed any personal opinions about the merits or otherwise of the application and viewed the application with an open mind.

Councillor Harford declared a non-statutory interest as a member of Sustainable Cottenham and informed the Committee that she had not spoken to any members of the group regarding the planning application.

In response to a Member question the Council's Legal Officer confirmed that advice from the Monitoring Officer had been sought regarding Councillor Bradnam's declaration of interest and she was satisfied that she could sit on the Committee.

57. APPLICATION FOR FULL PLANNING PERMISSION FOR THE CONSTRUCTION AND DEVELOPMENT OF A WASTE RECOVERY FACILITY (WATERBEACH WASTE RECOVERY FACILITY – WWRF) AT LEVITT'S FIELD, WATERBEACH WASTE MANAGEMENT PARK (WWMP), ELY ROAD, CAMBRIDGE COMPRISING THE ERECTION AND OPERATION OF AN ENERGY FROM WASTE FACILITY TO TREAT UP TO 250,000 TONNES OF RESIDUAL WASTE PER ANNUM, AIR COOLED CONDENSERS AND ASSOCIATED INFRASTRUCTURE: INCLUDING THE DEVELOPMENT OF AN INTERNAL ACCESS ROAD; OFFICE/WELFARE ACCOMMODATION; WORKSHOP; CAR, CYCLE AND COACH PARKING; PERIMETER FENCING; ELECTRICITY SUB-STATIONS; WEIGHBRIDGES; WEIGHBRIDGE OFFICE; WATER TANK; SILOS; LIGHTING; HEAT OFF-TAKE PIPE; SURFACE WATER MANAGEMENT SYSTEM; HARDSTANDING; EARTHWORKS; LANDSCAPING; AND BRIDGE CROSSINGS.

AT: LEVITT'S FIELD, WATERBEACH WASTE MANAGEMENT PARK, ELY ROAD, WATERBEACH, CAMBRIDGE, CB25 9PQ

APPLICANT: AMEYCESPA (EAST) LIMITED

APPLICATION NO: S/3372/17/CW

The Chairman welcomed members of the public to the Committee and proposed that due to the number of people that had registered to speak on the application, normal speaking rights would be waived. All registered speakers would have 3 minutes in which to address the Committee, including Public Bodies. The applicant would be afforded the total amount of time allocated to the objectors in which to make their presentation. The proposal was seconded by the Vice-Chairman and agreed with the unanimous agreement of the Committee.

The Chairman informed the Committee that following a number of late representations received a Committee Report Update Sheet had been prepared by officers that addressed the points raised. Owing to the finalisation of the report after close of business on Friday, 14th September, the Chairman adjourned the meeting for 45 minutes in order for Members to consider the additional information, and requested everyone to return by 11:00am.

Meeting adjourned at 10:12am

Meeting reconvened 11:03am

Following the adjournment, the Chairman welcomed Members and the public back to the meeting and thanked them for their patience while the Committee was adjourned.

The Council's Legal Officer confirmed with Members that they had read the additional information provided that had not been included within the original report i.e. the 15 page Committee Report Update Sheet and the new information in Appendix 3 (the additional TLP report review of the CBWIN Landscape Report), Appendix 4 (the late representation from UKWIN) and Appendix 5 (the late representation from Lucy Frazer QC MP) – Members confirmed they had.

The Development Management Officer (Strategic and Specialist Applications) introduced himself and presented the application and began by confirming the planning application was for the erection and operation of an energy from waste facility and associated infrastructure that would treat up to 250,000 tonnes of residual waste per annum, which included reading out the full application description.

The presenting officer identified the location of the application site and the extent of land that formed the boundary of the planning application through presentation of maps and location plans, highlighting its relation to nearby settlements and transport infrastructure.

Attention was drawn to the site access from the A10 and routing arrangements for Heavy Goods Vehicles (HGV) on the site, existing structures at the site and the location of the proposed buildings. Members noted the corridor of land from the site and along the A10 down to the roundabout near the research park that would be utilised for the heat uptake pipe.

The presenting officer highlighted the area of wetland reed bed, waste reception hall and the main structures of the proposed facility including the chimney stack location near Beach Ditch. Members noted that there were two proposed road crossings over Beach Ditch and the proposed site layout which would allow the HCV traffic to be separated from staff and visitor access.

Members noted the extent of the waste management park through aerial photographs that illustrated the main operational areas and existing structures of the site, including references to the type of recycling and treatment operations already in place, alongside the landfill which operated as the final disposal point for residual waste from the waste treatment processes.

Elevation drawings of the proposed facility were presented to the Committee, with attention drawn to the height and width of the structures including the 80m high chimney stack. Members were informed that some of the internal arrangements for the building were sunk below ground level in order that the facility be as low as possible and reduce the visual impact. The side of the building that faced the A10 was 11m tall at the start and rose to a maximum of 41m over the course of the roof profile.

Visualisations of the site were presented to the Committee and the main elements of the structure were highlighted, including reference to rapid closing doors on the waste reception hall. Members noted that the facility was no closer to the A10 than the current Mechanical Biological Treatment (MBT) plant. Further images that illustrated staff and visitor parking and the internal haulage road alongside the landfill site were shown along with a surface water drainage map, highlighting the alignment of Beach Ditch.

Members noted that in bringing forward the design, the applicant had taken account of the Council's design guide for waste management facilities supplementary planning guidance published in 2011, and officers were content that the design was appropriate for its setting within Waterbeach Waste Management Park, when taking account of its function.

The presenting officer informed Members that the proposed facility had been developed in response to the Government 'waste hierarchy' which was presented to the Committee. The hierarchy illustrated how waste should be handled, prioritising prevention, re-use of waste, recycling and other recovery and to consider disposal as a last option. The proposed development would move waste material up the waste hierarchy to the 'other recovery' category away from landfill.

The proposed energy from waste facility would, Members noted, result in benefits from the production of electricity and heat. The location of the likely underground connection to the National Grid was highlighted showing an approximate route to the Arbury substation along the Mere Way – although it was noted that this sat outside the remit of the planning application as it would be dealt with using permitted development rights. There was also a possibility that electricity could be used before reaching the grid e.g. at the potential Waterbeach Barracks development.

The planning application was to be determined through the process of Environmental Impact Assessment (EIA). The process involved consultation with statutory and non-statutory bodies, interested parties and the general public. Responses to the two rounds of consultation carried out consultations were summarised in Section 5 of the officer's report. Members further noted that planning officers considered the land use planning aspects of the application and their views, findings and recommendation was also presented in the Committee Report.

Members were informed that following registration, the receipt of the applicant's Environmental Statement was notified in writing to the Secretary of State for Housing Communities and Local Government. The Secretary of State subsequently asked to be made aware of the date of the Committee meeting and be provided with a copy of the Committee Report.

A copy of the Committee Report was sent to the Secretary of State, and he was aware of the officer recommendation. The Secretary of State responded and sought agreement of the Council that, in the event that the Planning Committee were minded to approve the planning application, then the decision notice would not be issued until such time as the Secretary of State had decided whether or not to call in the application for his own determination. Members noted that the Secretary of State intended to contact the Council to ascertain the planning committee's decision.

The presenting officer informed the Committee that national planning guidance required the starting point for decision making is the minerals and waste plan for Cambridgeshire and Peterborough and that the site was allocated for the purpose intended within the current, up to date Development Plan. Waste would primarily be sourced from existing processes that took place at the Waste Management Park totalling 184,000 tonnes. In order for the proposed facility to operate at full capacity, a further 66,000 tonnes would be required to be provided through importation of waste to the site by road. Attention was drawn to the Cambridgeshire growth agenda which projections indicated that 90,000 tonnes of waste would be produced by the new residential developments and therefore could meet the current shortfall of local waste to be used in the proposed development. It was acknowledged however, that the new housing developments were phased over the coming 10 years.

The presenting officer informed the Committee of the representations received regarding the planning application from statutory consultees.

South Cambridgeshire District Council and East Cambridgeshire District Council had registered objections to the application due to the impact on Denny Abbey and the A10

and how any development may affect the upgrading of the A10. It was also acknowledged that South Cambridgeshire District Council Planning Committee Members considered the development would result in 'substantial harm' to the setting of Denny Abbey which was contrary to Historic England's view.

The Environment Agency would be responsible for the environmental permitting of the site and supported the application in principle because of the proposed move away from landfill and the energy recovery elements to the application. The Environment Agency also supported the development of a visitor centre and educational facility.

Public Health England had no significant concerns regarding the impact of emissions from the facility on public health, providing the facility was operated in accordance with relevant technical guidance, industry best practise and takes all appropriate measures to prevent or control pollution. They would be an important consultee in the waste permitting regime.

The Highway Authority had raised no objections subject to the imposition of certain safeguarding conditions. The policy team confirmed that there were no implications from the proposed development to the high level study on the A10 at this stage and no comments had been received from the Cambridgeshire and Peterborough Combined Authority regarding the matter.

Historic England raised objection to the development on the grounds that it would harm the setting and therefore the significance of the designated heritage assets at Denny Abbey. They confirmed that the level of harm would be "less than substantial" in national planning policy terms. If the development did not provide any wider public benefits that would outweigh the harm then planning permission should be refused. The presenting officer drew attention to the full text of the representation set out in the officer report (Appendix 1).

Owners of Denny Abbey, English Heritage Trust, had also been consulted Members noted. English Heritage fully endorsed the objections raised by Historic England. They were concerned that harm to the setting and significance of the Denny Abbey monument would have a negative impact on the visitor experience at Denny Abbey/Farmland Museum and its future viability and sustainability.

The Campaign to Protect Rural England objected to the proposed development on the grounds of the adverse visual impact on landscape character (both during daylight and night time) and the adverse impact on the setting of heritage assets at Denny Abbey.

Natural England raised no objection as the proposed development would not have significant adverse impacts on the integrity of the Fenland Special Area of Conservation including Wicken Fen Site of Special Scientific Interest and Ramsar site.

The Wildlife Trust for Cambridgeshire advised that whilst the proposed development was not likely to have significant impacts on statutory nature conservation there would be a direct impact on Beach Ditch and Engine Drain County Wildlife Site due to bridge works. Works should therefore be secured by condition to provide potential enhancements to this county wildlife site.

Cambridge Airport advised that they had no objections and that it would not be necessary to fit red obstruction warning lights for aircraft to the completed development.

The Fire Service advised that in principle the provision for emergency water supplies at the site was adequate.

The Old West Internal Drainage Board whom administered Beach Ditch raised no objections to the planning application.

Attention was drawn to the summary of views of the respective Parish Councils set out in paragraphs 5.53 - 5.70 & 5.72 of the Officer report. Six local Parish Councils had made representations on the proposed development and the presenting officer summarised their concerns, which covered a range of issues including:

- adverse impact on air quality in the event of failure due to poor monitoring and unclear responsibility;
- adverse visual impact, by day and night, of such a large plant on the character of the fen edge landscape and also the adverse impact on the setting of Denny Abbey;
- the benefits offered by the proposal did not outweigh the significant and ongoing visual harm its presence in the landscape and operational impacts would cause;
- additional HGV movements associated with the development would adversely impact on the flow of traffic along the A10 which was severely congested for long periods of the day;
- adverse impact on landscape character and heritage sites (Ely Cathedral and Denny Abbey);
- concerns regarding potential health impacts on existing residents and those that would move to Waterbeach New Town;
- noise and light emissions;
- concern over the potential requirement to import waste from outside the local area adding to traffic congestion and pollution;
- no construction should take place until the improvements to the A10 had been implemented;
- reliance on the stringent environmental monitoring to which the facility would be subject;
- concerns regarding pollutants which could impact on local wildlife sites;
- expect a “safety first” approach to be adopted in relation to health impacts of pollution from particulates;
- if planning permission is granted then planning conditions should require the establishment of air quality monitoring stations with the data published;
- a planning condition should be implemented restricting HCV movements on the A10 to off peak periods;
- the establishment of such a large intrusive building and chimney stack on flat terrain would have a detrimental effect on the landscape over a substantial area, being out of keeping with a rural setting; and

- potential significant health risks due to diminished air quality, in particular the impact of fine particulates.

