

Planning Committee Minutes

Date: 17 July 2024

Time: 10:00 am – 12.26 pm

Venue: New Shire Hall, Alconbury Weald

Present: Councillors Catherine Rae (Vice Chair), Steve Corney, Ian Gardener, Neil Gough, John Gowing, Sebastian Kindersley, Keith Prentice, Graham Wilson and Andrew Wood

88. Apologies for Absence

Apologies were received from Councillor Henry Batchelor (substituted by Councillor Graham Wilson) and Councillor David Connor (substituted by Councillor John Gowing).

89. Declarations of Interest

Councillor Wilson declared, in relation to Minute 91, that he was previously employed by the Environment Agency though was never involved with environmental permitting.

90. Minutes – 19 June 2024

It was resolved to approve the minutes of the meeting held on 19 June 2024 as a correct record.

91. Farm-based anaerobic digestion renewable energy facility, construction of vehicular access/road to A1307, associated infrastructure and landscaping

At: Land at Streetly Hall Farm, Streetly End, West Wickham CB21 4RP

Applicant: Mr C Covey, Streetly Hall Farm

Application Number: CCC/23/110/FUL

The Committee received a planning application for determination relating to a farm-based anaerobic digestion renewable energy facility, construction of a vehicular access road to the A1307, and associated infrastructure and landscaping at Streetly Hall Farm, Streetly End, West Wickham.

The Vice-Chair reported that the Committee undertook a site visit on 15 July 2024 which took in various views of the site from the surrounding area.

The presenting officer displayed photos and maps of the planning application site on Streetly Hall Farm, north of the A1307, between the village of Linton and the town of Haverhill. The proposed site would sit in the centre of the field next to the Streetly Hall

Farmhouse between Grange Farm in Balsham and Park Farm in Horseheath, with which Streetly Hall Farm was run in conjunction.

The new access road from the A1307 would cross the Roman Road bridleway at an existing field gate through the central section of the field and up to the existing farm buildings. The British Horse Society was concerned over the impact of the crossing of feedstock traffic on the bridleway's equestrian users and pedestrians. This was reviewed by the Council's Rights of Way Team, which was satisfied with the applicant's proposed means to ensure safety of bridleway users, as it included warning signs on each side of the bridleway to advise of the crossing, and 'give way' signs on each side of the access road, thereby giving precedence to the users of the bridleway. Due to these mitigating measures, on the planning balance, low weight was afforded to this matter.

The proposed access road was subject to scrutiny by the Highway Authority, and the design was found to be acceptable by highway engineers and the Transport Assessment Team considering the impact of the proposed development on the highway network. They had raised no objection. The presenting officer drew the Committee's attention to the National Planning Policy Framework (December 2023) paragraph 115 stating development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety or the residual cumulative impacts on the road network would be severe, which was not found to be the case.

Objections were received regarding transport and traffic. There were concerns over the safety implications for road users on the A1307, potentially in combination with a similar proposal on the edge of Haverhill being considered by Suffolk County Council. Concerns were also raised over the impact of feedstock delivery traffic on minor country roads through villages, as well as walkers, cyclists and horse riders (including racehorse training businesses) who used local country roads for both leisure and business purposes.

It was proposed that 10% of the feedstock would come directly from Streetly Hall Farm itself, thus not using the public highway, and together with Grange Farm and Park Farm would be 50% contributors of the feedstock to the plant in association with a partner estate at Bartlow. Of the 90% of feedstock coming from outside of Streetly Hall Farm, 75% would use the proposed new access from the A1307. The average number of daily loads would be 18, equating to 36 heavy goods vehicle (HGV) movements per day. By the nature of the development, it would be seasonal (related to harvest times) therefore during the four peak harvest months, the daily peak would be 23 loads (48 HGV movements) which would be spread over a long day as is the nature of harvesting.

Though there was concern over traffic from offsite feedstocks vehicles on local roads, those fields were already producing crops which were being moved off the fields and already using local networks. As the proposal would result in a redistribution of traffic, this matter was afforded low weight.

A plan of the proposed site layout was presented to Committee showing that significant proposed structures on the site would include four silage clamps, a straw barn, a feedstock storage barn, four digesters, a compound containing gas generator

equipment, a large lagoon as the digestate store, a clean surface water lagoon, and a dirty water lagoon.

The proposed straw barn and feedstock building would be similar in height by a variation of approximately 50 cm to the largest modern farm building in the farmyard at 12 metres. The tallest proposed building, the digestors, would reach a maximum height of 16.1 metres. The officer shared section drawings demonstrating the proposed digestors built cut into the slope so their top height would match that of the proposed feedstock store and the straw store.

The application proposed to have a block of woodland in the southwest corner of the field, gapping up of existing hedgerow along the bridleway south of the site, a new hedgerow along the extent of the south boundary of the site, a woodland block surrounding the northeast and northwest section of the proposed site with a meadow along the outside of the woodland.

It was acknowledged that parts of the proposed development, notably the tops of the digestors and the two large buildings, would be visible from some publicly accessible locations and some private properties. The proposed planting would not entirely screen the development which had an adverse impact of the proposal and a factor affording moderate weight in the planning balance.

The Greater Cambridge Shared Planning Conservation Officer did not dispute that the proposal suggested anything more than 'less than significant harm' to Streetly Hall Farmhouse, a grade II listed building, so it was weighted accordingly in the planning balance.

Natural England had raised concerns of the impact that ammonia from the digestate store might have on Sites of Special Scientific Interest (SSSI) but it was satisfied that if the digestate store was kept covered and with ammonia extraction systems in place, the potential impact would be mitigated.

The proposed site would be next to a stream flowing along the low point of the field, opposite the wood. However, the site would be built outside of the flood plain area in flood zone 1 and surface water from the site would be collected and reused in the process. Therefore, the development would not increase the risk of flooding.

