

PLANNING COMMITTEE: MINUTES

Date: Thursday 12th May 2016

Time: 10.00am – 12.15

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors P Ashcroft, B Ashwood, D Connor, L Harford, W Hunt, S Kindersley, A Lay, M Loynes, J Scutt and M Smith

181. ELECTION OF CHAIR AND VICE CHAIR FOR THE MUNICIPAL YEAR 2016/17

It was proposed by Councillor Ashwood and seconded by Councillor Lay with the unanimous agreement of the Committee for Councillor Connor to be elected as Chairman for the municipal year 2016/17.

It was proposed by Councillor Lay and seconded by Councillor Ashwood with the unanimous agreement of the Committee for Councillor Smith to be elected as Vice-Chairwoman for the municipal year 2016/17.

182. APOLOGIES AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Mason. There were no declarations of interest.

183. MINUTES – 14TH APRIL 2016

The minutes of the Planning Committee meeting held on 14th April 2016 were agreed as a correct record and signed by the Chairman subject to the changes agreed at the meeting and attached as appendix A to these minutes.

184. DEMOLITION OF EXISTING BUILDINGS AND 3, 14 METRE HIGH CHIMNEYS; ERECTION OF A PYROLYSIS PLANT BUILDING CONNECTED TO A WASTE RECEPTION BUILDING; ERECTION OF A 25 METRE HIGH CHIMNEY; 2 CONTAINERS FOR GAS ENGINES; ELECTRICITY SUBSTATION; UPGRADING AND EXTENSION OF INTERNAL ACCESS TRACK AROUND PERIMETER OF THE MEMORIAL GARDEN

AT: NOVUS ENVIRONMENTAL, NOVUS HOUSE, THRILOW, SG8 7RR

APPLICANT: PAUL BOURCHIER, VETSPEED

LPA NO: S/0008/15/CW

The Committee received an application for the installation of a pyrolysis plant at Thriplow that included the demolition of existing buildings, erection of a 25 metre high chimney, two containers for gas engines, an electricity substation, the upgrading and extension of internal access track around the perimeter of the memorial garden. Officers introduced County Council highway engineer, Dr Jon Finney and Peter Forbes, a director of Alan Stratford and Associates Ltd who would provide advice regarding highways and air safety respectively.

Officers highlighted the location of the site in relation to the Imperial War Museum (IWM), Duxford and local conversation areas. Members were informed that Duxford Airfield was also a conservation area designated because of its historical significance.

Members were informed that the pyrolysis process was preferable to disposal by landfill or incineration without energy recovery. This was consistent with national waste management policy. The site was recognised in the Minerals and Waste Core Strategy as making a significant contribution to managing hazardous waste streams.

The main concern of the Environment Agency with regard to the application, Members were informed, was groundwater quality. The site was situated within Groundwater Protection Zone 3. The Environment Agency required conditions be applied in order to ensure that development of the site did not pose a risk to the quality of groundwater.

Attention was drawn to the visual impact of the proposed development. The building and chimney were larger than those to be demolished and would therefore make the site more prominent. However, the site was remote enough for the visual impact to be insignificant from local villages. The proposed landscape planting was deemed adequate and the introduction of coloured panels was designed to “break up” the façade.

Officers drew the attention of Members to aircraft safety in that it was unusual for the Committee to consider. The applicant had commissioned specialist advice that concluded the proposed development would not be a significant risk to air traffic. Officers recognised the significance of IWM Duxford and noted the opposing views of the applicant and IWM Duxford regarding air safety. Alan Stratford and Associates Ltd were therefore commissioned to provide independent advice on air safety; the conclusion of which was that the application did not pose a significant hazard to air traffic.

Members highlighted the Heathfield housing development and its proximity to the proposed development.

Mrs Barbara Pointon on behalf of Thriplow Parish Council addressed the Committee. Mrs Pointon drew Members’ attention to the proximity of Thriplow and Heathfield to the Vetspeed site and while applauding the underlying principles of processing waste at the plant, objected strongly to the application.

Mrs Pointon explained that the application would only be the second plant constructed in the UK and there was therefore no evidence of the long term impact on a predominantly rural area. The 25m chimney and prevailing wind from the South-West would transport the emissions from the site to Heathfield, IWM Duxford and across farmland of which an organic producer would be affected. The chimney would also likely pose a risk to historic aircraft that had a shallower angle of take-off and landing.

The site was built over a protected aquifer used by Cambridge Water and by local farmers for irrigation of their crops. There was therefore a significant risk to the aquifer if the proposed development were to go ahead.

Noise pollution and the impact on the safety of the A505 and roads in Thriplow village were identified as areas of concern for the Parish Council. The plant would operate continuously and the persistent noise could be detrimental to health and wellbeing. The A505 was a single carriageway that was already saturated with traffic. The introduction of further HCV movements would create further congestion and risks of accidents. It was also not mentioned how a serious incident would be dealt with.

The Parish Council therefore urged the Committee to refuse the application.

In response to a Member question Mrs Pointon confirmed that the organic producer was Russell Smith Farms.