The presenting officer drew attention to paragraph 5.71 of the officer report in which the Rt Hon Heidi Allen MP made a representation on behalf of her constituents. In summarising the contents of the objection the presenting officer informed the committee that whilst recognising the efforts that had been made by the applicant and independent consultants to try to allay local fears regarding the effect of the facility on human health, because of the questions still arising out of the impacts on human health (re monitoring of particulates) and the possibility of a waste incineration tax impacting on the viability of the facility, Ms Allen raised her objection to the proposals.

In addition to the many individual representations that had been received, a petition signed by 2230 signatories objecting to the development had been submitted by CBWIN. Attention was also drawn to two letters of support of the application that had been received.

The presenting officer summarised the main grounds of objection raised in local representations that encompassed:

- The health risks associated with a reduction in air quality, particularly smog from the burning of waste; the release of more harmful emissions during start up and close down of the facility; release of toxic fumes, dioxins and carcinogens, fine particulate matter and potential ingestion via crops
- The proposed facility was not the right waste management solution and was far too large
- The location was inappropriate for a plant of its nature as it was too close to existing and proposed homes and schools
- The increase in noise emissions
- The adverse visual impact of the proposed buildings and exhaust stack on Ely Cathedral and American Cemetery at Madingley
- The adverse impact on the setting of Denny Abbey heritage site and its viability
- The increase in traffic on the A10 and A14, both during construction and operation with importation of waste. Concern was also expressed regarding road safety and reductions in air quality
- The adverse impact on plants, wildlife and nature conservation sites from emissions
- The proposed facility would discourage recycling
- The risk of pollution to groundwater
- The risk of pollution to Beach Ditch
- The risk of soil contamination from emissions

- Concern regarding operator performance at the Waste Management Park.
- The flawed electricity calculations and carbon assessment
- The current Waste Plan being out of date
- Proposed landscape mitigation inadequate
- Concerns regarding the passage of lorries through local villages

A summary of all the issues raised in local representations received, Members noted were set out in paragraphs 6.2 to 6.6 of the officer report. Maps were also displayed which showed the geographical distribution of comments received during the first round of public consultation, before showing rounds 1 and 2 cumulatively.

The presenting officer informed Members that the planning application was technically complex. Planning policy supported waste moving up the waste hierarchy and currently residual waste was sent to landfill. The planned capacity of the facility was 250,000 tonnes and the growth agenda in Cambridgeshire suggested that the requirement for the importation of waste would diminish over time as new housing developments in Cambridgeshire were built. The ability to move waste up the hierarchy, generate electricity and therefore husband the landfill resource for the future was also acknowledged. The presenting officer also noted that the Development Plan has an approach to the proximity principle by seeking catchment restrictions and the officer report sets out how officers have addressed this. Furthermore, this is an allocated site for an energy from waste use that would complement the recycling activities already on the Waterbeach Waste Management Park. As such, it would not conflict with the Development Plan on demonstrated need.

Attention was drawn to paragraphs 8.1 – 8.36 of the officer report and the transport studies undertaken by the applicant. There was no evidence to suggest that there would be a significant impact on the highway and a condition regarding construction traffic had been included. A staff travel plan would also be required. Furthermore, there was no evidence to suggest that the use of the land would prejudice future development of the A10. As such, the presenting officer confirmed that the proposed development was not in conflict with the Development Plan in relation to transport matters.

The presenting officer addressed the visual impact of the proposed development and confirmed that a Landscape Visual Impact Assessment (LVIA) had been undertaken and that the Council had sought independent advice from The Landscape Partnership in respect of this. Details of the landscape character associated with the Fen Edge was also explained by the presenting officer, as it was noted that the land in question fell within a transition area between National Character Area 88 Bedfordshire and Cambridge Claylands and National Character Area 46 The Fens. Visualisations showing photomontages of the development were presented to the Committee with various views of the site from different locations, including Denny Abbey. Visual screening provided by the planting of trees would take time to establish and projections of what the site would look like over the course of 15 years were shown for illustrative purposes. Members acknowledged that the views from Denny Abbey were familiar from a recent site visit where the visualisations had been examined for accuracy.

The presenting officer noted that at the western side of the facility the completion of the landfill operation would result in a domed landfill that would be planted with a hedge at the top, providing some visual attenuation for views from Twentypence Road in Cottenham.

A wide vista from Aldreth was presented to Members, from which, when particular weather conditions occurred, the plume from the chimney stack may become visible and draw the eye to the stack.

Photographs of the current lighting arrangements on the A10 and Research Park together with the Waste Management Park were shown together with visualisations of the proposed lighting scheme for the development which would be low level. The presenting officer reminded Members that there was no requirement for a red warning beacon to be fitted to the chimney stack for aircraft movements.

Officers noted that the local landscape had seen change in the past with existing developments at the Waterbeach Waste Management Park and the Cambridge Research Park, and there was significant change planned for the future with the Waterbeach New Town development. Officers agreed with the judgements made by The Landscape Partnership (in line with the assessments provided by both the applicant and the one provided on behalf of CBWIN) that there would be significant adverse effects on landscape character and views. Attention was drawn to the submission from CBWIN regarding landscape and the presenting officer commented that differences in judgements could be expected due to the subjective nature of the assessments made. Furthermore, the presenting officer made reference to the additional report provided by The Landscape Partnership that was requested to consider the three professional assessments (their own, the applicant's, and the one submitted on behalf of CBWIN) to identify any differences between them, in order to be able to inform Members of where the professionals agreed and where differences existed what this meant.

Paragraphs 8.14 and 8.200 of the officer report considered the impact on heritage assets and it was accepted that the application would have an adverse impact upon them. On-site archaeological interest could be dealt with by planning condition. The proposed facility was a short distance from Denny Abbey which was a scheduled monument and a map showing the location and type of heritage assets in close proximity were also shown to Members to identify their relationship with the proposed development. Officers also noted that the development was within the setting of the Denny Abbey Complex (which included the Denny Abbey Scheduled Monument, the Grade II listed gate piers at the entrance off the A10 (the closest listed structure to the site); the Grade I listed Denny Abbey including the remains of the 12th Century Benedictine abbey church; the Grade I listed 14th Century Franciscan nunnery (refectory); and the Grade II listed 17th Century barn to the north of Denny Abbey (The Farmland Museum stone building)), before setting out the role of Historic England as the Government's statutory heritage advisor and noting that their views should be afforded significant weight. A summary of Historic England's main objections were covered by the presenting officer.

Paragraphs 8.201 to 8.212 of the officer report considered the impact on ecology and the presenting officer referenced Beach Ditch and Engine Drain County Wildlife Site which would be subject to bridge works on the proposed site. Reference was made to consultation responses from Natural England, the Council's ecologist and the Wildlife Trust, and in connection with Wicken Fen, specific reference to the comments made by Natural England were covered by the presenting officer.

[Note there was a short stop at this point at 12:04 by the presenting officer to allow a member of the public to leave to attend an appointment].

A diagram that set out the industrial energy from waste process at the proposed facility was presented to the Committee. The presenting officer explained that due to the velocity that treated emissions would be expelled from the chimney stack, the effective height of the chimney stack would be somewhat higher thus aiding dilution in air and dispersion

over a large area. Within the volume of product gas expelled from the chimney stack only a very small percentage required scrutiny and detailed consideration of impacts would be considered through the determination of the environmental permit application. Members were reminded of national planning policy that required no duplication of controls regarding emissions to air, their impact on the environment and monitoring. South Cambridgeshire District Council's Environmental Health Officer had suggested that monitoring and emissions data be publically available and the presenting officer confirmed that planning conditions had been included to ensure such data was published from treated exhaust gas monitoring.

Members were advised that noise emissions from the proposed development could be controlled by planning condition in the interests of residential amenity and that the site was not at risk of flooding and surface water drainage details could also be secured by planning condition. Cumulative impacts with other developments in the area, including the mineral extraction proposed at Mitchell Hill and development at Waterbeach Barracks, were also discussed by the presenting officer, which included assessments for traffic, air quality, landscape and noise.

In conclusion the presenting officer drew attention to the public benefits that officers had identified in paragraphs 8.293 to 8.309 of the officer report that should be given significant weight when determining the application. The public benefits encompassed, the use of an allocated site within the waste development plan for an identified waste management use, recognising that policy at national and international level aimed to move waste up the waste hierarchy and away from landfill, the facilities at the Waste Management Park were unique and well located in terms of growth and ease of access to major routes such as the A10 and A14. The co-location with the Waste Management Park would reduce the demand for landfill and produce heat and electricity for use off-site. There were carbon benefits when compared with disposal by landfill, that would be more dependable than wind and solar and would offer diversity to the alternatives for fossil fuels, with a really good opportunity to deliver both electricity and heat in support of new growth in the area. There were also significant socio-economic benefits that would arise from the proposed facility and increased biodiversity with the new wetlands.

The public benefits should be set carefully against the acknowledged harm on the visual amenity of the Denny Abbey heritage asset and the local landscape character, both of which had been accorded significant weight by officers in the report.

Having taken into account all relevant legislation, planning policy and consultation responses, officers considered there was justification to support the development of an energy from waste facility at the proposed site. Consequently the officer recommendation was for the approval of the planning application subject to the completion the Section 106 agreement and the planning conditions set out in the officer report.

Before officers took questions from Members on the committee presentation, the Council's Legal Officer clarified with Members that they needed to apply the heritage test in relation to harm to heritage assets in paragraph 196 of the NPPF (with the full text read out), which had been clearly set out in the officer report under paragraph 8.294 on page 149 and this needed to be noted.

In response to Member Questions officers:

- Confirmed that the proposal did not include landscape mitigation in the form of a living wall to the building structure adjacent to the A10. There was visual screening proposed within the application along the side of the waste reception building;

- Confirmed that the application did not include proposals for a planted roof for the building;
- Explained that following input from the Landscape Partnership there were options available with regard to choice of materials and colours used in construction and that a further opportunity for influencing this had been secured through a planning condition;
- Explained that the design of the plant was such that there should not be litter around the site, therefore a daily litter pick would not be required. Members were informed that litter pickers were employed by the operator at the Waste Management Park. The Council's Legal Officer reminded Members that the performance of the operator at the site was not a material planning consideration;
- Advised that whilst it was possible to plant larger trees as part of the visual mitigation for the site, the advice received from The Landscape Partnership recommended planting younger trees rather than mature trees as they were less likely to fail. The spacing of the trees and the species selected was of greater importance than the size of tree planted when creating visual screening;
- Confirmed that the species of trees planted as part of the visual mitigation was to be determined as part of a hard and soft landscaping scheme and was secured by planning condition;
- Explained that paragraph 6.3 of the officer report related to letters in support of the application that had been received and made reference to traffic on the A10 increasing if planning permission was refused once the landfill site was full, resulting in residual waste being transported elsewhere for disposal;
- Explained that the carbon report had been updated accounting for concerns raised by UK Without Incineration (UKWIN). Members noted that the assessment was based on a worst-case scenario and did not account for heat produced by the incinerator or additional carbon benefits;
- Clarified the arrangements that underpinned the proximity principle of waste management. Officers explained that there was a duty for Councils to co-operate at a national and regional level regarding waste management. Members noted that the principle was based on waste type and not location of the nearest disposal facility. Officers worked closely with colleagues from neighbouring counties to maximise net self-sufficiency;
- Confirmed that the forecast housing growth rate for Cambridgeshire would reduce the requirement for the importation of waste from other areas over time. The data included within the report did not account for a number of the windfall sites that had come forward due to the absence of South Cambridgeshire District Council's 5 year land supply and adopted Local Plan, with a further 500 homes included by the Inspector ahead of adoption; and
- In relation to references to EfW facilities in adjoining counties such as Bedfordshire and Essex and the impact this may have on the capacity of the facility and the viability of the proposals if these came on line, officers confirmed that national

guidance was clear that only existing capacity can be included in the assessment of need. Furthermore, as the majority of the waste proposed for the facility was already on the site, and taking account of the growth agenda in the area, this was unlikely to be a major problem. However, the question of viability and the company's business case in such an event was for the applicant to address rather than officers.