Objections were raised regarding pollution of ground water. Upon the applicant providing detailed information about the digestate lagoon, the Environment Agency was satisfied that subject to planning conditions, there would not be a risk to ground water. Furthermore, the pollution of ground water, along with other concerns raised over odour and air quality would be subject to scrutiny by the Environment Agency when the developer applied for an environmental permit. As part of National Planning Policy Framework (December 2023) paragraph 194 planning authorities must not duplicate the role of other regulatory bodies which, in this case, would be the Environment Agency and the environmental permit.

The Committee noted this proposal for an anaerobic digestion plant would treat up to 75,000 tonnes per annum of agricultural waste and energy crops. At least half would be sourced from the applicant's farms thereby making it compliant with the Minerals and

Waste Local Plan (July 2021) Policy 4 and 70% of the annual input would be from within a 10 km radius of the site.

The anaerobic digestion process would produce 750 cubic metres per hour of biogas, a form of renewable energy, which would be exported to the gas grid. It would also produce digestate which could be applied to land as an alternative to synthetic fertilisers. This has been afforded moderate to high weight in the planning balance. There was in principle policy support for renewable energy generation both at a national and local plan level as set out in paragraphs 9.1 and 9.2 of the officer report, caveated by whether impacts of the development could be made acceptable.

With the proposed offsite planting (within the same field), the Council's ecologist believed 35% BNG would be achievable and meet the development plan policy. As this was higher than the 10% required in new legislation, this was afforded moderate weight. Details of this could be secured by condition if planning permission was granted.

On the balance between the national interest of providing a source of renewable energy and moving away from fossil fuels compared with the impacts likely to be experienced locally, the officer's view was in favour of granting planning permission.

In response to member questions the presenting officers:

- Explained that fermenter domes were sometimes a membrane which could rise or fall depending on the amount of gas contained within. However, in this case, it was proposed to have an inner structure, therefore the height of the dome would be fixed at 16.1 m regardless of gas volume.
- Confirmed that the design of the access from A1307 had been looked at carefully by highway engineers and had gone through stage 1 safety audits to ensure its safety and suitability for movement of traffic.
- Confirmed that necessary arrangements had been made with the gas network operator regarding the gas connection, and clarified that it was not gas, rather carbon dioxide (CO₂) which would be transported to the northeast.
- Elucidated on the nature of vehicles delivering feedstock to the site, stating these would be a mixture of tractor-trailers and bulkers. Highway officers believed that tractor-trailers classified as HGVs. However, should planning permission be granted, to remove ambiguity, the recommended condition 18 would be reworded to state 'HGV or any other vehicle used to transport feedstock'.
- Explained that chalk extracted during construction would not be removed from the site, rather would be retained and used where possible in landscaping. The officer explained that the chalk was low grade and had no mineral value, therefore if any had to be removed from site, it would be up to the developer.
- Clarified that whilst highway officers recommended that no feedstock could be accepted to the site until the new access road was completed, it was not a requirement that the access road be completed prior to the construction of the plant.

- Explained that the environmental permit was limited to consideration of the installation itself and would not consider odour in transportation of material. However, the officer pointed out that given the nature of the products, they would be transported anyway to get to their required destination regardless of this proposed structure.
- Addressed that an air quality impact assessment was required for traffic emissions beyond a certain point, however the number of vehicles generated in this proposal was well below that trigger for assessment.
- Provided clarity on the Planning Act's section 106 payment contributions, explaining that such would only be required if there was an element of the proposal which could not be secured by planning conditions and was necessary to make the development acceptable, which was not the case here

The Vice-Chair invited Public Bodies that had registered to speak on the application to address the Committee.

Speaking in objection to the application, the Vice Chair of the West Wickham Parish Council, Councillor David Sargeant addressed the Committee. Councillor Sargeant also spoke in representation of other local councils which were notified of this agenda item too late to participate themselves. Councillor Sargeant began by reinforcing the objection of six local parish councils, Haverhill Town Council, and over 100 individuals and households.

Whilst the Councillor accepted that the technical analysis and modelling of the transport assessment suggested that the additional vehicles in this proposal could be accommodated on the A1307, he stated that the residents of the area had lived experience of sitting in congestion and witnessing near misses and collisions that suggest otherwise. He reminded the Committee of the community's vested interest in the safety of A1307, as evidenced by their campaigning which had resulted in the reduction of the speed limit to 50 mph.

Concerns around HGVs crossing the Roman Road bridleway were raised by the British Horse Society and Ramblers Association. In the West Wickham Neighbourhood Plan under policy WWK/8, proposals which impact adversely on the public enjoyment on rights of way would not be supported. The Councillor questioned why such little weight was given to this Neighbourhood Plan. Furthermore, the Greater Cambridge Shared Planning service's landscape assessment suggested that the proposal would undermine the landscape character. The Councillor queried how this application could be approved when policy NH2 in the local plan sought to respect, retain and enhance character, and suggested that the proposal would undermine the landscape character as outlined in the Greater Cambridge Shared Planning service's landscape assessment.

The Councillor reminded the Committee that anaerobic digester developments had a checkered history littered with underestimated impacts on local communities. He highlighted a case where the community in Baldock was advised there was little prospect of adverse impacts in relation to odour in the application for the Biogen Plant off the A505. However, it was now known that it gave off a strong smell.

The Councillor expressed concern over the scale of the proposed facility, querying whether the closure or reduction of output would be enforced if the feedstock provided within a 10 km radius proves to be unviable. Looking further ahead, the Councillor queried what would happen in 25 years' time toward the end of the facility's lifespan. Though he acknowledged that the site could be restored after its operational life, the cost of extracting 35,000 m² of concrete slab would be significant. It was therefore questioned whether the parish would instead be left with obsolete digesters.

At a public meeting last year, the applicant suggested there would be a community fund to benefit the community, though this was not mentioned in the report's conditions.

In response to a member question, the Councillor reported that at a public meeting in November 2023 the applicant had proposed a community fund in the order of £10,000 per annum, as compensation to the community for supporting the facility, commensurate with planning guidance that the communities should see some benefit for supporting the infrastructure.

The Councillor concluded by urging the Committee to work together with the community support to address climate change solutions in the long term, rather than leaving communities to feel burdened by such decisions.