Speaking on behalf of the applicant, Mr Matthew Day informed Members that Vetspeed was a family run business established in 1979, was well respected in the waste management field and offered the highest level of duty of care. The facility was required in order to be able to manage hazardous wastes produced in Cambridgeshire. Vetspeed was required by the Environment Agency to install the best technology which was why pyrolysis was selected as the method for managing waste. The electricity generated would be used on site and steam generated would replace existing diesel boilers. Excess electricity would be exported to National Grid. The plant would therefore be entirely self-sufficient for its energy requirements. Further information had been submitted in response to concerns raised by the Environment Agency about the risk to groundwater and a health risk assessment in response to South Cambridgeshire District Council. The application had been amended to include more landscape planting. The site did not pose a threat to air traffic and air safety, nor raise any highway implications and met all relevant national and local planning policies.

In response to Members questions Mr Day:

- Was unwilling to confirm the exact location of other Vetspeed waste management facilities in the country as he did not feel this had any relevance to the application.
- Explained that the emissions from the proposed chimney would consist of carbon dioxide and nitrogen oxide. The exhaust emissions would be the same as when natural gas was burnt. The combustion process burnt carbon that was a by-product of burning gas which was equivalent to burning charcoal. Emissions would pass through filters and scrubbers that extract particulates. An application would be made to the Environment Agency for an environmental permit which is required for the plant to operate. The permit would require constant monitoring of emissions and if the plant exceeded the emissions limits or if the monitoring equipment developed a fault then the plant would have to cease operation immediately. The emission information would be monitored on a second by second basis. The Environment Agency would monitor the emission levels on a daily basis and when satisfied that the site was operating as it should, reduce the monitoring to weekly submissions of data to the Environment Agency.
- Explained that reasons for the development of the site were that the main operational head office was at Thriplow, where the majority of skilled staff including chemists and technicians were based. There was capacity at the site for expansion, and existing waste treatment permissions were in place. Fossil fuels were burnt currently in order to fuel the autoclave, therefore energy self-sufficiency was a key objective.
- With respect to sequential testing officers informed Members that there was no such requirement and referred Members to Core Strategy Policy CS18; three of the locational criteria had been met as set out in the report.
- Confirmed that IWM Duxford were approached at the pre-application stage where an email was sent to IWM Duxford that included rough sketches. An email was received that stated comments would be provided once the application had been received. An air traffic safety expert had been consulted with and the conclusion was that the height of

the chimney was below any flying zones. Since the application had been made there had been correspondence and three meetings. Numerous attempts to mediate had been made prior to the decision being taken and confirmed that the engagement would continue. The use of the renewable heat and electricity generated had also been offered, but no response had been received on this. The offer still remains.

- Explained that the chimney height was determined by computer modelling that was based on the worst case scenario regarding weather conditions. The height of the chimney allowed for greater dispersal of the emissions that guaranteed no impact on health and crops.
- Confirmed that the height of the chimney was based on the worst case scenario regarding emissions and highlighted that there were other obstacles for aircraft taking off to avoid and there were other obstacles such as trees that were much closer. Any structure could be an obstacle and the expert advice should be heeded. It was the responsibility of the airfield to inform pilots of any potential obstacles. A robust approach to make sure that there could be no adverse effects from emissions had to be taken. A smaller chimney would not be as effective in dispersing emissions and chemical abatement was not possible for the pyrolysis process.
- Confirmed that there was no alternative plan to the one before the Committee.
- Confirmed that consultation has taken place with Duxford and Thriplow Parish Councils and had made a presentation to them. Invitations had been extended to open days but not taken up. Posters had been put up through the Thriplow, Fowlmere and Duxford area and leaflets delivered by hand on two occasions advertising the events.
- Explained that it was not possible to replace the 25 metre chimney with two smaller chimneys. Planning permission was being sought for a 25 metre chimney and if, following consultation with the Environment Agency the height could be reduced then a smaller chimney would be erected.
- Explained that an air quality assessment had been submitted with the application that satisfied the Environment Agency.

Officers confirmed that contact had been made by the applicant with four Parish Councils and the applicant had staged a presentation on the site and hosted a further presentation in Thriplow. The applicant subsequently attended an open meeting at Thriplow and a meeting of Whittlesford Parish Council.

Speaking against the application, Graeme Etheridge and Mark Miller on behalf of IWM Duxford informed Members of the history of the Duxford site with flights first starting in 1918. IWM Duxford was home to the development of Spitfire and the jet engine. IWM Duxford attracted 300,000 visitors per year and airshows attracted in excess of 100,000 visitors. IWM Duxford was one of the best preserved airfields in the country, listed by Historic England and had become a world centre of excellence for historic aircraft. The IWM directly employs 250 employees and has over 700 volunteers working at the site.

Mr Etheridge underlined the importance of the need to use both runways safely. The RAF Battle of Britain Memorial Flight Lancaster bomber was due to be serviced at IWM Duxford and would use the entire available runway.

Mr Miller explained that the air safety report was incorrectly dismissive of the grass runway and many aircraft used the grass runway. Whilst he noted that the chimney height was below the statutory clearance level required, he stated that the report was also based on modern aircraft using a modern airport which was not the case at IWM Duxford. The proposed chimney was directly in line with the grass runway. The report considered the landing approach for controlled situations but failed to properly address takeoff and emergencies arising during takeoff.