At the conclusion of Member questions the Chairman adjourned the meeting for lunch.

Meeting adjourned at 12:51pm

Meeting reconvened at 1:35pm

The Chairman invited the public bodies that had registered to speak on the planning application to address the Committee.

Speaking in objection to the application, Councillor Barbara Bull, Chairwoman of Waterbeach Parish Council addressed the Committee. In making her representation, Councillor Bull expressed concerns regarding the robustness of the data that underpinned the application. Data regarding noise had been underestimated and it therefore affected confidence in the other data. Councillor Bull highlighted the environmental impacts of the facility and highlighted the proximity of proposed nearby developments, acknowledging that the monitoring of emissions from the site would be undertaken by the Environment Agency. The visual impact and scale of the proposed facility was at odds with the surroundings and landscape, referencing the Minerals and Waste Core Strategy that sought to safeguard and enhance the landscape. The noise and light pollution that would be generated by the facility was also contrary to the aims of the Minerals and Waste Core Strategy Policy CS2.

Councillor Christine Ward, Cottenham Parish Council spoke in objection to the application. Councillor Ward emphasised the negative impacts upon the local environment, the visual impact of the site and the location of the chimney stack relative to Denny Abbey. Councillor Ward expressed concern regarding the volumes of traffic that would be generated as a result of the application with large amounts of waste being imported to the site and the routing arrangements for HGVs if the A10 was busy or blocked. Councillor Ward did not consider that there had been sufficient evidence presented to suggest there would be no negative health impacts arising from the facility. Local residents frequently experienced odour from the site and expressed concern that residents would be exposed to airborne pollutants that were odourless. Councillor Ward requested that if permission was granted consideration be given to four conditions: (1) limiting the volume of waste imported from outside of Cambridgeshire to 30%; (2) providing real time monitoring information of emissions; (3) routing and timing agreements enforced, particularly for Cottenham; and (4) that the liaison group at the site be strengthened and include external bodies.

A Member drew attention to the routing arrangements for HGVs set out within the draft conditions of the planning permission. A Member clarified the Parish Council's concern regarding the routing of HGVs exiting from the rear of the site onto a single track road. Councillor Ward confirmed it was a concern along with the routes HGVs would take if diverted due to congestion or accidents.

Councillor Margaret Starkie, speaking on behalf of Horningsea Parish Council in objection to the application addressed the Committee. The Parish Council discussed the application at its meeting on 4th July 2018. The Parish Council agreed in principle with Energy from Waste however, objected to the application on the grounds of its

location and the height of the chimney stack. Councillor Starkie expressed concern regarding the traffic impact on the A10 and the re-routing of traffic along the B1047 through Horningsea when there were incidents on the A10. Councillor Starkie acknowledged the principles of the waste hierarchy and emphasised the importance of developing and using environmentally friendly packaging. The Parish Council appreciated that facilities of the one proposed were most effective when located close to the properties they supply with power, however the location was concerning due to its proximity to nearby schools. It was highlighted that the proposed buildings and chimney stack would be in stark contrast to the landscape, a view endorsed by the Cambridge Without Incineration (CBWIN) group and their landscape review, and suggested the repositioning of the facility. Councillor Starkie concluded by suggesting the application should be deferred pending the conclusion of the Cambridge to Ely Transport Study and the resultant recommended changes to the A10.

In response to a Member question, Councillor Starkie explained further the impacts of diverted traffic from the A10.

Speaking in objection to the application, Councillor Melanie Hale, Chair of Landbeach Parish Council addressed the Committee. Councillor Hale relayed the Parish Council's objection to the application on the grounds of its visual impact on the surrounding landscape. She expressed concern regarding the monitoring of the site and expressed no confidence in the current operator to manage the site safely. In the event of a catastrophic failure at the site particulates would be expelled across a vast area. Councillor Hale questioned the tonnage of waste that would be imported to the site and the routing arrangements of HGVs to and from the site. In conclusion, Councillor Hale emphasised the importance of recycling, stating that it should be the first priority rather than incineration, and questioned whether the plant was needed, also noting the likely incineration tax. Furthermore, Councillor Hale stated that it shouldn't be determined until the A10 was upgraded, and questioned whether it was appropriate for the County Council to make the decision given their Waste PFI contract.

A Member confirmed with Councillor Hale the impact of traffic on the area when there were issues on the A10.

Speaking in support of the application Rob Edmondson, Managing Director of Amey thanked the Committee and Chairman for their time and the officers for the work that had been undertaken regarding the planning application to reach their recommendation. He was grateful to officers for the work done and diligence given to the planning application. Mr Edmondson drew attention to the current operation at the site including the number of people employed, the tonnage of waste received, the education services provided by Amey and the amount of power that would be produced by the proposed facility, that he noted would be capable of providing electricity for all the homes in South Cambridgeshire.

Disposal of waste through landfill was unsustainable. The site would fill up and an alternative method of disposal would have to be found. The projected growth for housing in Cambridgeshire and the additional waste that growth would generate was taken into account for the development. Attention was also drawn to the fact that this was proven technology that was safe.

Mr David Adams of Axis on behalf of the applicant explained to Members that the application was for the right solution at the right site at the right time. The site was allocated for energy from waste. A Planning Inspector had looked into all aspects of the site and its surroundings and concluded that the site was appropriate for the use proposed. The planning application accorded with the policies of the development plan

when taken as a whole. Reference was made to over 450,000 tonnes of waste in Cambridgeshire that was suitable to go to an energy from waste facility instead of landfill, which increased to over 2 million tonnes in the surrounding counties; all of which was evidenced in the Environment Agency's Waste Interrogator. Mr Adams outlined the benefits of the proposed facility including the reduction in waste that would be sent to landfill and the production of energy. Government policy was clear to encourage a move away from fossil fuels and the proposed facility provided an opportunity for cost effective energy production. Mr Adams emphasised that the benefits of the energy from waste facility were clear and should therefore be provided significant weight in accordance with case law and statute when determining the application.

Mr Andy Russell of Axis on behalf of the applicant addressed the environmental issues that surrounded the planning application and referenced the scope of the Transport Assessment and Environmental Statement agreed with the Council in consultation with Historic England, Natural England, and the Highway Authority etc. Mr Russell drew attention to the fact that this early scoping exercise was in addition to the consultation process that had been undertaken during the planning application process. All consultants for the Council and consultees had responded commenting that there were no significant environmental impacts arising from the proposed facility and therefore no significant reasons for refusal. However, he acknowledged that there were significant challenges for the site regarding landscaping and the impact on heritage assets that the applicant had spent considerable time trying to address through the design of the facility. The applicant, members were informed, had a good relationship with heritage stakeholders, and a lot of work had gone into engaging with them early on in the process. A mitigation strategy through a Section 106 agreement was being finalised that would develop a long term sustainable tourist attraction. Mr Russell identified other clear benefits that included employment, investment, ecology and education, alongside waste being used as a resource, rather than sent to landfill, which would provide an opportunity of electricity for up to 63,000 homes that would help meet the UK energy challenges.

Mr Edmondson summarised the benefits of the scheme by making reference to the alignment to national policy, the waste hierarchy, climate change impacts and reducing carbon emissions, which were highlighted to Members, together with the benefits of the existing site in terms of infrastructure. There would be 200 short-term jobs created during the construction phase of the development with 35 long term jobs once the facility was fully operational. The company had worked hard to minimise the impacts in line with the concerns raised, and would support the officer recommendation to approve the development.

In response to Member questions, representatives of the applicant:

- Confirmed that it was expected that the landfill would reach capacity within 10-15 years based on current rates of input;
- Explained that currently some waste material was exported from the site to energy from waste facilities elsewhere in the country;
- Confirmed the component elements of the Section 106 agreement, including a conservation management plan, a landscape strategy and planting fund, a development strategy, an interpretation strategy and the provision of an alternative access road with car parking. The key elements had been agreed with English Heritage, Historic England, The Farmland Museum and the land owner;

- Explained that a seeded roof for the waste reception hall was considered but decided against due to the contrast that would arise against the sky and would increase the height of the building. Furthermore it was confirmed that there wasn't a living wall. Members noted that the precise colour scheme and materials to be used was to be determined (secured by condition) and representatives of the applicant noted Members concern;
- Assured Members that consideration had been given to the impact upon immediate neighbours, however no offer of compensation had been made. Further noise attenuation had been implemented including additional planting. The Council's Legal Officer reminded Members that loss of land value and compensation were not material planning considerations;
- Advised that an operations team at Waterbeach undertook regular litter collections and catch fencing had been installed to collect litter and prevent it being blown far from the site;
- Explained that the UKWIN carbon assessment was not consistent with how assessments had been undertaken over the last 5 years because the calculation of the benefits are complex and how carbon was stored in landfill was complex. The applicant was confident that the presented benefit of 38,000 tonnes per year of carbon savings was understating the benefits of the facility;
- Explained that regarding recycling and the concern that construction of the facility would provide a disincentive to recycling, further planned government legislation would enhance rather than discourage recycling. It was also acknowledged that even in countries with high recycling such as Germany they still need other waste management solutions; and
- Clarified that traffic movements to and from the site would peak around midday and would be of a minimal impact upon the A10 based on transport assessments. Additional movements during the construction phase would largely occur before 7am and would be managed through a Construction Environmental Management Plan that would be secured through a planning condition.

The Chairman thanked the applicant for their presentation and answers to the questions posed. He advised that objectors to the application would be invited to make their representations. Members noted that some residents that had registered to speak had to leave the meeting early and the clerk would read their comments to the Committee if they had been supplied.

The Clerk to the Committee read a statement that had been received from Mr Nigel Seamarks. Mr Seamarks' statement objected to the planning application for a number of reasons including the wider transport considerations. He felt the public engagement carried out was inadequate, inappropriately timed and failed to address the requirements of the Localism Act 2011 and the provisions of the National Planning Policy Framework, in particular paragraphs 188 and 192. It also failed to consider an independent review of the data on creation of traffic considering the Ely to Cambridge Transport Study 2018. Local residents had raised £5,000 and commissioned an independent visual impact survey that highlighted the A10 had not been adequately considered including the impact on road users as they approach the proposed development from the north and south. The Parish Council requested an independent transport assessment be undertaken but it was not commissioned and the Council's

traffic consultants did not attend public meetings. Mr Seamarks in his statement questioned the data regarding the volumes of waste that would be imported to the site from elsewhere in the country and requested a limit be imposed of 66,000 tonnes per annum that could be imported. Attention was drawn to the safety of the A10 and the number of collisions and resultant injuries and fatalities for the period 2015-17, following a Freedom of Information Request (FOI) submitted to the Police. Attention was also drawn to inaccuracies in the transport calculations, the impact of construction vehicles on local roads and the lack of cycling provision.

Mrs Adele Gower, local resident who had to leave the meeting early had a statement read out on her behalf by Mrs Jane Coston. Mrs Gower who was a mother and health care professional objected to the application on grounds of pollution that would have to be lived with by local residents for years to come. The planning application did not represent a forward looking approach for a city that prided itself on scientific research.

Mr Cattermole, Head Teacher at Littleport Community Primary School and local resident spoke in objection to the planning application. Mr Cattermole drew attention to concerns regarding air quality and the track record of the operator. Mr Cattermole detailed a number of breaches that had occurred at the site and questioned the performance of the operator. He noted that many other head teachers were concerned about the proposal and Members should note that the Waterbeach Barracks development would come with 3 primary schools and 1 secondary school in close proximity. Upon the conclusion of Mr Cattermole's remarks the Council's Legal Officer reminded Members that the performance of the site operator was not a material planning consideration and should not form part of the decision making.

Mrs Williams, speaking in objection to the application on behalf of CBWIN, which was representing over 3,000 resident members, drew attention to the life shortening impact of air pollution and preventing air pollution prevented disease. Mrs Williams questioned what Public Health England's response of 'no significant health risk' really means? Attention was drawn to the landscape review undertaken by CBWIN and the conclusions it made, noting that landscape impacts conflicted with the adopted development plan. Reference to the building as an isolated structure was drawn to Members attention. If the application was approved it would damage the Council's reputation regarding heritage preservation. Mrs Williams emphasised that the majority of waste could be recycled and the proposed facility was the worst solution to waste disposal capacity issues and the visual impact on the rural character of the area would be significant. There was not a need for this facility and air pollution could not be accurately measured or monitored, so it could not be controlled.