The Chair invited the applicant, Mr Chris Covey to address the Committee.

In response to queries and comments raised, Mr Covey advised that every effort had been made to ensure the Roman Road crossing suited other users of the bridleway and to maintain the Roman Road as part of this application. Regarding obsolescence of the plant, it could also be used for hydrogen generation. In relation to the community fund, Mr Covey proposed to provide £10,000 per annum of funding to the Buttercups preschool through a memorial fund to his father rather than via a community committee.

Mr Covey reiterated the proposal to produce clean, renewable energy and reminded the Committee of the efforts made to minimise concerns, including placing the site as close to the hub farm as possible, building it sunk into the hillside to blend into the location, and using existing trees as screening for a local resident within view.

The agricultural sector had been disrupted due to recent matters such as Brexit and changes in regulations due to economic volatility resulting from the war in Ukraine. Therefore, it had to broaden the crops that could be grown, and this facility would allow nutrients to be recycled and carbon to go back into the soil. As a result, they could run a high efficiency and high output agricultural operation whilst doing the right thing for the environment. It would allow them to reduce the fossil fuel-based fertilizer usage, produce a green storable fuel (biomethane), sequester CO₂ in the soil and transport it to the Humber to be sequestered under the North Sea. Therefore, this would be a carbon negative plant.

The scale had been assessed and shrunk down to fit with the green gas support scheme. The waste which would go into the plant was already transported waste which would otherwise go further afield, such as Ely and Bury St Edmunds.

In response to member questions, the applicant:

- Acknowledged his limited understanding of the use of ferric chloride in this operation, however explained to the best of his ability that it was an input to balance the anaerobic digestion process so the microbes in the fermenters could be optimally managed to ensure they were delivering as much biomethane as possible compared with CO₂ output, and to ensure they were digesting the material.
- Explained that while 10% of the feedstock would be provided by his own farm business and 70% by farms within a 10 km radius, the remaining 20% represented flexibility for feedstock plant waste available in the local region at any given time. Considering farming changes continually, the plant was designed to support local farms to give them options of what they wanted to supply and when.

The Vice-Chair invited members of the public who had registered to speak in objection to the application to address the Committee.

Ms Anita Stone suggested that anaerobic digestion with reliance on energy crop food stocks was not a truly sustainable energy source. The inappropriate location of this site meant that a 1 km long, 6 metre wide new lorry road was required to reach it from the A1307. Over 10,500 lorry, tractor and trailer journeys per year would be added to the local road network, thousands of which would be on small country roads which were not built for larger vehicles. It would cross the only bridleway providing offroad access to local villages, which was also a national route. The crossing was at a high point in an open landscape, meaning large vehicles would be seen, heard and smelt for most of the route, therefore impacting the value of the entire 2 km route. Ms Stone expressed concern that the Council's Rights of Way Team had not noted this issue, which she felt did not represent users of the route and showed a lack of understanding of the impact to the people and horses that used the route. Ms Stone noted that 146 residents had signed the petition against the site.

Mrs Amelia Mcneillie highlighted the fact that five local parish councils which had all objected were not invited to speak at Committee.

Officers explained that while the 130+ individuals who objected were notified, the parish councils had unfortunately been overlooked. West Wickham and Balsham parishes had become aware through word of mouth, and when it had become apparent that the parish councils had not been notified, the remaining parish councils were alerted in the afternoon two days prior to the Committee meeting. The officer noted that had the other parish councils wished to speak, this time would have been deducted from the time allowed for the representation provided by West Wickham Parish Council.

Mrs Mcneillie identified a groundbreaking judgement by the Supreme Court on 20 June 2024 which rejected a planning application in Horse Hill, Surrey for a project that would emit hydrocarbon greenhouse gasses, and two more were withdrawn as a result. Key to the court's finding was that the projects had likely significant environmental effects due to emission of greenhouse gas. For approval to be given lawfully, those decisions must be made with full knowledge of the environmental cost, otherwise, such decisions would lack the necessary democratic legitimacy. She challenged planning officer's

interpretation of the statement by the Council's climate change officer who expressed doubts in the report.

Mr John Blackman introduced himself as a local resident and plant breeder. He felt this was the wrong location for an anaerobic digestion facility. Other locations would be better suited with dual carriageway access, clear of habitation, water courses and aquifers, with soils and climates more suited to growing maize than this area. Mr Blackman reiterated transport issues and felt that Members should have travelled that road. He suggested that the proposal was misleading as the application required 50% of the feedstock to be waste, however farmyard manure and slurry could not be considered waste as it was an important source of plant nutrients for growers. Similarly, straw had value in the nutrients it contained and was a soil conditioner when incorporated.

Section 9.9 of the report stated bio-fertiliser would replace fossil-fuel derived synthetic fertiliser, but Mr Blackman suggested this was misleading as the operation of the digester would require the import of large quantities of animal manure outside of the catchment area. These had high density of plant nutrients derived from crops, fed to animals, many of these nutrients were derived from synthetic fertilisers. Mr Blackman stated that this proposal replaced food production with energy crops, where there were more suitable alternatives such as wind power. He felt the use of highly productive arable land to grow up to 1400 acres of non-food crops, consuming significant quantities of fossil fuel to grow, transport and process into gas was wrong.

The Chair invited the Local Member, Councillor Henry Batchelor, to address the Committee:

Councillor Batchelor advised that he was representing parish councils which had written in, specifically West Wickham, Horseheath and Balsham.

The objection South Cambridgeshire District Council, the statutory consultee on the landscaping issue, was noted. In addition to raising concerns of the impact on the Roman Road, section 6.2 of the report stated screening would go some way to reduce the negative impact on the landscape, but there would still be enough harm to warrant a refusal.

Councillor Batchelor identified that the proposed access road from the A1307 was of particular concern to local residents as it would add another access point to a trunk road linking Haverhill, the A11 and Cambridge. It would be insensible to add up to 65 vehicle movements onto the road, 56 of which would be HGVs without mitigation. The residual cumulative impact on roads was a material planning consideration which ought to be given more weight in planning terms.

