

**Section 73 application to develop land without complying with condition 2 (cessation of development) of planning permission F/2008/16/CW for a wood waste recycling facility**

**AT: Unit 1, 35 Benwick Road Industrial Estate, Whittlesey, PE7 2HD**

**APPLICANT: Woodacre Developments Ltd**

**LPA NO: F/2005/18/CW**

*To:* **Planning Committee**

*Date:* **13 December 2018**

*From:* **Joint Interim Assistant Director – Environment and Commercial**

*Electoral division(s):* **Whittlesey South**

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

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

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## 1.0 INTRODUCTION

- 1.1 This waste management facility for recycling wood waste was developed in two stages. Planning permission for the larger part of the site was granted in June 2013 (reference F/02001/13/CW) for a period of 5 years (shown in pink on Figure 1 below). In 2016 planning permission was granted for the variation of conditions 3, 5, 6 and 7 of F/02001/13/CW (reference F/2008/16/CW) and for an extension to the site area (shown in yellow on Figure 1 below) and the erection of a workshop (reference F/2009/16/CW). Both of those permissions were granted for a temporary period expiring on 30 June 2018.

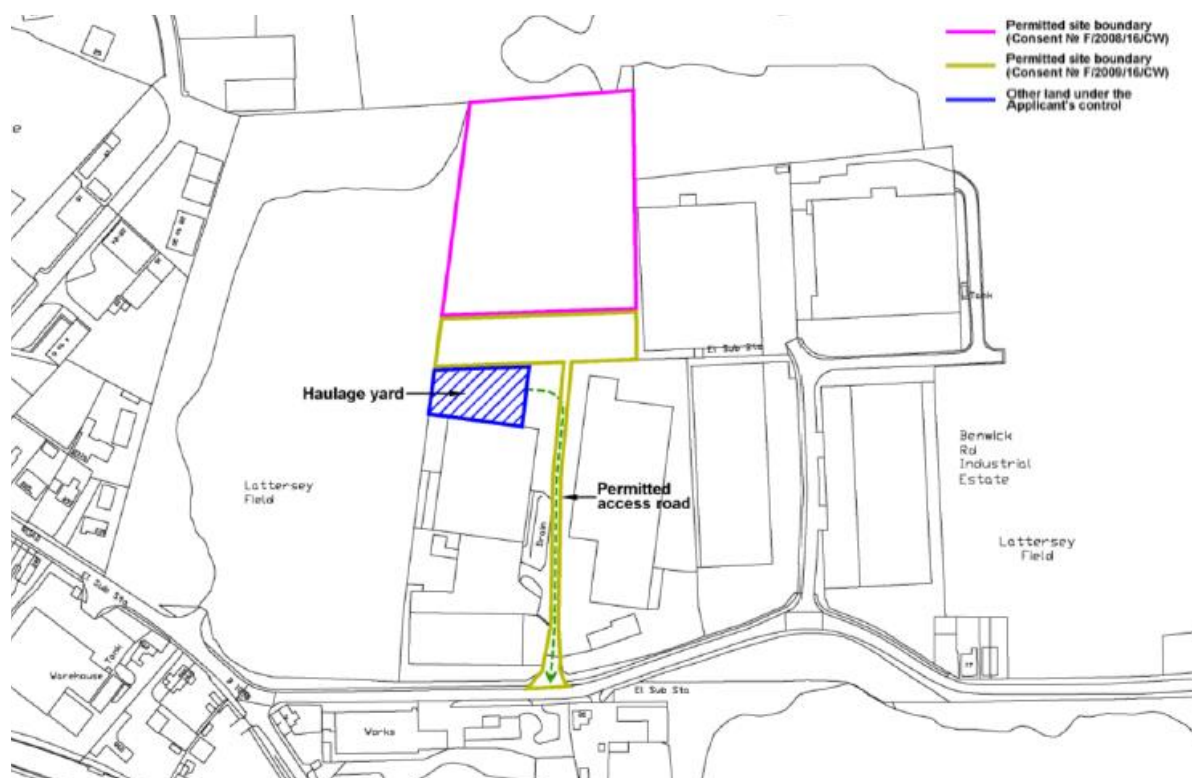


Figure 1

- 1.2 This report relates to one of two applications submitted at the same time (on 23 May 2018) which seek permission to extend the duration of the development for a further five years until 30 June 2023. The waste planning history of the site is set out in paragraphs 6.1 to 6.4 below.
- 1.3 The second planning application (reference F/2006/18/CW) has been submitted to extend the duration of the development in the extension area. This is the subject of a separate report to this committee (agenda item 6).
- 1.4 Condition 2 of F/2008/16/CW specified that the permission for wood waste recycling was limited to a period expiring on 30 June 2018 at which time all unprocessed wood waste, processed wood product, the site office/mess room and weighbridge office shall be removed and the site restored to its pre-development condition.

- 1.5 The County Council as the waste planning authority has received complaints about the operation of the site which resulted in formal enforcement action being taken against the operators. A summary of the enforcement action which has been taken is provided at paragraphs 6.5 to 6.8 below for completeness and an explanation of the weight that should be placed on it in determining this planning application is set out in paragraph 9.1 below.

## **2.0 THE SITE AND SURROUNDINGS**

- 2.1 The recycling site is located near the centre of a primarily industrial area, to the south of Whittlesey Station. The industrial area extends from the Ely to Peterborough railway line to the north, to the Whittlesey Dike to the west, and water-filled former mineral workings to the south. The land to the east is in agricultural use. The recycling site is part of Benwick Road Industrial Estate. Its immediate neighbours are a waste transfer station and land used for HGV trailer parking to the west, industrial buildings to the east and south, and an area of woodland and open water (Railway Lakes County Wildlife Site) to the north.
