

Agenda Item 8

JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGES)

WEDNESDAY 18TH FEBRUARY 2015

PRE-COMMITTEE AMENDMENT SHEET

PLANNING APPLICATIONS

Circulation:

Item:

Application Reference: S/0467/13/CM

Subject/Title: Reconfiguration and consolidation of the existing minerals processing and transfer operation including the installation of covered mineral storage bays, alterations and extensions to existing feeder unit, new office, welfare and workshop buildings, reconfiguration of site circulation and parking area, new boundary fencing and other works associated with relocating rail sidings to serve the mineral processing site

Target Date: 04/02/2014

To Note: The report has been amended (at paragraphs 8.16ff) to reflect the fact that the implementation of the noise attenuation barrier does not require the completion of a legal agreement, as suggested in the earlier version of the report. In its place, three additional planning conditions (nos. 9, 10 & 11) have been inserted in the schedule of proposed conditions in Appendix B. Appendix C, which contained the draft heads of terms for the legal agreement, has been withdrawn.

Representations Received:

Amendments To Text: Amendments have been made to paragraphs 8.16 to 8.19 of the main report. Subsequent paragraphs have been renumbered accordingly. This also corrects the incorrect paragraph numbers in the previous version of the report.

Pre-Committee Amendments To Recommendation: The recommendation to grant permission is unchanged, except that the requirement to complete a legal agreement has been withdrawn.

Decision:

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Application ref.: S/0467/13/CM

Site: Chesterton Rail Freight Sidings, Chesterton Junction, Cowley Road, Cambridge, CB4 0DL

Proposal: Reconfiguration and consolidation of the existing minerals processing and transfer operation including the installation of covered mineral storage bays, alterations and extensions to existing feeder unit. New office, welfare and workshop buildings, reconfiguration of site circulation and parking area, new boundary fencing and other works associated with relocating rail sidings to serve the mineral processing site.

Applicant: Brookgate Land Limited on behalf of Lafarge Tarmac UK

DRAFT PLANNING CONDITIONS

Commencement of Development, Time Limit

1. The development hereby permitted shall be commenced within three years from the date of this permission.

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

General Provisions

2. This permission only relates to land edged red as shown on the submitted plan ref. MMD-318305-C-DR-00-XX-1010, received by the Mineral Planning Authority on 4 November 2013.

Reason: *To define the site and terms within this planning permission.*

3. The development hereby permitted shall not be carried out other than in accordance with the details submitted by way of the planning application dated 1 November 2013 and accompanying information and the following drawings:

- Planning and Design and Access Statement (dated November 2013)
- Drawing no. MMD-318305-C-DR-00-XX-1010 Rev. P2 – Planning Drawing (Red Line Boundary) (Existing Site Layout) (dated 30.10.13)
- Drawing no. MMD-318305-C-DR-00-XX-1011 Rev. P4 – Planning Drawing (Proposed Site Layout) (dated 30.10.13)
- Drawing no. MMD-318305-C-DR-00-XX-1012 Rev. P1 – Site Location Plan (dated 18.10.13)
- Drawing no. A110 – New office facility – indicative elevations (dated 31/10/13)

- Drawing no. A111 – Shovel Shed elevations (dated 31/10/13)
- Drawing no. A112 – Workshop elevations (dated 31/10/13)
- Drawing no. A113 – Elevations of main plant (dated 31/10/13)
- Drawing no. A114 – Elevations of cold feeder (dated 31/10/13)
- Transport Statement (dated October 2013)
- Noise assessment (dated October 2013),
- Flood risk assessment (dated October 2013)
- Preliminary Ecological Assessment (dated October 2013)
- Phase I Geo-environmental Study (dated October 2013)
- Air Quality Assessment (dated October 2013)
- External Lighting Strategy (dated October 2013)

as amplified and amended by the e-mail dated 14 March 2014 from Brookgate Ltd. with attached Noise Impact Assessment (Addendum) (dated March 2014) and further amended by the Noise Impact Assessment – Addendum II (dated December 2014) (submitted on 18 December 2014) and drawing no MMD-318305-C-DR-00-XX-1013 Rev. P3 (Lafarge and Freightliner Locomotive Locations) (submitted on 6 February 2015).

Reason: *To define the permission and to ensure that the development is carried out in compliance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34.*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (as amended) (or any order revoking or re-enacting that Order with or without modifications) and with the exception of routine maintenance, no fixed plant, buildings structures and erections shall be erected on the site without the prior written approval of the Mineral Planning Authority.