Councillor Batchelor reiterated that objections had been received from seven parish councils as well as Haverhill Town Council. He highlighted comments made by West Wickham Council (within section 6.29 of the report) about policy contravened by this application, specifically around their Neighbourhood Plan which was felt not to have been given sufficient weight in the planning balance. Going against a neighbourhood plan policy would send the wrong message for others considering going through the timely and energy-consuming process of getting such plans adopted. Councillor

Batchelor also reiterated objections from the British Horse Society and Ramblers Association.

Councillor Batchelor summarised stating he was not against the principle of the proposal, but as planning was a balance, he felt that the proposal as it stood presented more harm than benefit.

In response to Member questions, Councillor Batchelor:

- Expressed that the community should benefit from any development proportionately. In reference to the applicant supporting a recipient of his choice with £10,000 per annum, Councillor Batchelor felt it should be up to the community to agree where such compensation would be most appropriate.
- Explained that £35-40m of funding had been secured through the Greater Cambridge Partnership (GCP) specifically for safety measures to the A1307, including adding speed cameras, lowering the speed limit, and inputting new roundabouts. However, Haverhill was expanding, and traffic was not decreasing, and the increase in traffic made the application unacceptable.
- Reiterated that the West Oxfordshire planning committee decision stated in Mrs Mcneillie's written statement that the proposed development 'by virtue of its use, design, scale, massing materials and sighting would introduce a significant industrial development into the open countryside' sets a precedent, though acknowledged that every planning application needed to be judged on its own merits.
- Clarified that whilst highway officers stated that the proposal was acceptable in planning terms, they did not say it would benefit the road.
- Provided further clarification that whilst the main concern over Greater Cambridge Shared Planning's objection centred around impact on the landscape, the access road, too, would impact the landscape as it would cross the bridleway putting HGVs in the middle of the countryside in open space.
- Explained that the majority of the A1307 was in Cambridgeshire, however it crossed over to Suffolk. When Suffolk County Council considered or approve applications, Cambridgeshire highways were consulted, however the roads situation within Cambridgeshire were the responsibility of Cambridgeshire.
- Clarified that a growing Haverhill, whilst it would increase residential traffic, would be different to this application as this would increase the number of HGVs specifically to the A roads which link major settlements to the A11 and other trunk roads.

The Democratic Services Manager read out a letter from Councillor Daunton, the Local Member for Fulbourn which bordered the area of the proposed facility site. A number of villages in Councillor Daunton's division fell within the 10 km radius referred to in section 3.3 of the report. These were small settlements served by narrow roads and already subject to HGV movements. Councillor Daunton expressed concern over the potential knock-on effects on traffic of developing this facility, including proposed hours of operation. A start time of 7.00 am and end time of 7.00 pm would mean vehicles

accessing the proposed site would start moving to/from even earlier. Harvest time was busiest, and as officer reports indicated, spread over a significant part of the year. Villagers were aware of the disruption to normal life that early morning HGV movements could cause.

In response to Member questions, officers:

- Clarified the justification around not objecting to the application. They explained that HGVs currently use the A1307, and that the increase in HGVs posed by the proposal was not a significant enough difference to warrant an objection on that basis. The proposal suggested around four extra HGVs in the peak above what would be expected for an agricultural use, and the majority would be using the new access road.
- Explained that in terms of highway safety, the proposed new junction could not be opposed without good reason. The proposal was discussed with the applicant and adjustments made to meet safety requirements, including a right turn lane. The junction had gone through the safety audit process; audited by an independent safety auditor and reviewed by the highways development management team which accepted the responses provided by the applicant. It was agreed to be taken forward at detailed design stage, including ensuring visibility of signage and marking so vehicles knew that slow moving vehicles might pull into right turn lane.
- Elucidated to the Committee about the timing of HGV movements in the early hours. Whilst the proposed condition 18 on hours of operation might state that vehicles were permitted to enter the site from 6.00 am, concerns were raised around the vehicles leaving their respective sites and thus moving on the roads much earlier, potentially causing disturbance. Clarification was given that vehicles would be dispersed leaving their respected sites and would only be permitted to converge at the site on or after the permitted time. Furthermore, harvest time depended on the weather, and whether such crops were harvested and transported to the proposed site or elsewhere would not affect their travel time from their respective locations.
- Further clarified that the proposal would look after the local area. Production from local farms was occurring already regardless of this proposal and being transported further afield, whereas this production would result in shorter travel distances, therefore less use of the highways and a net decrease of miles travelled by those vehicles.

During debate of the application, individual Members raised the following points:

- Acknowledged the difficulties associated with this application and sympathised with the objections raised by parish councils and members of the public, however there were no grounds upon which to reject the application.
- Highlighted comments by the Greater Cambridge Shared Planning Service who provided an objection, suggesting that the harm would be less than substantial in relation to the significance of listed buildings.