- 2.2 The access to the recycling site from the B1083 Benwick Road also serves the neighbouring industrial units. The closest residential property is 32 Benwick Road, which is approximately 180 metres (196.9 yards) to the south of the site, and to the south of Benwick Road. There are a small number of houses within 230 metres (251.5 yards) of the site to the south west, which are near the junction of Benwick Road with Station Road and Turningtree Road and to the south east on Benwick Road.
- 2.3 Railway Lakes County Wildlife Site (CWS) adjoins part of the recycling site's northern boundary. Lattersey Local Nature Reserve CWS is immediately to the north of the railway line.

## **3.0 THE PROPOSED DEVELOPMENT**

- 3.1 The application which is the subject of this report is to carry out the development (wood waste recycling) without complying with condition 2 of planning permission F/2008/16/CW for a period expiring on 30 June 2023, at which time all unprocessed wood waste, processed wood product, the site office/mess room and weighbridge office shall be removed and the site restored to its pre-development condition.

## **4.0 PUBLICITY**

- 4.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice in the Fenland Citizen on 27 June 2018 and a notice erected at the site access. The occupants of the houses and businesses closest to the site were notified by letter.

## **5.0 CONSULTATIONS**

- 5.1 Fenland District Council (Planning) – Raises no objections to the proposal but recommended that advice is sought from Fenland District Council's Environmental Protection Team as to the potential amenity impacts of the development.
- 5.2 Fenland District Council (Environmental Protection) - Advised that based on the records they hold, there has been one complaint of dust in the last two years from a neighbour which was referred to the Environment Agency. On this basis, it is not considered that the site will have a significant adverse impact on the surrounding areas. Consequently, they have no objection to the application, in so far as they have an adequate and sustained dust suppression system in place prior to the application being determined. Historically, noise has not been an issue; there hasn't been a complaint regarding noise in the past.
- 5.3 Whittlesey Town Council – Support the need for an increase in commercial businesses in Whittlesey but have concerns that the applicant ignores planning conditions and appears to carry on regardless and disregards these rules.
- 5.4 Environment Agency – Has no objection in principle to the proposed development and offered the following informative:

East Anglian Resources Ltd (EARL) currently hold an environmental permit, issued by the Environment Agency in March 2016, which authorises them to operate a wood recycling operation on their site at Benwick Road, Whittlesey. This permit has no expiry date. It remains in place until such time as EARL decide to surrender it or the Environment Agency choose to revoke it.