Mrs Heather Macbeth-Hornett drew attention to the hazard posed by cadmium, causing renal failure and bone conditions. Cottenham was within the area that would be affected by emissions of cadmium from the proposed facility, including local farms in the area with Gravel Diggers Farm being the closest. There was a large primary school and village college that would be affected. The facility would also pollute Wicken Fen. The proposed facility did not represent renewable energy and would increase traffic and light pollution. The applicant had failed to consider the impact on public health.

In objecting to the application Mr Derek Douglas addressed concerns regarding local environment and landscape. The proposed development was significant and not in the best interests of the area. The planning application should not be harmful to the historic area as set out in paragraph 3.8 of the Council's Location and Design of Waste Management Supplementary Planning Document (SPD). Mr Douglas drew attention to the size of the proposed structures at the site and made comparison to

their relative size to Ely Cathedral. No other structure of that scale was located in Cambridge or the wider area and urged the Committee to refuse planning permission.

The Chairman invited Mr Martin Rafal to address the Committee but he was not present and had not provided a statement to be relayed to the Committee.

Mrs Guinevere Glasford-Brown addressed the committee in objection to the application and drew attention to the evolving legislation regarding energy from waste facilities and air quality in South Cambridgeshire, with the potential for health impacts, including issues for pregnant woman. If the planning application was approved then it would saddle the Council with a polluting legacy and urged the Committee not to consider the application through the narrow comparison between landfill and incineration but to consider the wider implications including the impact on Denny Abbey and the Fenland landscape. When the A428 was constructed the sight lines from Madingley Cemetery to Ely Cathedral were preserved and the proposed development would affect that. It was paramount that the county's heritage be protected.

Reverend Norman Setchell addressed the Committee and expressed concern regarding the emissions from the site in particular, minute particles and nano-plastics and highlighted the proposed schools planned for the area. Particles remained in the environment for significant lengths of time and entered the food supply. Reverend Setchell shared the concerns regarding heritage however, in his view the health risks were most significant.

Mrs Jane Coston informed the Committee that she had visited a similar energy from waste facility to the one proposed in Suffolk and was concerned by the amount of dust on her clothes from that visit. She drew attention to the considerable concern of local residents regarding the long term affects and questioned the proposed location of the facility. Mrs Coston informed Members of the history of the waste management site and its incremental expansion which affects the local community. Mrs Coston questioned whether this was the right location for it geographically and using the Suffolk incinerator example not being viable for heat, that this element needed to be tied down, before urging the Members to refuse the planning application.

The Chairman invited Mr Aravind Partvathala to address the Committee but he was not present and had not provided a statement to be relayed to the Committee.

Mrs Sandra Archer speaking on behalf of the South Cambridgeshire Green Party wished to register her objection to the planning application with Members. The facility would produce a toxic fine product that would be sent to landfill. There was significant risk of pollution to air, water and soils. Further concern was expressed regarding the accumulation of pollution in the soil, which had the potential to pollute local watercourses, and the impact on HCV traffic in the area, wildlife and light pollution. The proposed development would create a demand for waste which was undesirable and it was questioned whether this had been adequately been taken into account from a climate change perspective. Mrs Archer criticised the public consultation and public engagement undertaken by the applicant as inadequate, highlighting that residents were only informed through the efforts of CBWIN.

Mr Colin Coe drew attention to the remaining capacity at the current landfill site and the issues relating to waste disposal globally. He was concerned that calling it an energy from waste proposal instead of an incinerator had created a smoke screen, so locals weren't informed. He questioned whether this was the right technology,

especially as the UK was due to leave Europe. Mr Coe urged the Committee to refuse planning permission.

The Chairman invited Anas Al Rawi to address the Committee but he was not present and had not provided a statement to be relayed to the Committee.

Speaking in objection to the application Ms Claire Cambridge informed Members that she owned the farm next to the applicant's site (Chestnut Farm – which was pointed out by officers) and expressed concern regarding the operator, Amey. Ms Cambridge drew attention to ongoing issues regarding litter, flies and the issues experienced by the Internal Drainage Board. In the event of a failure of the facility, particulates could be expelled into the air over a wide area. Ms Cambridge advised the Committee that she had attended a presentation regarding the new town at Waterbeach and enquired about the proposed energy from waste facility with developers and they were unaware of the proposals.

Miss Lauren Stabler drew attention to sustainable development and highlighted that the United Kingdom was over capacity with regard to energy from waste facilities. It was important to move further up the waste hierarchy in order to meet targets for recycling.

Mr Andy Whittaker informed the Committee that he was from Burwell and would be affected by the emissions from the facility and was a chartered engineer. Mr Whittaker expressed concern regarding the economic viability of the facility which could lead to underfunding for its maintenance. Mr Whittaker drew attention to the potential incineration tax and the Chief Scientist at the Department for the Environment, Food and Rural Affairs (DEFRA) who called for a moratorium on the construction incinerators due to the impact upon recycling. Mr Whittaker highlighted other proposed energy from waste facilities in the region that would create demand for waste and raised an issue regarding the Local Plan for waste currently being updated that should be considered.

Mrs Barbara Bull speaking as a local resident of Waterbeach commented that not using the word incinerator was misleading. There had been inadequate information regarding the impacts upon human health, particularly the toxins on the food chain and local residents, and no confidence given by the Environment Agency. Mrs Bull expressed concern regarding the location of the proposed facility close to the new town of Waterbeach and proposed schools. Importation of waste would be carried out by road and HGVs were polluting. Mrs Bull asked Members whether they were convinced residents would not fall ill.

The Chairman invited Mr Thomas Vergunst to address the Committee but he was not present and had not provided a statement to be relayed to the Committee.

The Chairman invited Mr Charles Cook to address the Committee but he was not present and had not provided a statement to be relayed to the Committee.

Cambridge City Councillor Oscar Gillespie, representing himself expressed concern regarding the size of the proposed facility and its impact upon the landscape. Screening would not be effective and the public benefits of the facility were not enough. There was a need to move up the waste hierarchy and avoid the use of single-use plastics. The proposed facility would need to be a third of its proposed scale in order fit the setting of Denny Abbey and Councillor Gillespie expressed concern regarding the impact upon public health from air quality as he was not satisfied by the safeguards of the Environment Agency or Public Health England.

Mr John Buckley a Landbeach resident questioned whether the energy from waste facility was necessary and emphasised that alternative waste disposal methods were required. There should be a reduction in the use of plastic packaging and the development would discourage recycling. Referred to the National Infrastructure Commission (NIC) and a recent report that he urged Members to consider and respond to the changes in circumstances by rejecting this planning application.

The Chairman invited Mrs Jane Williams to address the Committee as a local resident, but she confirmed that her points had already been covered when she addressed the Committee on behalf of CBWIN.

The Chairman invited Ms Diane Stearn to address the Committee but she was not present and had not provided a statement to be relayed to the Committee.

Mr Ian Ralls, speaking in objection to the application on behalf of Cambridge Friends of the Earth drew attention to the chemicals that would be produced by the facility and his concerns surrounding air quality and pollution, with implications to health. Mr Ralls advised the Committee that Cambridgeshire is very low lying so climate change could provide a very unhappy combination. The technology of such facilities had improved, however not all material would be burnt at the optimum temperature and questioned how the optimum temperature would be maintained when cold waste was introduced. Metals would not be destroyed during the incineration process. Progress needed to be made towards zero waste rather than incineration.

The Clerk to the Committee read a statement submitted by Mr Matthew Seamarks to the Committee. In his representation Mr Seamarks drew attention to the lack of engagement with young people during the planning application process by the applicant. He highlighted that increased recycling and reductions in packaging would result in less waste to be processed at the site. Concern was expressed regarding the additional vehicular movements that would arise from the importation of waste to the site and this would affect people's ability to commute to work. Mr Seamarks expressed concern regarding the scale of the proposed facility, with a comparison made to the applicant's facility at Milton Keynes, and its impact upon the landscape and its relative position to Denny Abbey.

Mrs Jude Sutton who was unable to attend the meeting submitted an audio recording of her objection that was played to the Committee. Mrs Sutton and her daughter suffered from asthma and questioned whether the Committee were satisfied regarding the potential air pollution that would be produced by the facility. Mrs Sutton drew attention to the impact of air quality upon human health. The filters that would be installed would not remove all dust particles from the emissions and the cumulative effect of emissions were unknown. Heavy metals would be emitted and schools were located in close proximity to the site. Mrs Sutton drew attention to the clean air strategy and EU requirements of the Council to protect air quality, alongside a Public Health England report that was still expected shortly. She requested that Members use the precautionary principle.

Councillor Eileen Wilson, South Cambridgeshire District Council spoke in objection to the planning application as the Local Member for Cottenham. She confirmed that she was one of two district councillors for Cottenham, but she was speaking on behalf of both of them. The proposed facility was an imposing and intrusive structure particularly upon Denny Abbey. HGV routing agreements were often ignored and there should be stricter controls on HGV movements and the routes they took. Concerns about air quality and human health from local residents were noted,

including incomplete evidence on these matters. The location is a commercial one, but this needed to be balanced against residents' health. Reference was made to the Council's air quality consultant's report at paragraph 2.1 and base line information was needed ahead of a decision being made. Emissions monitoring information should be publically available.

The Council's Legal Officer advised Members that paragraphs 5.73 and 5.74 of the officer report addressed concerns that had been raised regarding the consultation process, which demonstrated that a Christmas consultation was not the case, and reminded Members that environmental issues, while important, were the remit of the Environment Agency.

The Chairman thanked all the speakers and adjourned the meeting for a short break.

Meeting adjourned at 3:52pm

Meeting reconvened at 4:08pm

The Chairman advised that the Committee would now debate the application. A Member suggested the Committee move straight to the proposal of a formal motion. The Council's Legal Officer requested that the motion was not formally made at that stage as other Members had shown a wish to speak. The Member agreed to this.

During the course of discussion:

- A Member thanked members of the public that had attended the meeting and those that had spoken and expressed their concerns regarding the planning application. The Member explained that much of what had been raised by local residents could not be taken into account when determining the planning application as this would be addressed by the Environment Agency through the permitting process, nor could the performance of the operator or economic viability of the proposal be taken into consideration. The Member confirmed that the committee could take into account the benefits of the proposal when weighing this against any harm of the development. In drawing attention to the setting of heritage assets the Member highlighted the importance of the continuation of the openness of the countryside that surrounded the asset. The Member considered that visual mitigation through the planting of trees was inappropriate as the view would remain obstructed. The proposed mitigation was not adequate to address the impact upon the heritage asset.
- A Member recognised the strength of opinion amongst residents and it demonstrated how important the proposed development was to local people. The Member commended officers for the comprehensive report and the patient and clear exposition. The Member expressed concern regarding the impact upon immediate domestic premises next to the site and commented that the impact of the facility on the landscape was so detrimental that planning permission could not be granted. The Denny Abbey Complex was of paramount historical importance and the facility would adversely affect it. There was a duty to future generations to manage waste effectively however, there was also a duty to past generations to preserve what they had left.

- A Member commented that damage to heritage assets should not be allowed when it was not outweighed by public benefits and therefore would not vote for planning permission to be granted.
- A Member recognised the potential benefits of reducing the amount of waste that was sent to landfill, the positive benefits of generating power and that while well argued, comments regarding pollution could not be considered. Transport concerns had somewhat been allayed however, concerns relating to landscape had not and would therefore not support approval of the planning application. The proposed development would damage historical assets and it would be irresponsible to allow that to happen.
- Attention was drawn by a Member to the National Planning Policy Framework (NPPF) that required Planning Authorities to consider and enhance the heritage setting. Harm should be weighed against the public benefits and was disappointed that Denny Abbey were likely to enter into a Section 106 agreement with the applicant.
- A Member commented that the Fenland landscape was flat and that any building was visible from a considerable distance. Having attended the Planning Committee site visit to Denny Abbey the Member found submissions disingenuous as the impact of the A10, the research park and the landfill site upon the heritage asset was ignored. The view was already compromised as a result. The level of particulates produced by the facility would be small and dwarfed by those produced by the A10 and the residents of Waterbeach themselves. Incinerators were not ideal however there was too much waste and a need for power. Until waste management became more effective then incineration played a part. The benefits of reducing waste sent to landfill outweighed the disadvantages.
- Members recognised that the site was an allocated waste site and landfill was not an infinite resource however, the impact upon heritage assets was so great that support for planning permission could not be given.