- Highlighted the pressure on the applicant who was being told, as a farmer, to diversify as if it was an easy process.
- Noted South Cambridgeshire and the Greater Cambridge Shared Planning's comments on landscaping, the Committee was informed that the developer would produce another landscaping plan to be agreed with the County Council before the development could proceed.
- Acknowledged the positives and benefits of the application, including the benefits of the right turning lane to increase safety of access. A Member acknowledged that the reintroduction of byproduct to the agricultural land together with the localisation of processing produce within the 10 km radius increased the environmental benefits, considering which there was a net reduction of highways traffic overall. Consideration was given to the Roman Road bridleway to give them priority of access, as well as to the chalk stream to be protected.
- Speculated whether the community fund could be conditioned further. Clarification was given by the Legal Officer that this was a voluntary agreement between the applicant and the local community and the test to require section 106 contributions was not met.
- Suggested that should the proposal be given approval, it would be desirable to have a forum going forward and secured by a planning condition whereby local parish councils and residents could make their concerns known to the applicant. The officer agreed this would be possible, explaining that usually these forums or liaison meetings would be chaired by the local county councillor for the area, and the local district council and relevant parish councils for the area would be represented, as well as the Council's minerals and waste officer and the Environment Agency.
- Expressed support for a community-funded scheme.
- Suggested that rather than a local forum alone being conditioned, that the application be approved subject to a satisfactory agreement between the local parish councils, local member and the applicant regarding community funding. Officers explained that whilst conditioning a liaison group would be possible, there were concerns over linking approval of the application with agreement of community funding. Should agreement of community funding be required for approval of the application, this would defer the application decision until the funding decision was in place. It was agreed that it would not be reasonable to defer, furthermore as this was a voluntary arrangement, it was not something which could be legally granted, made mandatory or conditioned in such a way.
- Suggested that the Committee could approve the application subject to adding the condition of a liaison group and include a further recommendation that the Committee encouraged the local member to coordinate a meeting of the parishes and the applicant with a view to creating a generous community grant. Officers agreed that this could be done by adding an informative to the decision notice. The officer suggested that the recommended wording be discussed outside of the meeting along with the rewording of condition 18 around the use of tractors and

trailers in vehicle movements.

- Acknowledged that a liaison committee would be useful with the aforementioned suggestion, engendering good communication between operator and parishes. Such a forum would be used to exchange information and address matters that were brought to the table.

It was proposed by Councillor Wood and seconded by Councillor Corney to approve the 28 conditions in the agenda and the proposal, with amendments to condition 18, the requirement for there to be a liaison forum, and an advisory to be agreed on contribution to the local community be put to the vote.

It was resolved unanimously that permission be granted subject to the conditions set out in paragraph 12.1. and additions referred to above set out in Appendix A (highlighted in bold).

92. Enforcement and Monitoring Update Report

The Committee received the Enforcement and Monitoring Update Report. The presenting officer informed members that the report contained updates on formal enforcement action taken and key investigations that the enforcement and monitoring team had been working on since the previous report presented in March 2024. As set out in the report, officers had delegated authority to undertake formal enforcement action and serve notices, in consultation with legal services, provided they were reported to this committee.

Section 2 of the report provided details of the two formal notices served since the previous report: breach of condition notice served at the former Allens Skip Hire site at 10 Mile Bank, Littleport, and an enforcement notice served in relation to a site off Mill Road, Fen Drayton which was subsequently appealed.

The team was waiting decisions from the Planning Inspectorate on two enforcement notices served in October 2023 at the Pig Unit, Ellington and in November 2023 at the land behind Caucus Crisps. Both for the unauthorised importation and processing of waste, and both were subsequently appealed.

Following this committee, copies of the Update Report would be sent to Local Members and each of the parish councils. This would be in respect of the update given to the enforcement investigations detailed in sections 3-6 of the report, and Local Members were kept updated at key stages of ongoing investigations where a breach had been confirmed.

There were no amendments to report or updates since publications, and no recommendations.

A member questioned the Pig Unit site in Ellington, whether works were still ongoing at that site, and if the County Council could do anything about that despite submitting an enforcement notice. An Officer clarified legal advice that there would be the facility to serve a stop notice but this would need to accompany enforcement notice. This could be explored but would require a physical visit to the site to look at what the breach

would be now, which might complicate the situation and it might fall to a district planning matter. A request would be made to the Inspectorate to speed up the decisions.

It was resolved to note the report.

93. Summary of Decisions Taken Under Delegated Powers

It was resolved to note the report.

Chair

Appendix A

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 5, 6, 11, 15, 24, 25 and 27 require further information to be submitted, or works to be carried out before work starts on site and are therefore attached as a pre-commencement condition. The developer may not legally commence development on site until these conditions have been satisfied.

1. Site area

This permission relates to the land outlined and shaded in red on drawing no. 27951/150 Rev H Site Location Plan dated 30-04-24 (received 15 May 2024) referred to in these conditions as “the Site”.

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

2. Commencement

The development hereby permitted shall be commenced not later than three years from the date of this permission. Within seven days of the commencement of development, the developer shall notify the waste planning authority in writing of the exact commencement date.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Act 2004.

3. Approved plans

The development hereby permitted shall not proceed except in accordance with the following approved drawings unless otherwise stated in this permission or as amended by the information approved as required by the other conditions of this permission (received 15 May 2024 unless otherwise stated):

- i) Site Location Plan, 27951/150 Rev H dated 30-04-24;
- ii) Proposed Site Layout, 27951/007 Rev P dated 01-03-24;
- iii) Proposed Site Levels, 27951/008 Rev E dated 08-05-24;
- iv) Proposed Plant Elevations Sheet 1 of 2, 27951/050 Rev B dated 27-07-23 (received 05/09/2023);
- v) Proposed Plant Elevations Sheet 2 of 2, 27951/051 Rev B dated 27-07-23 (received 05/09/2023);
- vi) Proposed Site Drainage Layout Sheet 1 of 2, 27951/009 Rev B dated 13-06-24 (received 26/06/2024);
- vii) Proposed Site Drainage Layout Sheet 2 of 2, 27951/010 Rev A dated 08-05-24;
- viii) Proposed Site Sections, 27951/055 Rev B dated 27-07-23;
- ix) Typical Containment Bund Wall RC Details, (6m Bay), 27951/080 Rev A dated 08-05-24;
- x) Primary Containment Sump GA & RC Details, 27951/081 Rev A dated 08-05-24;

- xi) Containment Bund Wall Gate RC Details, 27951/082 Rev A dated 08-05-24;
- xii) Typical Containment Bund Joint Details, 27951/120 Rev B dated 03-05-24;
- xiii) Typical Hardstanding & Kerbing Details, 27951/121 Rev B dated 03-05-24;
- xiv) Typical Drainage Details Kerbing Details, 27951/122 Rev B dated 03-05-24;
- xv) Typical Silage Clamps Sections & Details, 27951/123 Rev B dated 03-05-24;
- xvi) Typical Containment Bund Drainage Details, 27951/124 Rev B dated 03-05-24;
- xvii) Typical Water Storage Pond Construction Details, 27951/125 Rev B dated 03-05-24;
- xviii) Typical Digestate Lagoon Construction Details, 27951/126 Rev B dated 03-05-24;
- xix) Leachate Tank Construction Details, 27951/127 Rev 0 dated 03-05-24;
- xx) Proposed Schematic Surface Water Drainage, 27951/805 Rev A dated 26-04-24;
- xxi) Proposed Access Road Layout & Details Sketch, 27951/SK05 Rev F dated 30-04-24;
- xxii) Proposed Access Road Roman Road Crossing Sketch, 27951/SK06 Rev B dated 07-02-24; and
- xxiii) Ghost Island Design – A1307/Proposed Access Junction, PC5769-RHD-ZZ-JN-DR-D-0100 Rev P05 dated 30/04/24.