The permit allows EARL to accept and process up to 30,000 tonnes of wood waste per year.

- 5.5 Highway Development Management – No objection.
- 5.6 Fire and Rescue Service – No comments received.
- 5.7 The Wildlife Trust – No comments received.
- 5.8 Individual representations – Have been received from a business whose premises adjoin the wood recycling premises. They report having to constantly endure wood dust blowing into their yard and workshops which causes problems with precision engineering equipment and workpieces. They have concerns over staff constantly breathing in wood dust of unknown origins and the implications of this to health. The dust ingresses into vehicles which their families are exposed to. They have contacted the Environment Agency about their worries and have also in the past monitored the dust blowing into their yard. This was in the winter when the heaps of wood were smaller and the wood was damp because of the weather. Photographs have been provided showing dust generated by the wood recycling operations.

- 5.9 They consider that the size of the three wood heaps is a huge fire risk. They have witnessed several small fires over the years and one fire that destroyed the adjoining factory unit.
- 5.10 This application relates to the larger part of the wood waste recycling site. The representations received about the application which relates to the extension area (F/2006/18/CM) are summarised in paragraphs 5.8 to 5.11 of agenda item 6.

## **6.0 PLANNING HISTORY**

- 6.1 Planning permission F/02001/13/CW was granted in 2013 for a wood waste recycling facility for a temporary period expiring on 30 June 2018. The development comprised:
- the reception and open storage of waste wood;
  - the use of a mechanical digger/handler to sort wood;
  - the use of mobile plant to shred wood to create a product suitable for use in panel board manufacture or as biomass fuel;
  - Portakabin-type buildings for use as an office, canteen and toilets;
  - a weighbridge;
  - car parking spaces; and
  - a pond for collecting surface water which is used for dust suppression.
- 6.2 A section 73 planning application reference F/2008/16/CW was granted on 20 December 2016. It varied condition 3 (approved plans), condition 5 (annual throughput) and condition 6 (operating hours) of planning permission F/02001/13/CW. Planning permission F/2008/16/CW was granted for a temporary period expiring on 30 June 2018.
- 6.3 Planning permission F/2009/16/CW for the extension of the wood recycling site and the erection of a workshop (retrospective) was granted on 20 December 2016 for a period expiring on 30 June 2018.
- 6.4 The current applications to extend the life of the development were submitted on 23 May 2018 before the expiry of F/2008/16/CW and F/2009/16/CW.

### *Enforcement history*

- 6.5 In October 2015 a Breach of Condition Notice (BCN) was served on the operators for failure to comply with condition 6 of F/02001/13/CW relating to working hours at the site. When the planning permission for the site was varied in 2016 (F/2008/16/CW), a new planning permission and conditions were issued and consequently the October 2015 BCN no longer applied.
- 6.6 On 7 November 2017 and 4 May 2018 two Enforcement Notices for breaches of condition 6 of F/2008/16/CW and condition 5 of F/2009/16/CW were served on EARL. One notice related to the main site area and one to the site extension area. Both notices related to

breaches of the conditions that restricted hours of operation at the site, specifically to the overnight movement of HGVs to and from the site which were affecting residential amenity.

- 6.7 The service of the notices were appealed to the Planning Inspectorate (PINS) who scheduled a public inquiry for 10 July 2018. PINS subsequently cancelled the inquiry and proceeded to a written decision. On 28 August 2018 PINS issued the written decision in which they declined to determine the appeals because from 30 June 2018 when the relevant permissions and conditions expired, the enforcement notices would no longer have any effect. At the same time the Inspector rejected a costs application from EARL and in the costs decision notice he stated '*...it appears to me that the issue of the enforcement notices was a logical and expedient course of action for the Council to take.*'
- 6.8 The Enforcement team continues to receive complaints about overnight HGV movements associated with the site, along with complaints about general working hours, dust and the heights of stockpiles but the site currently operates without a live planning permission and therefore there are no planning conditions to enforce against.