Reason: *To secure control over site operations in the interests of visual and residential amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Display of Planning Conditions

5. A copy of the planning application and this planning permission, together with all documents hereby approved and any other documents subsequently approved in accordance with this permission (or amendments approved pursuant to this permission) shall be kept available for inspection in the site office and shall be made known to any person given responsibility for the management or control of operations on the site.

Reason: *For the avoidance of doubt and to ensure the development is carried out in accordance with the permission and in a satisfactory manner in the interests of the amenity of the area. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Construction Management Plan

6. The development hereby permitted shall not commence until a construction traffic management plan has been submitted to and approved in writing by the Mineral Planning Authority. The construction management plan shall include the following information:
- Details of access to the site for construction vehicles
 - Approved routes to and from the site for construction vehicles
 - Details of how construction vehicles will be managed throughout the construction period.

The approved plan shall be implemented throughout the construction period.

Reason: *To minimise the impact of construction traffic on the local highway network, and to minimise disruption to local residents, businesses and the general public. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS32 and CS34)*

Piling

7. In the event that any construction works for building foundations require piling, no construction work shall take place until a report/method statement detailing the type of piling and mitigation measures to be taken to protect local residents from noise and vibration has been submitted to the Mineral Planning Authority for approval. Such method statement shall predict the potential noise and vibration levels at the nearest noise and vibration sensitive locations in accordance with the provisions of BS 5228-1:2009+A1:2014 *Code of Practice for Noise and Vibration Control on Construction and open Sites*. The construction of the development shall thereafter be carried out in accordance with the approved details.

Reason: *To protect the amenities of occupiers of nearby properties. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

Re-configuring the layout of the site

8. No deliveries of rail-borne aggregate to the unloading area within the eastern boundary of the site shall take place until the layout of the site has been re-configured and the environmental screen along the southern site boundary constructed in accordance with the submitted drawing no. MMD-318305-C-DR-00-XX-1011 Rev. P4 – Planning Drawing (Proposed Site Layout) (dated 30.10.13) received by the Mineral Planning Authority on 1 November 2013. The materials and colour of the environmental screen shall match those of the existing cold feeder canopy at the site and shall be maintained as such for the duration of operations on the site.

Reason: *To retain control over the site layout in the interests of residential amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

Noise attenuation barrier adjacent to railway sidings

9. No deliveries of rail-borne aggregate to the unloading area within the eastern boundary of the site shall take place until the noise attenuation barrier described in Section 8.1 of the Mott MacDonald Noise Impact Assessment – Addendum II (dated December 2014) has been constructed in accordance with the submitted specification in the location shown on drawing no. MMD-318305-C-DR-00-XX-1013 Rev. P3. The noise attenuation barrier shall thereafter be maintained in accordance with the submitted specification for the duration of operations on the site.

Reason: *In the interests of residential and visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

10. The construction of the noise attenuation barrier referred to in Condition 9 above shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays. There shall be no construction on Saturday afternoons or Sundays, Bank or Public Holidays.

Reason: *In the interests of residential amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

11. No delivery of rail-borne aggregate to the unloading area on the eastern side of the site shall take place until the construction of the noise attenuation barrier referred to in Condition 9 above has been completed to the satisfaction of the Mineral Planning Authority.

Reason: *In the interests of residential and visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Hours of Operation

912. The coated roadstone plant and mineral transfer facility shall not be operated except during the hours of 0630 to 1700 Mondays to Fridays and 0630 to 1300 on Saturdays. No operations shall take place on the site at any time on Sundays, Bank Holidays and Public Holidays.

Reason: *In the interests of residential amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

4013. No delivery of materials by train to the site shall take place outside the hours of 0700 to 2200, Mondays to Fridays. No such deliveries shall take place at any time on Saturdays, Sundays, Bank Holidays and Public Holidays.

Reason: *In the interests of residential amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS32 and CS34)*

Access and Highways

4114. Vehicles shall not enter or leave the site by any other way than via the existing site access at the eastern end of Cowley Road, Chesterton.

Reason: *In the interests of highway safety. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24, CS32 and CS34)*

4215. All laden vehicles entering or leaving the site shall be sheeted or carry their load in an otherwise enclosed loadspace.

Reason: *In the interests of highway safety. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS32 and CS34)*

Noise generated by the operation of the site

4316. Noise attributable to the delivery of materials by train to the site shall not exceed a Rating Level, determined according to the requirements of BS4142:2014 or equivalent superseding standard, of 58dB LA_{eq, 1 hour} at the boundary of any residential property. Levels may be determined by direct measurement or derived from a combination of measurement and calculation using propagation corrections. For the avoidance of doubt, where noise levels are determined at facades, they should be expressed as free field levels.