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 Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 17, Policy 22 and Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy HQ/1, Policy TI/2 and Policy TI/3.

4. Vehicular access

No vehicle associated with the development hereby permitted shall use the access from the A1307 which serves Mill House, Linton Road, Horseheath, CB21 4QF.

Reason: In the interests of highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy TI/2.

5. Construction traffic management plan

No development shall take place until a construction traffic management plan has been submitted to and approved in writing by the waste planning authority. The principal areas to be addressed are:

- i. Movement and control of vehicles (all loading and unloading to be undertaken off the public highway);
- ii. Contractor parking to be within the curtilage of the Site;
- iii. Prevention of dust, mud and debris being deposited on the public highway; and
- iv. The design and location of warning signage along the A1307 throughout the construction phase.

The development shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy TI/2.

This is a pre-commencement condition because the construction traffic management plan needs to be in place before construction starts.

6. Construction ecological management plan

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the waste planning authority. The CEMP: Biodiversity shall incorporate recommendations of the Ecological Impact Assessment and Badger Report and must include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of “biodiversity protection zones”;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timings of sensitive works to avoid harm to biodiversity features;
- e) The times during which construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect the ecological interests of the Site and the surrounding area in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 20 and South Cambridgeshire Local Plan (September 2018) Policy NH/4.

This is a pre-commencement condition because the means of protecting the ecological interests of the Site and the surrounding area needs to be in place before development starts.

7. Construction environmental management plan

The development shall be carried out in accordance with the Construction Environmental Management Plan Revision 0 dated August 2023 except that the hours of construction shall be in accordance with condition 8 below.

Reason: To protect the amenity of the occupiers of nearby premises and users of the local area during the construction phase of the development in accordance with

Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and South Cambridgeshire Local Plan (September 2018) Policy CC/6.

8. Construction hours

No construction machinery or plant shall be operated, no noisy works shall be carried out and no construction related deliveries shall be taken at or dispatched from the Site except between the hours of 08:00 and 18:00 Mondays to Fridays and 08:00 and 13:00 on Saturdays and not at any time on Sundays or Bank or Public holidays.

Reason: To protect the amenity of the occupiers of nearby premises and users of the local area during the construction phase of the development in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and South Cambridgeshire Local Plan (September 2018) Policy CC/6.

9. Piling

No piling or any other foundation designs and investigation boreholes using penetrative methods shall take place until a report / method statement for detailing the type of works and mitigation measures to be taken to protect local residents from noise and or vibration has been submitted to and approved in writing by the waste planning authority. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5528, 2009 - Code of Practice for Noise and Vibration Control on Construction and Open Sites Parts 1 - Noise and 2 - Vibration (or as superseded). The report / method statement shall demonstrate that there will be no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (December 2023) paragraphs 189 and 190 and relevant position statements within the Environment Agency's Approach to Groundwater Protection, Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 122 and South Cambridgeshire Local Plan (September 2018) Policy CC/7.

10. Contaminated land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the waste planning authority shall be carried out except in accordance with a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the waste planning authority. The approved remediation strategy shall be implemented in full.

Reason: To prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (December 2023) paragraphs 189 and 190 and relevant position statements within the Environment Agency's Approach to Groundwater Protection, Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 22 and South Cambridgeshire Local Plan (September 2018) Policy CC/7.

11. Surface water disposal

No development shall take place until a scheme for surface water disposal has been submitted to and approved in writing by the waste planning authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (December 2023) paragraphs 189 and 190 and relevant position statements within the Environment Agency's Approach to Groundwater Protection, Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 22 and South Cambridgeshire Local Plan (September 2018) Policy CC/7.

This is a pre-commencement condition because the means of disposing of surface water need to be designed and approved before development starts.

12. New access road

No feedstock shall be accepted at the Site until the new access onto the A1307 has been constructed in accordance with Proposed Access Road Layout & Details Sketch, 27951/SK05 Rev F dated 30-04-24; Ghost Island Design – A1307/Proposed Access Junction, PC5769-RHD-ZZ-JN-DR-D-0100 Rev P05 dated 30/04/24; and Proposed Access Road Roman Road Crossing Sketch, 27951/SK06 Rev B dated 07-02-24 unless superseded by detailed design approved by the highway authority.

Reason: In the interests of highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy TI/2.

13. New access road construction

The new access referred to in condition 12 shall be constructed so that:

- i) No gate shall be erected within 20 metres of the junction give way;
- ii) The first 25 metres shall be constructed using a bound material; and
- iii) No water from the Site shall drain across or onto the public highway.

Reason: In the interests of highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy TI/2.

14. Public right of way

Notwithstanding drawings Proposed Access Road Layout & Details Sketch 27951/SK05 Rev F dated 30-04-24 and Proposed Access Road Roman Road Crossing Sketch 27951/SK06 Rev B dated 07-02-24 referred to in condition 3, no vehicle associated with the development hereby permitted shall cross Public Bridleway No. 21 Horseheath (also known as the Roman Road) until the crossing has been surfaced in accordance

with drawings which have been submitted to and approved in writing by the waste planning authority.

Reason: In the interests of highway safety in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy TI/2.