## **7.0 PLANNING POLICY AND RELEVANT GUIDANCE**

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The relevant policies from the development plan are set out in paragraphs 7.3 and 7.4 below.
- 7.2 The National Planning Policy Framework (July 2018) (NPPF), the National Planning Policy for Waste (October 2014) (NPPW), the Waste Management Plan for England (December 2013) and Planning Practice Guidance (PPG) are also material planning considerations.
- 7.3 Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (adopted July 2011) (the M&WCS)
- CS2 – Strategic Vision and Objectives for Sustainable Waste Management Development  
CS32 – Traffic and Highways  
CS34 – Protecting Surrounding Uses
- 7.4 Fenland Local Plan (adopted May 2014) (the FLP)
- 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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District

#### 7.5 Supplementary Planning Documents

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

7.6 Cambridgeshire County Council and Peterborough City Councils have started a review of the Minerals and Waste Development Plan which will be known as the Minerals and Waste Local Plan. It is currently at the first consultation stage in the form of the Minerals and Waste Local Plan Preliminary Plan (May 2018) so currently carries very little weight, if any. The M&WCS and the Minerals and Waste Site Specific Proposals Development Plan Document (adopted February 2012) remain in force until the new Local Plan replaces them.

### 8.0 PLANNING CONSIDERATIONS

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

- *approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:*
  - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.*

8.2 The NPPW refers to the Waste Management Plan for England. The NPPW sets out the national planning policies for waste development and is to be read in conjunction with the NPPF. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal. Paragraph 7 of the NPPW sets out specific considerations to be taken into account in

determining planning applications, which are set out further in paragraph 8.4 below. These include only expecting applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan; and ensuring that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.

- 8.3 The National Planning Policy for Waste (NPPW) refers to the Waste Management Plan for England (WMPE) and promotes driving waste management up the waste hierarchy
- 8.4 The NPPW provides guidance on the determination of waste planning applications. Local authorities should, in addition to the points noted in paragraph 8.2 above and specific to this planning application:
- consider the likely impact on the local environment and on amenity and the locational implications of any advice on health from the relevant health bodies;
  - ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located; and
  - 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.
- 8.5 The permitted use, shredding waste wood to create a useable product, drives waste up the waste hierarchy so in this respect is in accordance with national policy and M&WCS policy CS2 and FLP policy LP1.

#### Dust

- 8.6 The County Council and the District Council's Environmental Protection Officer have received complaints about the dust generated from the site. The Environment Agency has also recorded non-compliance with the environmental permit Dust and Particulate Management Plan.
- 8.7 When F/02001/13/CW, the original planning permission establishing the principle of development, was granted the site was being operated under an exemption from environmental permitting regime. Condition 9 of planning permission F/2008/16/CW required that the site be operated in accordance with an approved dust mitigation scheme. The principal dust control techniques in the approved scheme required the operator to:
- monitor weather conditions;
  - cease wood shredding until fugitive dust has been controlled;



- use a water bowser to dampen surfaces;
- protect activities from wind; and
- cover loaded vehicles.

8.8 An environmental permit was issued on 2 March 2016 and has a Dust and Particulate Management Plan. In addition to the measures set out in paragraph 8.7 water cannons are used to spray the processing area with a mist of water and modifications have been made to the processing plant to reduce the drop height from the conveyors.

8.9 The NPPF at paragraph 183 states that:

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

8.10 There is a similar message in the National Planning Policy for Waste which is set out in the third bullet point of paragraph 8.4 above.