Mr Etheridge noted that under guidelines RAF Red Arrows were allowed to perform at 100ft above ground or 150ft if inverted at 600mph. The proposed chimney was 82ft tall and therefore posed a significant risk to air traffic.

In response to Members questions Mr Etheridge:

- Explained that he was legally accountable for the airfield and the introduction of a 25 metre chimney introduced a significant risk to air traffic, contrary to the opinion of Alan Stratford and Associates stated in paragraph 8.15 of the report. It was more likely for an engine to fail during takeoff. Developments to the North-East of the airfield had already compromised the terrain and warned that if the proposed development and others were to go ahead then it was likely that engine restoration work would be lost by IWM Duxford.
- Confirmed that from a regulatory perspective the three degree landing slope was sufficient but not ideal when flying vintage aircraft.
- Expressed the opinion that the air safety reports were based on fair weather for a modern aircraft.
- Explained that a meeting took place with the applicant and issues were raised subsequently.
- Explained vintage aircraft were very sensitive to the heat that would be expelled from the chimney and since the Shoreham air crash the centre line for air displays had been moved toward the Vetspeed site. This therefore increased the risk to aircraft.
- Confirmed that IWM Duxford had not responded to either of the air safety reports produced

Officers informed Members that it was difficult to obtain independent air safety advice on the matter and confirmed that the specialist nature of the airfield had been explained to Alan Stratford and Associates Ltd.

The Local Member for Duxford, Peter Topping addressed the Committee. Councillor Topping raised concerns regarding the infancy of the technology that was proposed to be used at the site and the location. Emissions would be released close to the Heathfield estate that had expanded significantly and was due to expand further. At certain times of the day residents complained about the current emissions from the site. The untested nature of the technology associated with the application was therefore cause for concern.

Councillor Topping drew attention to the unique site at IWM Duxford and highlighted in particular the educational benefits of the site to visiting children that could only continue if aircraft could continue to fly from the airfield.

In response to questions raised by Councillor Topping officers explained that following the concerns raised by the Environment Agency the applicant submitted an environmental assessment and as a result the Environment Agency withdrew its objections on the understanding that conditions would be imposed.

During discussion of report Members:

- Noted that a number of concerns regarding the application could be addressed through conditions and highlighted that the impact on green belt had not been taken sufficiently into account.
- Expressed concern regarding the height of the proposed chimney. Members noted the robust manner in which the applicant had addressed the emissions from the proposed chimney but did not believe that the same rigor had been applied to the impact on IWM Duxford and air safety. While it was not unusual to have obstructions around an airfield, the types of aircraft being flown were unusual. Unique regard therefore had to be afforded to IWM Duxford's concerns and requested that the applicant and the Environment Agency work together to review the height of the chimney, after which the applicant and IWM Duxford could discuss the outcome of these discussions.
- Highlighted the special nature of IWM Duxford that was a unique part of national history. It was therefore imperative for the airfield to be protected. There was a duty to ensure the future operation of the airfield.
- Drew attention to the educational significance of IWM Duxford and the need to ensure that jobs were secured in the sector in order for the benefits of the museum to be fully realised.
- Explained that as the chimney was required to be 25 metres tall and there was no alternative then the application should be refused.

Officers explained that two specialist reports identified the risks as not being significant and drew Members' attention to the statutory minimum clearance that the chimney was below. IWM Duxford was unable to provide a height that would be acceptable and had not provided a technical response to the air safety reports put before the Committee. Members were advised that if the application was refused then officers could not present evidence in the event of an appeal and the appeal would be solely reliant on information provided by IWM Duxford.

IWM Duxford therefore agreed to approach the RAF and other specialists to provide a technical air safety report.

A member highlighted the importance of assessing the application in accordance with planning policy and the importance of avoiding a costly appeal.

Councillor Harford proposed, seconded by Councillor Kindersley, a deferral of the application for a period of three months in order for IWM Duxford to carry out a technical air safety report, the applicant to discuss the height of the chimney with the Environment Agency and further discussions to take place between the applicant and IWM Duxford. [It was noted following the close of the meeting that this would mean the September Planning Committee].

On being put to the vote it was resolved unanimously to defer the application for three months.

184. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

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

185. DATE OF NEXT MEETING: THURSDAY 16th JUNE 2016

Chairman

Amendment to minutes 14th April 2016

Add the following after bullet point 6 on page 5 of the minutes signed by the Chairman.

“At the invitation of the Chairman, the applicant was invited back to the desk to address concerns regarding mud on the road, site tonnages and site permissions. As part of this discussion the applicant confirmed that as far as he was aware, except for the car park that was gravel, the site was hard surfaced and a road sweeper could be deployed in the event of mud on road. This could be reviewed as part of the operational management scheme. In relation to site tonnage and site permissions the applicant confirmed there were a number of consents that were not capped in terms of vehicle movements or tonnages. However, the applicant was content for the total working capacity to be controlled by proposed condition 7 (150,000 tonnes per annum).”