Upon conclusion of the debate Councillor Hunt, seconded by Councillor Hudson proposed that planning permission be refused on grounds of landscape (including amenity of closest residents) and heritage. The Chairman adjourned the meeting in order for officers to compile reasons for refusal.

Meeting adjourned at 4:33pm

Meeting reconvened at 4:59pm

The Chairman reconvened the meeting and the Council's Legal Officer addressed the Committee. Regarding Landscape, having applied their judgement to the impact of the proposal on the landscape, the local character and visual impact Members considered that there would be significant adverse effects which could not be resolved though the proposed mitigation. Consequently the development was contrary to Minerals and Waste Core Strategy policy CS33 (protection of landscape character) and Minerals and Waste Core Strategy policy CS34 (protecting surrounding uses). This also took into account the harm to the visual amenity of the nearest residents to the development.

Regarding heritage, Members having considered all of the information before them, considered that the harm to the setting of the Denny Abbey Complex heritage asset was not outweighed by the benefits of the proposals. Therefore the proposal was contrary to Minerals and Waste Core Strategy policy CS36 (archaeology and the historical environment) and contrary to National Planning Policy Framework paragraph 196.

In response to a Member query the Council's Legal Officer confirmed that amenity had been stated as 'visual amenity' in the proposed reasons for refusal as officers had relied on the Members' statement that the 'large overbearing nature' of the building on the closest residents' was related to the visual amenity, particularly when it was noted that noise and odour were matters for the Environment Agency, that hadn't been referred to during the debate.

With the approval of Councillor Hunt that the reasons for refusal covered the points raised as part of his recommendation, the item was taken to the vote.

On being put to the vote it was resolved to refuse planning permission [7 in favour, 1 against and 0 abstentions], for the reasons stated in these minutes.

Chairman

PLANNING COMMITTEE: MINUTES

Date: Thursday 4th October 2018

Time: 10.00am – 1:29pm

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors A Bradnam, D Connor, I Gardener, L Jones (substituting for Councillor Whitehead) and S Kindersley,

Officers: Gordon Brown – 10dB acoustics Jon Finney – Highway Development Management Engineer, Emma Fitch – Business Manager County Planning Minerals and Waste, Deborah Jeakins – Principal Enforcement and Monitoring Officer, Daniel Snowdon – Democratic Services Officer, Julie Thornton – LGSS Law, Helen Wass – Development Management Officer (Strategic and Specialist Applications)

58. APOLOGIES AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Harford, Hudson, Hunt and Whitehead.

Councillor Kindersley declared an interest in the Barrington application as a Local Member, and advised that he chaired the Cemex Liaison Group, had assisted the Parish Council with various issues relevant to this item, and assisted a number of residents with concerns. However, he had not come to a decision on this item and would be coming to the matter afresh.

59. MINUTES – 6TH SEPTEMBER 2018

The Chairman called an adjournment to the meeting following a query regarding the minutes of the meeting held on 6th September in order allow officers time to review their notes of the meeting.

Meeting adjourned at 10:08am

Meeting reconvened at 10:30am

Following the reconvening of the meeting the minutes of the meeting held on 6th September were signed as a correct record subject to amendment in relation to the aspects to be considered following the deferral. Specifically the addition of the times of use of Foxton Sidings in relation to draft condition 16 that needed further examination.

60. 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

The Committee considered a planning application for the importation by rail and deposit of inert restoration material to restore a former clay and chalk quarry at Barrington. The application was being considered following its deferment when the item was last presented at the 6th September Planning Committee.

Members noted that two amendment sheets to the officer report had been tabled at the meeting. The amendments related to the South Cambridgeshire District Council Local Plan which had been formally adopted and the consequent changes to the reasons for the recommended conditions.

The Planning Officer presented the report, with the assistance of site plans, photographs, maps and visuals. She explained that the scheme related to the proposed importation of inert waste by rail to restore the former chalk quarry. The area covered by the planning application was noted, and also its proximity to an area with outline planning permission for a residential development, the village of Barrington, and the nearest existing residential properties. The extent of the existing restoration area, granted planning permission in 2011, was noted. Photographs were shown of various elements of the site, such as the railway line and level crossings.

Importation of waste under the 2011 permission stopped in July 2018, and was about 60% complete, and the current planning permission will expire in December 2018. The applicant was proposing a maximum of 8 train movements per day, but with an average of 6 movements per day calculated over working days in a calendar month. It was confirmed therefore that where a maximum of 8 train movements were undertaken on one day, this would result in fewer movements on another day to ensure the average was met.

Members noted that following a question that had been put at the last Committee meeting regarding whether the restoration of the quarry could be completed within the proposed timeframe; data supplied by the applicant suggested there was sufficient flexibility built into the timescales to allow restoration to be achieved in time. Members also noted that the applicant proposed that no locomotives older than 1985 would be used on the line.

Members were informed that regarding the proposed cycleway, the developer of the houses had submitted a scheme and that Dr Jon Finney, Highway Development Management Engineer had commented that it was likely it would be adopted by the highway authority.

Gordon Brown, acoustics expert addressed Members with regard to acoustics and noise. Members noted that assessing the impact of noise was complex and related to the human response to noise. The current proposal was for restoration of a quarry so was assessed against criteria for a mineral extraction operation. Mineral development was regarded as a special case because minerals could only be extracted from the locations they naturally occurred and therefore government standards were significantly less stringent due to the strategic importance of the extracted product. Mr Brown explained the methods through which the impact of noise could be assessed, how existing policies were applied and described the limitations to the measurements given that the occurrence of trains passing was intermittent.

In response to Member questions officers:

- Confirmed that secured by condition, no train would enter Foxton Sidings between 5:30am and 7:00am until an approved noise mitigation scheme was in place and that in terms of noise measurement daytime was considered as 7:00am – 11:00pm.

- Noted that the applicant had proposed noise mitigation examples that consisted of a mixture of operational controls in terms of timing of train movements, and two stabling locations (X and Y) in the sidings furthest away from the houses where the locomotives could be positioned while idling. An acoustic fence could be erected at stabling point X. Members' attention was drawn to a photograph of an example of the fencing that was provided in the September 2018 report
- Noted that the acoustic barrier would be located at stabling point X and would be 5m high and 60m long.
- Confirmed that the acoustic barrier would not be subject to a further planning application but advised that the condition could be presented to a future meeting of the Planning Committee once the scheme had been developed if members considered this to be necessary.

Councillor Ray Kemp spoke as a member of Barrington Parish Council. He explained that his professional background was as a chartered town planner, and he was a specialist in risk assessment and adviser to the World Health Organisation on aspects of harm. Councillor Kemp noted that the report before the Committee on balance recommended that planning permission be granted. It was therefore important that planning conditions were both reasonable and effective. Councillor Kemp drew attention to first order planning conditions that would seek to remove the cause of the harm, second order planning conditions that would mitigate the effects of the harm and third order planning conditions that sought to influence behaviour. Where the balance was just in favour of granting planning permission, third order planning conditions were the least effective. Councillor Kemp described the Barrington Light Railway as a misnomer as the locomotives that would use the track were heavy and would struggle to meet emissions standards.

In response to Member questions, Councillor Kemp acknowledged that fewer train movements would result in a longer restoration period and that was preferable over a shorter restoration period. Councillor Kemp explained that planning conditions limiting the number of daily locomotive movements would be welcomed, along with conditions that required greater transparency of the operator and required them to provide advance notice of operations.

Due to a number of objectors that had registered to speak the Chairman exercised his discretion and varied the speaking rights for the Committee. He informed objectors that they would have 3 minutes each to make their statement and the applicant would have the same total speaking time of the objectors (9 minutes).

Speaking in support of the application Ian Southcott on behalf of CEMEX, Shaun Denny (Planning Manager) and Steve Coles (Operations Manager) addressed the Committee. The applicant in their presentation, recognised the concerns of residents and had considered carefully how they might be addressed. There was a desire to return the quarry site to a landscape that represented the landscape prior to the commencement of mineral extraction operations. The applicant drew attention to the biodiversity action plan that would enhance the environment of the application site. Reference was made to the number of locomotive movements and that an average of 3 movements a day would be maintained and the application provided some flexibility with movements to respond to operational need. In recognising the impact from noise related to locomotive movements the applicant proposed that no trains would enter Foxton Sidings before 7.00am until noise mitigation measures had been installed or after 8pm unless there were exceptional circumstances. Train idling would be limited to no more than 30 minutes and emphasised that most trains would idle for much less time, as this was not a target and was a

maximum. Idling would take place away from sensitive areas and not before 7.00am or after 8.00pm and had been agreed with the train operator. CCTV would be installed to monitor compliance relating to train movements and noise monitoring would be undertaken. The applicant acknowledged that they had no influence regarding the rolling stock that was used however, was of the view that disturbance was caused primarily by the operation of the train engine and breaking rather than the rolling stock itself. The Glebe Road level crossing would be manned in order that the movement of the train be continuous. The Train Operating Manual would also be reviewed. Having considered reducing the number of movements the applicant had concluded that restriction of movements would increase the duration of the restoration and impact upon the ability of the applicant to obtain contacts for material to be used in the restoration.

In response to Member questions the applicant:

- Confirmed where the CCTV would be installed and that it would be used to ensure that the train operator complied with the requirements of the permission. The current system would be expanded in order that coverage be increased. Recordings were retained for one month and recordings could be saved and used as evidence. Members requested that a new condition be included regarding the installation of CCTV.
- Confirmed that it was possible for an 'alert type system' to be established that would allow residents to see in advance when train movements were likely to take place.
- Explained that the train drivers were not direct employees of CEMEX however, the rail operator had been briefed regarding the requirements of the permission and that trains would not be accepted if conditions were not adhered to and ultimately the contract could be terminated. The applicant explained further that termination would be the conclusion of a process of contract management.
- Explained that there were very few class 59 trains on the whole network and the train operator only had access to one class 59 train; and that most movements would be carried out by the much newer 66 class train which were much quieter. Members noted that there was an intermediate class 60 train which was older than a class 66 but newer than a class 59 to which the train operator had access.
- Urged residents to contact CEMEX if there were issues with the operation.
- Explained that the 30 minute idling time was not a target but recognition of the time required to prepare the train for a journey and the lag between receiving clearance to enter the rail network and the signal changing. The applicant confirmed that the importance of minimising the lag had been drawn to the attention of Network Rail.
- Confirmed the locations of where noise measurements would be taken from.
- Regarding point 10 on page 129 of the officer report it was explained that by moving point A closer to the railway line it would prevent noise being masked by other sources and it was important that measurements took place as close to the source as possible.

Mr Ross Pow, speaking in objection to the application played a short video that demonstrated noise levels and smoke emitted by the trains. Mr Pow informed the Committee that he was not against the application but had concerns regarding the noise.

Mr Pow drew attention to records of idling times for trains that were the most serious breaches of conditions that had been brought to the Council's attention. Mr Pow expressed concern regarding third order planning conditions that would not be effective. Complaints took a long time to resolve and it was difficult for the applicant to enforce good behaviour with the train operator. Mr Pow concluded by requesting Members recommend limiting the number of trains and further time restrictions.

In response to Member questions Mr Pow explained that he had moved to the area in 2002 and for part of that time the railway was not used and then was used for small locomotives. Mr Pow also recognised the impact upon the countryside from noise mitigation structures in response to the estimation of the height of the noise mitigation fence using his video image as a basis.