8.11 The control of processes and emissions including dust would be regulated subject to approval under a pollution control regime i.e. the environmental permit. In accordance with Government advice (see paragraphs 8.4, 8.9 and 8.10 above) it is considered that because the site is subject to an environmental permit, the Environment Agency should take the lead in monitoring and enforcing dust control measures. With the controls described in paragraphs 8.7 and 8.8 in place it is considered that the development would comply with M&WCS policy CS34 and FLP policy LP16.

#### Fire risk

8.12 Condition 4 restricts the height of stockpiles to a maximum of 4 metres (13.1 feet) in order to protect the visual amenity of the area. One measure to minimise the spread of fire is for there to be an appropriate separation distance between stockpiles. This is a matter for the Environment Agency to regulate in the Fire Action Plan which is in place as part of the environmental permit.

8.13 Condition 14 of F/2008/16/CW required that a supply of water for fire-fighting be provided. A 40,000 litre tank has been installed which meets the Fire Service’s standards.

#### Noise and HGV movements

8.14 Condition 12 of F/2006/16/CW states that noise from the permitted activities shall not exceed 55dB (A) Leq, 1 hour or be more than 10 dB (A) above the background level at any noise sensitive property.

Condition 6 of F/2008/16/CW limits the hours of operation to between 0700 and 1900 hours Mondays to Fridays and 0700 and 1300 on Saturdays. The condition also states that no HGVs shall enter or leave the site outside those hours.

- 8.15 Complaints have been received from local residents that HGVs have been entering and leaving the site outside the permitted hours and are causing disturbance affecting the ability to sleep and quality of life. Such complaints include activities late at night and into the early hours of the morning.
- 8.16 The site for which planning permission was first granted in 2013, the main site area, includes the access route through the industrial estate to the public highway. The planning permission for the extension area (F/2009/16/CW) also includes the access route to the public highway. Extending the site area effectively brought the working area and site entrance gate approximately 25 metres (approximately 27.3 yards) closer to the highway. These areas are shown on Figure 1 above. The planning permissions include the access route between the operational area and the public highway so the conditions apply to the access route.
- 8.17 There is an area of land between the southern boundary of the extension area and Unit 2, Benwick Road Industrial Estate (shown hatched blue on Figure 1 above). When the current applications were originally submitted, the applicant referred to it as a “haulage yard” and stated that it may be used *“for vehicles that may exit or arrive outside of the permitted operational hours”* or *“where the Company’s HGVs are parked overnight”*. The “haulage yard” does not have planning permission for waste management use and the applicant was invited to either submit an application for such permission or confirm that the HGVs entering, exiting and parking within the “haulage yard” area are separate to and not connected with the use of the wood recycling site. They chose the latter and withdrew the relevant sentences from the planning application.
- 8.18 The applicant then proposed amending the current planning applications to include the “haulage yard”. They have been advised that the current applications have been made under S73 of the Town and Country Planning Act 1990 to vary a condition of existing permissions and that the areas to which they relate (the “red lines”) may not be extended beyond the land to which the original permissions related. The applicant has been invited to submit a new application for an extension to the site. No such application has been submitted or any indication given if or when it would be. We are therefore proceeding to determine the current applications on the basis that the “haulage yard” is not part of the wood recycling site.
- 8.19 Paragraph 206 of the NPPF provides that planning conditions should only be imposed where they are:
- Necessary;
  - Relevant to planning and;

- To the development to be permitted;
- Enforceable;
- Precise and;
- Reasonable in all other respects

- 8.20 Furthermore, the PPG at paragraph 21a-031-2018 provides: “...*In granting permission under s.73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development that was subject to the original permission and are conditions which would have been imposed on the earlier permission*”.
- 8.21 The applicant has stated that the “haulage yard” is not being used in connection with the use of the wood recycling site and therefore it is considered that a permanent physical barrier should be erected to clearly define and separate the two planning uses. This could be secured by condition (see recommended condition 14 below). If the applicant or any other party wants to use the adjacent land as a “haulage yard”, it is their responsibility to ensure that the relevant planning permission from Fenland District Council is in place.
- 8.22 It is also considered appropriate to add a condition that would help the operator to demonstrate, and the waste planning authority to monitor, compliance with condition 6 that restricts times during which HGV movements may take place (see recommended condition 15 below).
- 8.23 It is considered that the proposed new conditions would meet the 6 tests set out in paragraph 8.19 above and would not materially alter the development that was subject to the original permission.