15. Archaeology

No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the waste planning authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the Site from impacts relating to any groundworks associated with the development and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by the development, in accordance with National Planning Policy Framework (December 2023) paragraph 211, Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 21 and South Cambridgeshire Local Plan (September 2018) Policy NH/14.

This is a pre-commencement condition because the means of protecting any heritage assets within the Site needs to be in place before development starts.

16. Feedstock

Not less than 50% (in tonnes) of the feedstock accepted at the Site each calendar year shall be waste. Not less than 50% (in tonnes) of the feedstock accepted at the Site each calendar year shall originate from the land at Streetly Hall Farm; Grange Farm, Balsham; Park Farm, Horseheath; Streetly Hall partner farms, contract farms and tenants of Streetly Hall Farm shown in green and identified on Figure 2 of the Planning Statement dated October 2023 or any land subsequently added to those holdings. Not less than 70% (in tonnes) feedstock accepted at the Site in each calendar year shall originate from outside a 10 km radius of the Site.

Reason: In order to comply with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 4.

17. Record of feedstock inputs

A record of the quantity and source of feedstock delivered to the Site shall be maintained by the operator and shall be made available to the waste planning authority within 10 days of receipt of a written request. All records shall be kept for at least 48 months.

Reason: To enable the waste planning authority to monitor compliance with condition

18. Hours of operation

No HGV **or any other vehicle used to transport feedstock, digestate or bio CO₂** shall enter or leave the Site outside the hours of 06:00 – 22:00 daily.

Reason: To minimise disturbance to residents and users of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and Policy 23 and South Cambridgeshire Local Plan (September 2018) Policy SC/10.

19. Mobile plant

All mobile plant used on the Site that uses reversing alarms shall be fitted with and use 'white noise' reversing alarms.

Reason: To minimise disturbance to residents and users of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and South Cambridgeshire Local Plan (September 2018) Policy SC/10.

20. Silencing of plant and machinery

No vehicle, plant or machinery shall be operated at the Site unless it has been fitted with and uses an effective silencer. All vehicles, plant and machinery shall be maintained in accordance with the manufacturers' specification at all times.

Reason: To minimise disturbance to residents and users of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and South Cambridgeshire Local Plan (September 2018) Policy SC/10.

21. Lighting

No external lights shall be installed or used except in accordance with details, including hours of illumination, that have been submitted to and approved in writing by the waste planning authority.

Reason: To protect the amenity of local residents and the rural environment in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18, South Cambridgeshire Local Plan (September 2018) Policy SC/9 and West Wickham Neighbourhood Plan Policy WWK/6.

22. Fire hydrants

No feedstock shall be brought to the Site until fire hydrants are in place in accordance with a scheme that has been submitted to and approved in writing by the waste planning authority. The fire hydrants shall be maintained in accordance with the approved scheme for the duration of the development.

Reason: To protect the amenity of local residents and users of the area in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 18 and South Cambridgeshire Local Plan (September 2018) Policy SC/14.

23. Surface water drainage

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the Site has been submitted to and approved in writing by the waste planning authority. The scheme shall be based upon the principles within the Flood Risk Assessment and Surface Water Drainage Strategy prepared by Plandesil Consulting Engineers (ref: 27951) dated May 2024 and shall also include:

- i) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- ii) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- ii) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- iv) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- v) Site investigation and test results to confirm infiltration rates;
- vi) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- vii) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- viii) Full details of the maintenance/adoption of the surface water drainage system;
- ix) Permissions to connect to a receiving watercourse or sewer; and
- x) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

Reason: To ensure that the proposed development can be adequately drained; that there is no increased flood risk on or off site resulting from the proposed development;

and to ensure that the principles of sustainable drainage can be incorporated into the development in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 22 and South Cambridgeshire Local Plan (September 2018) Policy CC/8 and Policy CC/9.

24. Construction drainage

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the waste planning authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 22 and South Cambridgeshire Local Plan (September 2018) Policy CC/8 and Policy CC/9.

This is a pre-commencement condition because initial works to prepare the site could bring about unacceptable impacts.

25. Landscape planting

No development shall commence until a detailed landscape planting scheme based on drawing no. 2022-444-013 Rev G dated Sept 2023 has been submitted to and approved in writing by the waste planning authority.

- i) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants with species, plant sizes and proposed numbers and densities where appropriate.
- ii) All trees, shrubs and hedge plants shall comply with the requirements of British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- iii) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of British Standard BS5837: 2005, Trees in relation to construction – Recommendations.

The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of visual amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 17 and South Cambridgeshire Local Plan (September 2018) Policy HQ/1.

This is a pre-commencement condition because early planting would maximise the intended benefits of screening the proposed development.

26. Maintenance of soft Landscaping

Any trees or hedging planted within the Site which dies, becomes diseased or is removed within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and species as those originally planted.

Reason: To ensure the benefit of the planting is maintained in the interests of visual amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 17 and South Cambridgeshire Local Plan (September 2018) Policy HQ/1.

27. Biodiversity net gain plan

No development shall commence until a Biodiversity Net Gain (BNG) Plan has been submitted to and approved in writing by the waste planning authority. The BNG Plan shall target how a net gain in biodiversity will be achieved through a combination of on-site and / or off-site mitigation. The BNG Plan shall include:

- i) A hierarchical approach to BNG focussing first on maximising on-site BNG, second delivering off-site BNG at a site(s) of strategic biodiversity importance, and third delivering off-site BNG locally to the application site;
- ii) Full details of the respective on and off-site BNG requirements and proposals resulting from the loss of habitats on the development site utilising the latest appropriate DEFRA metric;
- iii) Identification of the existing habitats and their condition on-site and within receptor site(s);
- iv) Habitat enhancement and creation proposals on the application site and /or receptor site(s) utilising the latest appropriate DEFRA metric; and
- v) An implementation, management and monitoring plan (including identified responsible bodies) for a period of 30 years for on and off-site proposals as appropriate.

The BNG Plan shall be implemented in full and subsequently managed and monitored in accordance with the approved details. Monitoring data as appropriate to criterion v) shall be submitted to the waste planning authority in accordance with the latest DEFRA guidance and the approved monitoring period / intervals.