Reason: *To minimise disturbance to neighbours and the surrounding area. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

4417. Within six months from the date of this permission, the locations for the monitoring of noise generated by the development shall be agreed in writing with the Mineral Planning Authority. Thereafter, noise levels shall be monitored at the previously agreed locations at six-monthly intervals during the first two years following the reconfiguration of the site and annually thereafter. The results of the monitoring shall include LA_{eq} noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least 2 separate 1 hour periods during the working day and the results shall be submitted to the Mineral Planning Authority within 1 month of the monitoring being carried out.

Reason: *In the interests of amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

Dust suppression

4518. No aggregate shall be delivered to the site by rail to the unloading area within the eastern boundary of the site until written details of dust suppression equipment to be installed within the materials handling and stockpile area have been approved by the Mineral Planning Authority and the approved equipment has been installed as approved. The dust suppression equipment shall be maintained in working order for the duration of the use of the site and shall be operated during periods of dry weather.

Reason: *In the interests of amenity for the occupiers of adjacent land. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Materials and Colours

4619. The coated roadstone plant including associated bag houses, bitumen tanks and fuel tanks, the cold feeder building and the environmental screen running along the southern site boundary shall be maintained in an external colour finish of BS 4800 12 B 21 Moorland Green for the duration of operations on the site.

Reason: *In the interests of residential and visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policies CS24 and CS34)*

Warning devices

4720. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specifications at all times and shall be fitted with and use effective silencers. Any breakdown or malfunctioning of silencing equipment shall be treated as an emergency and shall be dealt with immediately. Where a repair cannot be effected within a reasonable period, the equipment affected shall be taken out of service and replaced with equipment which functions to an equivalent standard.

Reason: *To ensure minimum disturbance from operations and avoidance of nuisance to the local community. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

4821. All audible warning devices fitted to mobile plant, vehicles and fixed plant and machinery (with the exception of rail vehicles), whilst affording suitable safety, shall as far as is reasonably practicable be of a design that does not cause unreasonable noise intrusion to residential properties.

Reason: *To mitigate to an acceptable level adverse impacts associated with the operation of audible warning devices on non rail-borne equipment in the interests of the amenity of local residents. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Lighting

1922. The development hereby permitted shall be carried out in accordance with the External Lighting Strategy submitted dated October 2013 and submitted with the application. No additional site lighting shall be installed without the prior written approval of the Mineral Planning Authority.

Reason: *In the interests of visual amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS34)*

Environmental Protection

2023. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses shall be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. The associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be directed to discharge into the bund. For chemicals, including oil and bitumen, all containers shall be sited within a suitably secure and leak proof containment system to prevent any loss to the environment. In both cases, any pollution prevention measures employed shall be shown to continue to function properly during a 1 in 100 year flooding event as a minimum.

Reason: *To prevent pollution of the water environment. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS24)*

2124. The development hereby permitted shall not commence until a scheme for the provision and implementation of surface and foul water drainage and pollution control measures has been submitted to and agreed in writing by the Mineral Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter maintained for the duration of the development.

Reason: *To ensure a satisfactory method of foul water drainage to prevent pollution in the interests of amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS24)*

2225. The development hereby permitted shall not commence until a remediation strategy which includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Mineral Planning Authority:

- a) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site;
- b) The results of a site investigation based on (a) above and a detailed risk assessment, including a revised CSM;
- c) Based on the risk assessment in (b) above, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary;
- d) No part of the proposed development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (c) above shall be submitted to and approved in writing by the Mineral Planning Authority. The long term monitoring and maintenance plan in (c) above shall be updated and be implemented as approved.

Reason: *To protect controlled waters from pollution associated with previous land uses at the site, in the interests of amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS24)*

2326. If, during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing by the Mineral Planning Authority) shall be carried out until a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and agreed in writing by the Mineral Planning Authority. The remediation strategy shall be thereafter be implemented as approved.

Reason: *To protect controlled waters from pollution associated with previous land uses at the site, in the interests of amenity. (Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD Policy CS24)*

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

The Mineral Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. All land use planning matters have been given full consideration and the applicant has responded positive to the advice and recommendations provided by consultees. Proactive consultation took place with statutory consultees, which resulted in overall support for the development proposal.