## **9.0 CONCLUSION**

- 9.1 There is clearly concern within the local community from both businesses and residents situated close to the recycling site about the failure of the operating company to comply with conditions of the 2016 permissions. Members are aware that planning permission benefits the land, not the applicant or a specific operator. Past performance of an operator is not a material planning consideration and the current applications can only be determined on the basis of land use planning considerations and planning policy. The planning authority must make its decision on the basis that any conditions that have been imposed to make the development acceptable in land use planning terms will be complied with and that the pollution control authority i.e. the Environment Agency will apply and enforce the relevant pollution control regime i.e. the environmental permit.
- 9.2 The principle of the development was established in 2013 and reaffirmed in 2016. The relevant planning policy has not changed since then and section 8 of this report sets out why the proposed development would comply with these policies. The wood waste recycling site is capable of being operated in a way which would not significantly adversely affect the environment or amenity of local

residents and businesses if the planning conditions and conditions of the environmental permit are complied with.

## **10.0 RECOMMENDATION**

10.1 It is recommended that planning permission be granted subject to the following conditions.

1. This permission shall be limited to a period expiring on 30 June 2023 at which time all unprocessed wood waste, processed wood product, metal storage containers, the site office/mess room and weighbridge office shall be removed and the site restored to its pre-development condition.

*Reason: Permission was sought and granted for a temporary period in the interests of visual and residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of the Fenland Local Plan (May 2014).*

2. This planning permission shall only relate to the area edged red on Location Plan - Plan Ref: EARL1 hereafter referred to as “the site”. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following plans:

Location Plan – Plan Ref: EARL 1;  
Site Plan – Plan Ref: EARL 16/2 Rev B; and  
Plan Ref: EARL3 (office/mess room and weighbridge office).

*Reason: To define the site and enable the development to be monitored and enforced in the interests of visual and residential amenity in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of the Fenland Local Plan (May 2014).*

3. Nothing other than non-hazardous wood shall be stored or treated at the site.

*Reason: To minimise the risk of pollution in accordance with policies CS34 & CS39 of the Cambridgeshire and Peterborough Minerals & Waste Core Strategy (July 2011) and policy LP16 of the Fenland Local Plan (May 2014)*

4. The throughput of the site shall not exceed 29,999 tonnes per calendar year.

*Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policy LP15 of the Fenland Local Plan (May 2014) and the management of the risk of fire and fugitive dust 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)*

5. No operations associated with the development on the site shall take place outside the hours of 0700 to 1900 Mondays to Fridays and 0700 to 1300 on Saturdays. There shall be no such activities on Sundays or Bank or Public Holidays.

No HGVs shall enter or leave the site outside the hours of 0700 to 1900 Mondays to Fridays and 0700 to 1300 on Saturdays. No HGVs shall enter or leave the site on Sundays or Bank or Public Holidays.

*Reason: To protect the amenities of the occupiers of nearby properties 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)*

6. Stockpiles shall not exceed 4 metres in height when measured from the adjacent ground level.

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

7. No external lighting shall be installed at the site except in accordance with details that have been submitted to and approved in writing by the waste planning authority. No external lights other than security lights shall be illuminated before 0630 hours and after 1930 hours Monday to Friday and before 0630 hours and after 1330 hours on Saturdays. No external lights other than security lights shall be illuminated on Sundays or Bank or Public Holidays.

*Reason: To protect the amenities of the occupiers of nearby properties 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)*

8. The dust mitigation scheme comprising pages 3 and 4 of the document *Woodacre Developments Ltd Scheme to discharge planning conditions 8, 9, 11, 13 and 14 of Consent No F/02001/13/CW* dated July 2013 shall be implemented in full.