Mrs Rhia Pow spoke in objection to the application and noted that whilst she did not want planning permission granted at Committee or at appeal, she recognised that a compromise was needed. Mrs Pow drew attention to the applicant's performance at the site and their inability to comply with planning conditions. The new rail time table had resulted in more trains on the main line at Foxton which would impact on trains' ability to enter the rail network from the sidings, which is why she was recommending the trains be reduced to 2 per day.

Mr Peter Bird, speaking on behalf of Bendyshe Way Residents Association once again requested that his video of a moving train showing the view from his bedroom window that had been played previously could be played again and therefore appreciated by members of the Planning Committee that were not in attendance on 6 September 2018. Mr Bird expressed concern at the prospect of up to 4 trains per day passing by. Mr Bird welcomed the planned revisions to the Train Operating Manual. Mr Bird concluded by stating that 2 train movements was adequate and much easier for residents to live with and questioned the evidence that fewer train movements would compromise the applicant's ability to win contracts.

In response to Member questions Mr Bird confirmed that the unpredictability of the noise was the most disturbing aspect and welcomed the prospect of an information sharing process 'alert type system' in order for residents to remain informed of likely train movements. Mr Bird explained that the average movement took 4 minutes which in total would equate to 32 minutes a day if 4 trains (8 movements) were permitted. Finally Mr Bird agreed that using newer trains should help with reducing the noise, based on his experience.

Councillor Peter Topping addressed the Committee as a Local Member for Foxton. Councillor Topping drew attention to the considerable length of time that the restoration would take. Councillor Topping welcomed the additional proposed signage and newer locomotives however, it was balanced against the applicants' ability to manage the train operator, as drivers were more likely to remain inside a warm train cabin than go to a nearby hut. Concern was expressed that the noise mitigation scheme was presented as an example and not the proposed scheme. Councillor Topping recommended the use of planning conditions to bind the applicant and requested the Committee considered restricting the operating times of trains to ensure that no trains entered Foxton before 7am and that the maximum permitted idling time for trains would be 15 minutes.

A Member questioned the impact upon the applicants' operations if the planning conditions were amended so that Foxton sidings could not be used before 7.00am. In response Members noted that CEMEX proposed that Foxton sidings were not used before 7:00am until the noise mitigation was installed. Representatives of CEMEX confirmed that such a change could impact on the flexibility of the operation.

It was proposed by Councillor Kindersley with the unanimous agreement of the Committee that the planning conditions be amended to prevent Foxton Sidings being used before 7:00am, and the installation of a CCTV system introduced as a pre-commencement condition. Due to the potential impact upon other planning conditions contained within the officer report, the Chairman adjourned the meeting in order to allow officers to review and provide suggested amendments to all conditions necessary.

Meeting adjourned at 12:13pm

Meeting reconvened at: 12:42pm

The Chairman reconvened the meeting. Officers noted that Members had not yet moved to the debate, but based on what had been discussed so far the following amendments to the planning conditions set out in the officer report were considered likely to be necessary (noting that any new pre-commencement conditions from 1 October would need to be agreed with the applicant where these were to be proposed):

- Condition 4 – reference to potential noise attenuation barrier removed.
- Condition 7 – wording amended to change age of train from 1985 to 1989 and to allow the Train Operating Manual to be reviewed and re-written.
- Condition 11(a) – to be added to control the number of train movements on the whole line, resulting in the deletion of conditions 28 and 34 that controlled the movements in the separate areas.
- Condition 14(a) – a scheme be added for alerting local residents to local train timetables which would be a pre-commencement condition.
- Condition 15(c) – condition for stabling to be removed as there would not be any trains before 7.00am.
- Condition 15d – a new pre-commencement condition regarding the installation of CCTV.
- Condition 16 – amended to ensure that no trains “enter” Foxton Sidings between 8:00pm and 7:00am.
- Condition 17 – to be deleted as a noise mitigation scheme was no longer required.
- Condition 19 – to be deleted as reference to noise emissions between 0530 and 0700 now no longer required.

During consideration of the proposed officer changes above, it was noted that an amendment was not required to add new condition 11(a) relating to the number of train movements on that section of the line (resulting in thus attempting to see if conditions 28 and 34 could be removed and just one reference being made to number of train movements), as the other operations required at the sidings would make this proposed text unenforceable in this location. It was therefore suggested by officers that this new condition should be removed from the proposed list of conditions to be considered above.

Furthermore, whilst members of the Planning Committee understood the original reason for officers' inclusion of condition 15(c) and that the planning condition for 'Locomotive stabling' was intended to be read in connection with the proposed noise mitigation scheme and noise monitoring conditions, it was agreed that condition 15c would still be relevant to control where the trains are stabled in the sidings, to comply with the operating manual and should therefore not be deleted. However, officers confirmed that they would need to ensure that the reason for requesting the condition was updated to reflect why the condition was necessary and enforceable to be able to demonstrate its compliance with the planning tests for conditions.

The Chairman confirmed with the representatives of the applicant that they were content with the proposed changes to the planning conditions and they confirmed they were.

Members requested that the Committee determine whether the concessions agreed by the applicant were agreeable to those who had registered to speak in opposition to the planning application. A Member commented that if the planning application was refused and the applicant appealed there was no guarantee that the additional and amended conditions would be included should the Planning Inspector be minded to approve the application. The Council's Legal Officer reminded Members that any potential appeal of the decision should not influence their decision.

The Chairman invited the speakers to return to the speaking point in turn.

Mr Bird commented that a limit of 2 trains per day was acceptable to the Residents Association. A poll had been undertaken of residents that were within aural distance of the train line and the overwhelming response was that residents would prefer a longer duration of restoration with fewer daily movements. Mr Bird emphasised the disturbance created by the train movements and concluded that fewer daily train movements would be welcomed.

Councillor Ray Kemp drew attention to the location of residents represented by the Parish Council and emphasised that the experience of residents regarding the current planning permission was not good however, acknowledged that the previous performance of the applicant was not a material planning consideration. Previous performance did however, focus attention on the effectiveness of planning conditions. The most effective conditions removed the source of the harm and therefore, the Parish Council would retain the position that 2 train movements a day would be acceptable. Councillor Kemp questioned whether reduced train movements would in fact impact upon the applicant's ability to win contracts. Councillor Kemp welcomed conditions regarding the age of trains used and ensuring that trains remain moving and did not stop. Finally Councillor Kemp noted that if members of the Planning Committee were not minded to reduce the number of trains then the wording contained within the train operating manual needs to be clear.

In response to a Member query the Council's Legal Officer confirmed that any condition to limit the number of train movements would need to meet the planning tests before being imposed. In particular members would need to be satisfied that any such condition was necessary and reasonable.

Mr Pow addressed the Committee and relayed his appreciation to the diligence the Committee had demonstrated in considering the planning application. Mr Pow welcomed the changes to the conditions which removed the anxiety of when a train would wake one in the morning. However, the duration of the application was for 15 years which was a long time. There had been numerous issues with the applicant's previous performance at the site. Mr Pow explained that there had only been 3 trains a day for 2 months in the last

year. Mr Pow concluded by recognising the need of the applicant to restore the site however requested that train movements be limited to 2 per day.

In response to previous comments raised the Council's Legal Officer reminded Members that the previous performance of the applicant could not be taken into consideration when determining the planning application and that Members should not surmise as to what would happen in the event that an appeal were to be lodged.

Mrs Pow was offered the opportunity to speak again but confirmed that she didn't have anything further to add to her husband's comments.

During discussion of the application:

- A Member commented that the concessions agreed by the applicant addressed the residents concern to a great extent.
- In response to a Member question the applicant confirmed that the number of train movements did impact upon the ability of the operator to win contracts. The Barrington facility was the waste disposal site for major infrastructure contracts such as Crossrail and if the applicant was unable to offer the daily waste disposal capacity that they required then they would not be able enter into a contract. Limiting movements to 2 trains per day was less attractive to the market because of the volume and the speed at which material was being produced.
- A Member sought confirmation from the applicant that they would concede the 4th daily movement and remain at 3. The applicant confirmed that they would and therefore officers informed the Committee that conditions 28 and 34 would require amendment.
- A Member confirmed that they would vote to approve the application as the applicant had made a number of concessions that would improve things for the residents. Although 2 trains a day may have been preferable it was important not to restrict business activities that had previously taken place at the site.

Cllr Connor proposed, seconded by Councillor Gardener that planning permission be granted subject to the amendment of the planning conditions.

Before the item was put to the vote a Member requested that the revised Train Operating Manual included information regarding complaints, noise and CCTV.

It was resolved unanimously to grant planning permission subject to the amended conditions set out in Appendix A to these minutes.

61. ENFORCEMENT UPDATE REPORT

Members received the Enforcement Update Report. In response to a Member question in relation to the recent fire at the Milton Landfill Site officers confirmed that the site was monitored 3 times a year and a visit took place in July/August 2018. Regarding the recent fire, the Environment Agency would lead on the incident and any potential impacts upon

groundwater. Planning conditions would continue to be monitored once the situation was resolved.

It was resolved to note the content of the report.

62. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

It was resolved to note the report.

Chairman

Planning Committee 4 October 2018

- 5.1 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 Local Plan (September 2018) policies NH/2, NH/4 and NH/5.

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);
- 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 Local Plan (September 2018) policies NH/2, NH/4 and NH/5.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy CC/7.

Operation of trains on the branch line [updated BLR Operating Manual to be provided by the applicant]

7. No development shall take place other than in accordance with The Barrington Light Railway Operating Manual Issue X dated dd mm 2018 (received dd mm 2018). No locomotive shall remain stationary with its engine idling for more than 30 minutes. No locomotive manufactured before 1989 shall be used on the Barrington Light Railway branch line.

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 Local Plan (September 2018) policy SC/10.

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 South Cambridgeshire Local Plan (September 2018) policy SC/10.

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.

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.

Use of the branch line

11. The Barrington Light Railway shall not be used for any purpose other than the development hereby permitted and for site open days and heritage services for 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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy NH/4.

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 in writing 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).

Train timetable

- 14a. No development shall commence until a scheme for alerting local residents to the times of trains on the Barrington Light Railway has been submitted to and approved in writing by the waste planning authority. The approved scheme shall be implemented in full for the duration of the development hereby permitted.

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 Local Plan (September 2018) policy SC/10. This is a pre-commencement condition because the means of alerting local residents to the times of trains needs to be in place before the first trains use the railway under this permission.

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 in writing 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)

Track signage

- 15a. Within 2 months of the date of this planning permission a scheme for the erection of signs within Foxton Exchange Sidings informing locomotive crews of operational restrictions shall be submitted to and approved in writing by the waste planning authority. The scheme shall include a programme of implementation. The approved signs shall be retained and maintained for the duration of the development hereby permitted.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan

Locomotive crew facility

- 15b. Within 2 months of the date of this planning permission a scheme for the erection of a mess facility for locomotive crew shall be submitted to and approved in writing by the waste planning authority. The scheme shall include a design and a programme of implementation. The approved facility shall be retained and maintained for the duration of the development hereby permitted.

Reason: To provide locomotive crew with shelter in cold weather and remove the need for them to leave the engine idling to operate the cab heating system and 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 Local Plan (September 2018) policy SC/10.

Locomotive stabling

- 15c. No locomotives shall be stabled other than at Stabling Point X and Stabling Point Y shown on drawing no. 16_CO18_BARR_300 Location of Stabling Points dated February 2018 (Appendix C to WBM Noise Assessment dated 04 June 2018).

Reason: To minimise disturbance from locomotive idling to the 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 Local Plan (September 2018) policy SC/10.

CCTV

- 15d. No development shall commence until a scheme for the installation of CCTV and the retention of the recordings has been submitted to and approved in writing by the waste planning authority. The approved scheme shall be implemented in full for the duration of the development hereby permitted.

Reason: To enable the developer to monitor the operation of trains 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 Local Plan (September 2018) policy SC/10. This is a pre-commencement condition because the CCTV needs to be in place to monitor the first trains using the Foxton Exchange Sidings under this permission.

Restriction on train times

16. No trains shall be enter Foxton Exchange Sidings between 2000 hours and 0700 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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/9.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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.

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 Local Plan (September 2018) policy SC/10.