Reason: To secure an increase in biodiversity net gain in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 20 and South Cambridgeshire Local Plan (September 2018) Policy NH/4. This is a pre-commencement condition because the BNG needs to be designed into the development and management of early landscape planting that needs to be in place.

28. The digestate storage lagoon (item 25 on Proposed Site Layout, 27951/007 Rev P dated 01-03-24) shall not be brought into use until details of its cover and ammonia

(NH₃) abatement system have been submitted to and approved in writing by the waste planning authority. It shall be completely sealed and maintained so that the ammonia (NH₃) abatement system provides a reduction in emissions to levels at or below those stated in the Redmore Environmental Technical Note Ref: 5949c1 dated 25th June 2024 for the duration of the development.

Reason: To protect the ecological interest of Sites of Special Scientific Interest in accordance with Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) Policy 20 and South Cambridgeshire Local Plan (September 2018) Policy NH/5.

29. Site liaison group

No feedstock shall be accepted at the Site until a scheme for the inauguration, implementation and regular convening of a Site liaison group has been submitted to and approved by the waste planning authority. Membership of the liaison group shall include: the applicant and/or operator, the local County Councillor and District Councillor, representatives from local parish councils, the Waste Planning Authority and the Environment Agency and all administration for the group will be undertaken by the applicant or operator. Once approved, the agreed scheme shall be implemented from the date of approval and 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 January 2019).

Informatives

Lead Local Flood Authority

1. Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If for an outline application it is not feasible to access the site to carry out soakage tests before planning approval is granted, a desktop study may be undertaken looking at the underlying geology of the area and assuming a worst-case infiltration rate for that site. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.
2. Ordinary Watercourse Consent - Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/asset-library/Cambridgeshires-Culvert-Policy.pdf> Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

3. Pollution Control - Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
4. Construction Surface Water Maintenance - Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

Environment Agency

5. Environmental Permitting - Notwithstanding the preceding, the LPA and the applicant should be aware that the proposed development will require a permit under the Environmental Permitting Regulations (England and Wales) 2016. The following will be considered further when the permit application is assessed: techniques for pollution control including in process controls, emission control, management, waste feedstock and digestate, energy, accidents, noise and monitoring; emission benchmarks for combustion products, temperature and pH; air quality impact assessment, including odour and Habitats Regulations Assessment. A permit will only be granted where the risk to the environment is acceptable. We have previously recommended that the planning and permit applications for this development be parallel tracked.
6. Pollution Prevention - The proposed development must fully comply with the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) (SSAFO) Regulations 2010 and as amended 2013. You must inform the Environment Agency of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. Although we recommend that you notify us earlier than this. The notification must include
 - the type of store you're proposing to build or change
 - the exact location of the site (8-figure grid reference)
 - site plan drawing of the structure
 - a design drawing confirming the materials that will be used and their design, specification and layout – you may also be asked to confirm that your design meets British Standard 5502-22:2003 A1:2013
 - If you plan to use prefabricated products, a copy of the manufacturer's specifications and guarantee
 - if the structure is constructed from earth, analysis about the soil type, depth and permeability and a description of how it will be engineered

- for underground or partially underground silage effluent tanks you'll need a certification from the installer – you must provide this certification to the Environment Agency because the tank is required to perform for at least 20 years without maintenance.
7. The application of digestate to agricultural land is regulated under the Nitrate Pollution Prevention Regulations 2015 (NVZ) and the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018 (Farming Rules for Water). The application of digestate to land may also require an environmental permit under Environmental Permitting (England and Wales) Regulations 2016. The applicant must ensure that there is sufficient land bank for the digestate and that contingency measures are in place for when this is not available, in accordance with the aforementioned regulations and codes of good agricultural practice.

Highway authority

8. The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the public highway, including public rights of way, and that separate permissions must be sought from the Highway Authority for such works.
9. The proposed works to the public highway which are required as part of the highway mitigation, will result in a material loss of established vegetation and / or damage to existing ecosystems (including potentially both habitats and protected species) within existing highway or adjoining land. Notwithstanding any consent granted under the Town and Country Planning Act, it is the responsibility of the applicant to ensure that their works comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking the highway works.

Definitive Map Officer (Rights of Way)

10. Obstruction DMapl 01: Public Bridleway No. 21, Horseheath must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).
11. Access DMapl 02: The Public Bridleway must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Bridleway without lawful authority).
12. Surface DMapl 03: No alteration to the Bridleway's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).
13. Boundary Maintenance DMapl 04: Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).

14. Obstruction DMapl 05: The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).
15. Dominant Rights DMapl 06: Members of the public on foot, horseback and pedal cycle have the dominant right of passage along the public bridleway; private vehicular users must 'give way' to them.
16. Costs DMapl 08: The applicant will be required to meet the costs of any new or amended signage that may be required as a result of any legal changes to the Public Rights of Way network.
17. Maintenance DMapl 09: The Highway Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the bridleway is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a bridleway standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.
18. Biodiversity DMapl 10: It is the responsibility of the Applicant to ensure that any works which may result in a material loss of established vegetation and/or damage to existing ecosystems (including potentially both habitats and protected species) within the existing public right of way or adjoining land, comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking their public rights of way works.

Compliance with paragraph 38 of the National Planning Policy Framework

The applicant sought pre-application advice from the waste planning authority and its specialist advisers (transport, ecology, historic environment). The waste planning authority has worked proactively with the applicant and statutory and technical consultees to ensure that the proposed development is, on balance, acceptable in planning terms. The applicant has responded positively to the advice and recommendations provided and amendments have been made (where required) to satisfy concerns raised. All land use planning matters have been given full consideration, which resulted in support for the development proposal from most statutory consultees. The proposed development would make a small contribution to addressing climate change by generating renewable energy.

The applicant is reminded that members of the Planning Committee stressed the importance that they attached to the applicant discussing and agreeing with representatives of the Parish Council and local Councillors the establishment of a voluntary community fund.