*Reason: To protect the amenities of the occupiers of nearby properties 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)*

9. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers. Mobile plant shall use broadband reversing alarms.

*Reason: To minimise disturbance to the occupiers of nearby properties*

*in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014)*

10. The noise monitoring scheme comprising pages 5 and 6 of the document *Woodacre Developments Ltd Scheme to discharge planning conditions 8, 9, 11, 13 and 14 of Consent No F/02001/13/CW* dated July 2013 shall be implemented in full.

*Reason: To enable the developer to comply with the noise limit set in condition 11 to minimise disturbance to the occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014)*

11. Noise from the activities hereby permitted shall not exceed 55dB(A) Leq, 1h (free field) or be more than 10dB(A) above the background level at the boundary of any noise sensitive property.

*Reason: To minimise disturbance to the occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014)*

12. The surface water disposal scheme comprising page 7 of the document *Woodacre Developments Ltd Scheme to discharge planning conditions 8, 9, 11, 13 and 14 of Consent No F/02001/13/CW* dated July 2013 as amended and amplified by Gough Planning & Development Ltd letter dated 7 October 2014 (*sic*) (received 8 January 2014) shall be implemented in full.

*Reason: To minimise the risk of pollution of the water environment in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policies LP14 and LP16 of Fenland Local Plan (May 2014)*

13. The water supply for fire fighting described in the developer's email to the Fire Service (Bobby Tribe to Kevin Laska dated 2 September 2013) shall be maintained on site for the duration of the development.

*Reason: To ensure that there is a sufficient and accessible water supply for fire fighting in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policies LP14 and LP16 of Fenland Local Plan (May 2014)*

14. Within 4 weeks of the date of this permission a scheme shall be submitted to the waste planning authority for the erection of a barrier between points X and Y on plan no. CCC1. Once approved in writing by the waste planning authority the barrier shall be erected not later than 4 weeks after the date of written approval and thereafter retained and maintained for the duration of the development hereby permitted.

*Reason: To clearly define the boundary of the wood recycling site and separate it from land which does not have planning permission for waste management use and which is a separate planning unit to minimise disturbance to the occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and policy LP16 of Fenland Local Plan (May 2014).*

15. A written record shall be maintained at the site office of all movements in and out of the site by HGVs. Such records shall contain the vehicle's registration, company's identity, and the time and date of movement. The records shall be retained for a duration of not less than six months and be made available for inspection by the waste planning authority within 7 days of a written request being made.

*Reason: To enable the waste planning authority to monitor the operations and ensure vehicle movements do not exceed that stated in condition 6 and to protect the amenities of the occupiers of nearby properties 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)*

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

The waste planning authority has worked proactively with the applicant to ensure that the development is acceptable in planning terms. The development would contribute to the sustainable management of waste.

Source Documents	Location
<p>Link to the National Planning Policy Framework:  <a href="http://planningguidance.communities.gov.uk/blog/policy/">http://planningguidance.communities.gov.uk/blog/policy/</a></p> <p>Link to the Waste Management Plan for England:  <a href="https://www.gov.uk/government/publications/waste-management-plan-for-england">https://www.gov.uk/government/publications/waste-management-plan-for-england</a></p> <p>Link to the National Planning Policy for Waste:  <a href="https://www.gov.uk/government/publications/national-planning-policy-for-waste">https://www.gov.uk/government/publications/national-planning-policy-for-waste</a></p> <p>Link to Cambridgeshire and Peterborough Minerals and Waste Core Strategy:  <a href="http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste/7">http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste/7</a></p> <p>Link to Fenland Local Plan: <a href="http://www.fenland.gov.uk/CHttpHandler.ashx?id=10010&amp;p=0">http://www.fenland.gov.uk/CHttpHandler.ashx?id=10010&amp;p=0</a></p>	