Number of trains per day

28. There shall be no more than 6 train movements in any one day 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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/9.

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.

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 South Cambridgeshire Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

Number of trains per day

34. There shall be no more than 6 train movements in any one day 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 Local Plan (September 2018) policy SC/10.

Noise limits (0700 – 2000 hours)

35. Noise levels at the boundary of any residential property 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 2000 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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/9.

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 Local Plan (September 2018) policy SC/10.

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.

HGV movements (restriction of hours)

39. The delivery of no more than a total of 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.

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 for 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.

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 Local Plan (September 2018) policy SC/12.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy CC/7.

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 Local Plan (September 2018) policies CC/8 and CC/9. 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 Local Plan (September 2018) policy CC/7.

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 Local Plan (September 2018) policy SC/10.

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 Local Plan (September 2018) policy NH/5.

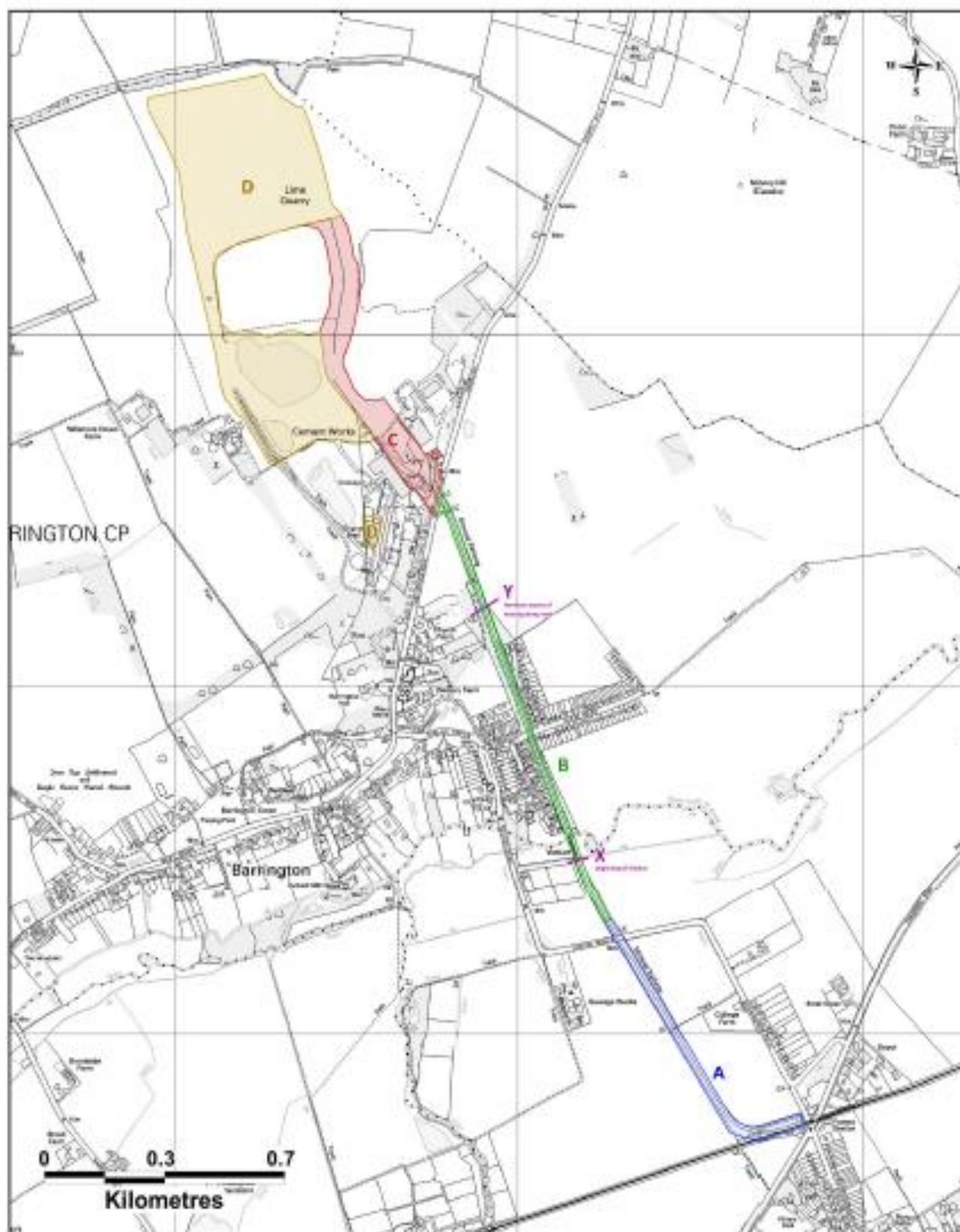
Unexpected cessation of development

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 Local Plan (September 2018) policies NH/2, NH4, and NH5.

Informative

Condition 7 – The Barrington Light Railway Operating Manual shall include (but not be limited to) a procedure for complaints to be made to and responded to by Cemex; procedures for minimising noise from the operation of the trains; and the operation CCTV in Foxton sidings.



Scale (at A3): 1:10000
 Date: 18/03/11 V2
 By: sp484

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

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

APPLICANT: Recyplas Limited

APPLICATION NO: F/2003/18/CW

To: **Planning Committee**

Date: **1 November 2018**

From: **Assistant Director Environment & Commercial**

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

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

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

<i>Officer contact:</i>	
Name:	David Atkinson
Post:	Development Management Officer (Strategic & Specialist Applications)
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1.0 INTRODUCTION/BACKGROUND

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

2.0 THE SITE AND SURROUNDINGS

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

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

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

3.0 THE PROPOSED DEVELOPMENT

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

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

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

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

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

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

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

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

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

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

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

4.0 PLANNING HISTORY

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

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

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

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

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

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

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

5.0 PLANNING POLICY AND GUIDANCE

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant development plan policies are set out in paragraphs 5.10 to 5.12 below.

National Planning Policy Framework (July 2018) (NPPF)

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

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

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

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

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

Noise Policy Statement for England

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

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

Planning Practice Guidance (PPG)

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

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

Planning Practice Guidance on Noise

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

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

5.10 The following policies are of relevance:

CS29 The Need for Waste Management Development and the Movement of Waste
CS30 Waste Consultation Areas
CS32 Traffic and Highways
CS33 Protection of Landscape Character
CS34 Protecting Surrounding Uses
CS39 Water Resources and Water Pollution Prevention

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

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

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

Fenland Local Plan (adopted May 2014) (LP)

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

LP1 A Presumption in Favour of Sustainable Development
LP2 Facilitating Health and Wellbeing of Fenland Residents
LP14 Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP16 Delivering and Protecting High Quality Environments Across the District

6.0 CONSULTATION RESPONSES AND PUBLICITY:-

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

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

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

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

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

Publicity:

- 6.5 The planning application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A press notice was published in the Fenland Citizen on 6th June 2018. This was in addition to 2 site notices put up on 31st May 2018

7.0 REPRESENTATIONS

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

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

8.0 PLANNING CONSIDERATIONS

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

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

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

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

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

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

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

9.0 SUMMARY AND CONCLUSION

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

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

10.0 RECOMMENDATION

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

Unit 1

1. Implementation

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

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

2. Site Area and conditions related to Unit 1

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

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

3. Approved Plans

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

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

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

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

4. Fire Safety

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

5. Construction Materials

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

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

6. Archaeology

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

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

7. Hours of Operation for Unit 1

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

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

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

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

8. Environmental Protection

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

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

9. Noise Insulation

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

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

10. Silencers

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

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

11. Reversing Vehicles

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

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

12. Dust

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

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

13. Lighting

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

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

14. Drainage and Pollution Control

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

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

15. Building Ventilation

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

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

16. Incineration

No burning of waste shall be undertaken on the Site.

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

17. Boundary Treatment

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

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

18. Landscaping

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

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

19. Landscaping Implementation

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

20. Importation of Waste

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

21. Onsite Loading-Unloading

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

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

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

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

22. Onsite Parking Unit 1

The permanent space to be reserved on the Site for:

- turning
- parking
- loading and unloading

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

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

23. Onsite Parking Unit 2

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

24. Storage of Material outside Unit 1

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

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

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

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

25. Litter Management Policy

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

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

26. Permitted waste streams for Unit 1

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

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

27. Annual Throughput and waste storage limit for Unit 1

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

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

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

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

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

28. Waste Catchment Restriction for Unit 1

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

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

Noise Limits

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

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

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

Externally Modified Criteria

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

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

Noise Monitoring and Management Scheme

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

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

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

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

Informatives

1. Environment Agency Informative

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

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

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

2. Local Liaison Meetings

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

Compliance with paragraph 38 of the National Planning Policy Framework (July 2018)

The Waste Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. All land use planning matters have been given full consideration relating to the proposed extension to working hours within Unit 01. Consultation took place with statutory consultees and other consultees, including local residents, which have been taken into account in the decision making process.

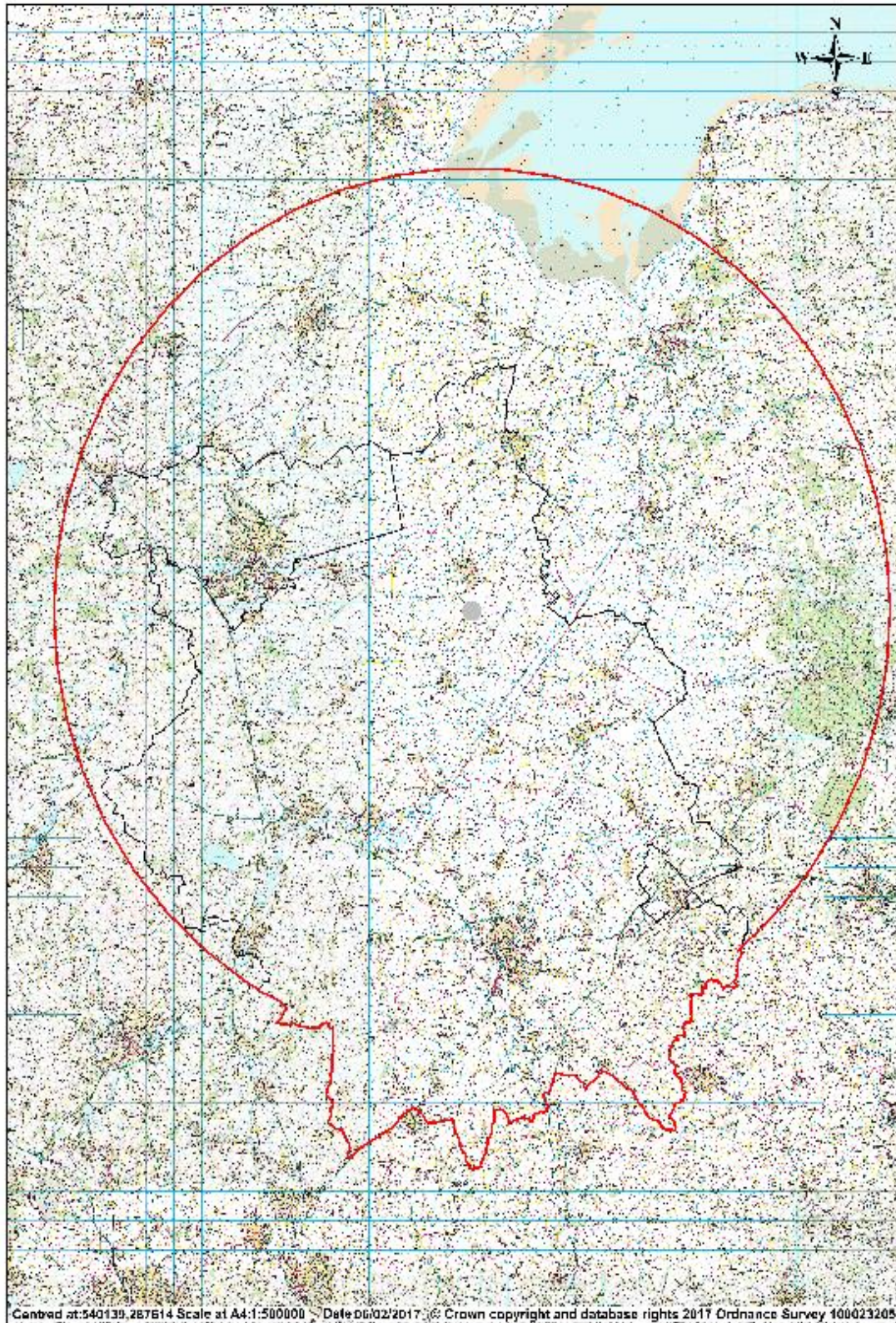
Important Note:

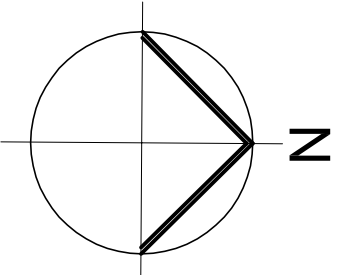
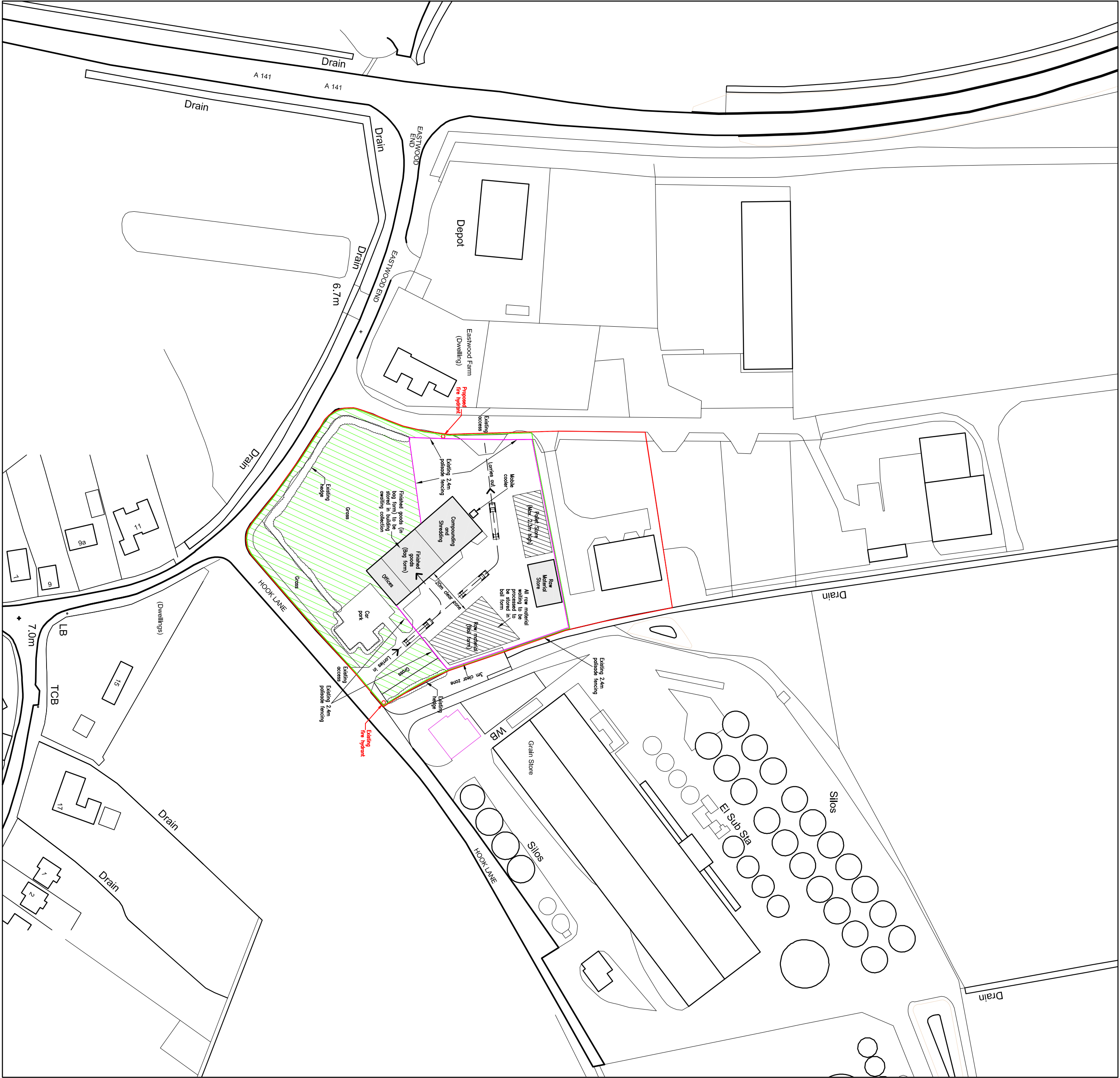
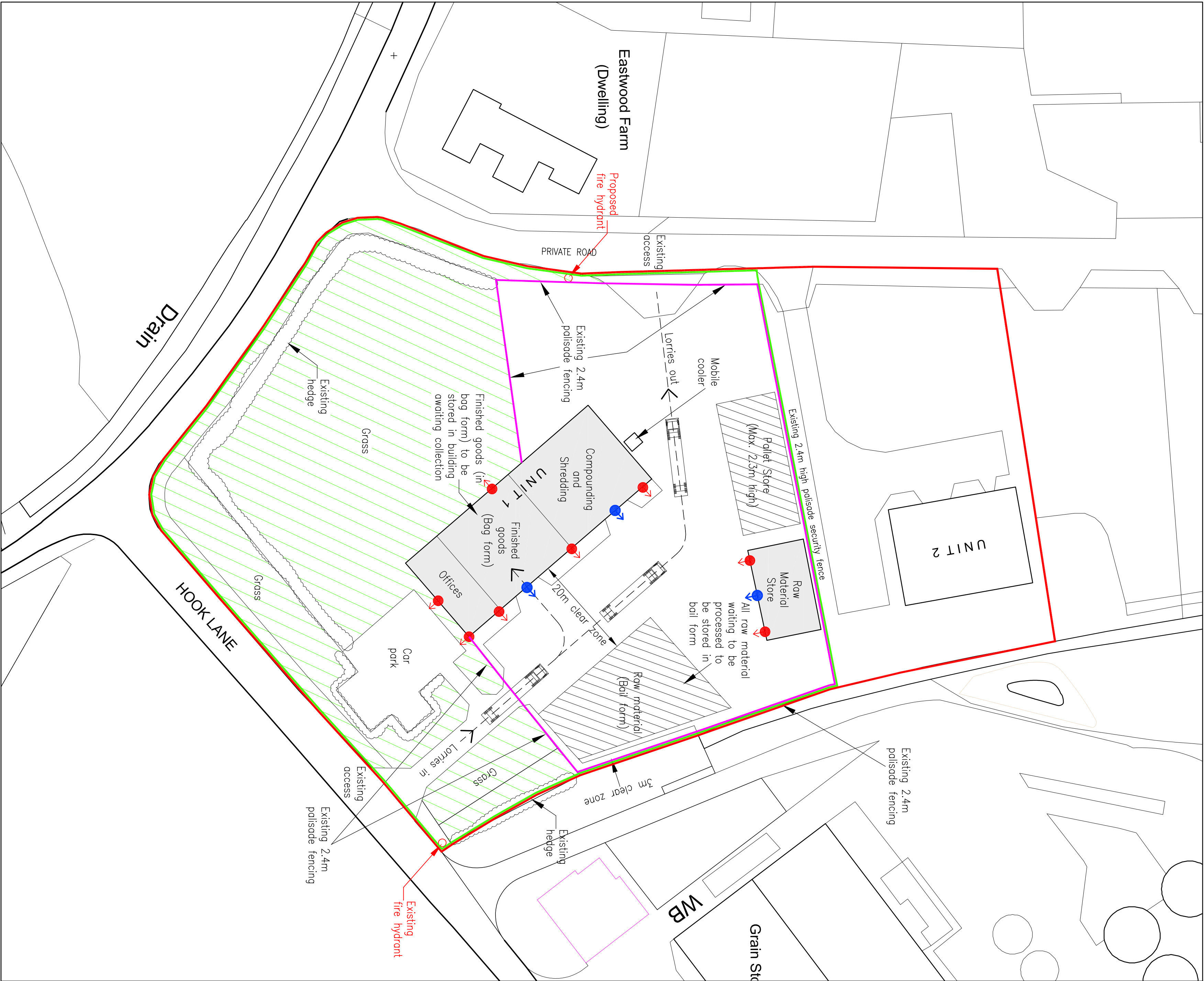
Whilst of no direct relevance to the determination of this Section 73A planning application, should it be resolved to grant planning permission for this development, then the decision notice to be issued must take due account of the extant planning conditions relating to Unit 2.

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

Appendix 1

Plan CCC1 - Waste Catchment Area Unit 1





Location Plan 1:1250

- KEY:**
- Red line** - application site boundary for F/2019/02/CW
 - Green line** - boundary of Unit 1 site.
 - Green hatch** - existing grass areas to Unit 1 site.
 - Purple line** - Proposed green mesh litter catch fixed to inside of existing 2.4m high palisade fencing.
 - Red dot** - Phillips SNK 70 Watt Security Lights
 - Blue dot** - Phillips SNK 400 Watt Flood Lights

Proposed Site Plan 1:500

Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

RECYPLAS LIMITED
UNIT 1
HOOK LANE
WIMBLINGTON
PE15 0QQ

SITE/LOCATION PLAN

CLIENT
Recyplas Limited

DATE Sept 2017 **SCALE** As Shown **JOB No.** 5744/01

DO NOT SCALE FROM THIS DRAWING
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Summary of Decisions Made Under Delegated Powers

To: **Planning Committee**

Date: **1 November 2018**

From: **Assistant Director Environment & Commercial**

Electoral division(s): **All**

Purpose: **To consider the above**

Recommendation: **The committee is invited to note the report**

<i>Officer contact:</i>	
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: Place and Economy 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, considered it necessary and expedient, to authorise the Head of Strategic Planning (now the Assistant Director Environment & Commercial) 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 for Place and Economy: <https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/>.

2.0 SUMMARY OF DECISIONS

- 2.1 Four applications have been granted planning permission under delegated powers during the period between 22/09/2018 and 19/10/2018 as set out below:

1. **H/5016/18/CC** – Section 73 application to develop land without complying with condition 2 of permission H/5003/15/CC, to allow retention of the mobile classroom until 31st August 2023.

Location: Westfield School, Ramsey Road, ST. IVES, PE27 5RG

Decision granted 27/9/18

For further information please contact Tracy Rockall on 01223 699852

2. **S/0092/18/CC** – Outline permission for the remaining part of the secondary school comprising 8 forms of entry (1200 pupils); a 3 form of entry primary school (630 pupils); a post 16 education college (400 places), the remaining part of the indoor sports facilities, playing fields, car and cycle parking, landscaping and ancillary development. Full permission for part of a new secondary school comprising 4 forms of entry (600 pupils); a Special Educational Needs School (SEN) (110 pupils); energy centre; car and cycle parking, indoor sports facilities, hard landscaped playing courts, playing fields, access, landscaping and ancillary development

Location: Northstowe Education Campus, Land adjacent to Stirling Road, Northstowe New Town, Cambridge, CB24 1BN

Decision granted 15/10/18

For further information please contact Kirsty Carmichael on 01223 703216

3. **H/5003/18/CW** – Installation of two bunded leachate storage tanks and one sand filter (retrospective)

Location: Buckden Landfill Site, Brampton Road, Buckden, St Neots, PE19 5UH

Decision granted 16/10/18

For further information please contact Will Laing on 01223 706731

4. **E/3001/18/CM** – Application for the proposed extraction of ancillary clay for the Ouse Washes flood embankment protection operations including the establishment of a temporary internal access road, to deepen the final construction of an agricultural reservoir with restoration of the temporary internal access road back to agriculture.

Location: Bridge Farm, Holme Fen Drove, Colne, Huntingdon, PE28 3RE

Decision granted 05/10/18

For further information please contact Stanley Gono on 01223 699227

Source Documents	Location
Applications files	SH1315, Shire Hall, Cambridge, CB3 0AP

