

## Joint Development Control Committee - Cambridge Fringes

**Date:** Wednesday, 18 December 2019

**Time:** 10.30 am

**Venue:** Committee Room 1 & 2, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** democratic.services@cambridge.gov.uk, tel 01223 457000

### Agenda

**Member Development Programme - 9.30 to 10.30 AM - Committee Room One**  
Applications 18/0481/OUT and S/1231/18/OL - Land North of Cherry Hinton - Officer led technical briefings: Noise and Contamination - Philippa Kelly, Greg Kearney, David Abiorwerth

- 1 Apologies
- 2 Declarations of Interest
- 3 Minutes (PAGES 5 - 10)

**All Committee Members may vote on this item**

- 4 C/5000/19/CW (19/0493/CTY) - Veolia ES (UK) Ltd, (PAGES 11 - 38)  
Cowley Road, Cambridge

**All Committee members are welcome to attend the pre-application briefings**

- 5 Darwin Green 2/3
- 6 Wing Primary School
- 7 Junction 11 - South West Travel Hub (new Park and Ride site around Trumpington)

**Joint Development Control Committee - Cambridge Fringes Members:**

**Cambridge City Council:** Cllrs Baigent, Page-Croft, Sargeant (Vice-Chair), Smart, Thornburrow and Tunnacliffe, Alternates: Moore, Price, Porrer and Lord

**Cambridgeshire County Council:** Cllrs Ashwood, Bradnam, Harford and Richards, Alternates: Harrison, Hudson, Kavanagh, Kindersley, Whitehead and Wotherspoon

**South Cambridgeshire District Council:** Cllrs Bygott, Chamberlain, Daunton, de Lacey (Chair), Williams and Wilson, Alternates: Cone, Hawkins, Howell and Hunt

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## Committee Dates – 2019/20

2019/20	Committee Meeting	Development Forum	Control
December	18 <sup>th</sup>	As required	
January	22 <sup>rd</sup>	As required	
February	19 <sup>th</sup>	As required	
March	18 <sup>th</sup>	As required	
April	15 <sup>th</sup>	As required	

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**JOINT DEVELOPMENT CONTROL COMMITTEE - CAMBRIDGE FRINGES**

20 November 2019

10.00 am - 1.00 pm

**Present:** Councillors Baigent, Page-Croft, Sargeant (Vice-Chair), Thornburrow, Tunnacliffe, Ashwood, Bradnam, Harford, Richards, Bygott, de Lacey (Chair), Williams and Price

**Officers Present:**

Assistant Director Delivery, Cambridge City and South Cambridgeshire District Councils: Sharon Brown

Principal Planner (Strategic Sites): Philippa Kelly

Senior Planner (Development Management) – City: Aaron Coe

Delivery Manager (Strategic): Chris Carter

Principal Urban Designer: Jon Brookes

Legal Adviser: Keith Barber

Committee Manager: Toni Birkin

**Other Officers Present:**

10-19 Area Education Officer: Rob Lewis

Transport Assessment Manager: David Allatt

Transport Officer: Jez Tuttle

**FOR THE INFORMATION OF THE COUNCIL****19/46/JDCC      Apologies**

Apologies were received from City Councillor Smart (Councillor Price was present as alternate), South Cambs DC Councillor Chamberlain and South Cambs DC Councillor Hunt

**19/47/JDCC      Declarations of Interest**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Councillor Baigent	19/50/JDCC and 19/51/JDCC	Personal: Member Cambridge Cycling Campaign
Councillor Thornburrow	19/50/JDCC and	Personal: Ward Councillor for the area

	19/51/JDCC	
Councillor Ashwood	19/50/JDCC and 19/51/JDCC	Personal: Ward Councillor for the area

## **19/48/JDCC Minutes**

The minutes of the meeting of the 23<sup>rd</sup> October 2019 were agreed and signed as a correct record subject to minor corrections to the text (Question 24 to read: Suggested that the Market Square needed an alternative name to avoid confusion with Cambridge Market Square).

**Vice-Chair Councillor Sargeant took the Chair as only City and County Councillors could vote on the following application**

## **19/49/JDCC Planning Application 19/1134/FUL - 9 Whitelocks Drive**

The Committee received an application for full planning permission for a single storey side and rear extension.

The Committee noted that proposed chimney feature (8.6 of the Officer's report) had been withdrawn from the application and thus should be disregarded in the Committee's determination.

The Committee received a representation in objection to the application from a local resident.

The representation covered the following issues:

- i. Objected to (a) the impact (and possible precedent an approval might create) on the public realm of the proposed garden infill and (b) the increased height of the garden fence.
- ii. Current building line is set back from the site boundary and allows sight lines across open areas for other residents.
- iii. Open views would be lost/restricted by the increased fence height.
- iv. Scale and massing of the proposal was out of keeping with the area.
- v. Proposal was out of keeping with the character of the area.
- vi. Development would harm the street scene.
- vii. Suggested that the fence height should not exceed 1.8m, the garden should be protected and any extension to match the materials of the original build.
- viii. Some form of control is appropriate which would prevent the loss of more than 50% of the original garden

Mark Richards (Applicant's Agent) addressed the Committee in support of the application.

The Committee made the following comments in response to the Officer's report.

- i. Sought clarification regarding the position and orientation of the plot.
- ii. Suggested that the illustrations were confusing and thus difficult to interpret.

Councillor Tunnacliffe proposed a deferral of this application to allow the Officer's to prepare more detailed illustrations. There was no seconder and therefore the proposal was lost.

In response to Members' questions the Senior Planning Officer stated the following:

- i. Confirmed that a matching materials condition had been included – proposed condition 4.
- ii. All future applications for extensions or changes would each be considered on its own merits.

It response to Members request for some assurance about the fence height, the Assistant Director stated that it was Officers' opinion that it was irrelevant whether the height of this fence was 2.1 or 2.5 metres. Due to the location of this boundary treatment the difference of 40cm in height for a boundary treatment that is only 7 metres wide would not result in any additional harm. This view was supported by the City Council Urban Design team.

The Committee:

**Resolved (by 9 votes to 0)** to grant the application for planning permission in accordance with the Officer recommendation, for the reasons set out in the Officer's report subject to the conditions recommended in the Officer's report.

**Councillor de Lacey Chaired the consideration of the remaining agenda items**

**19/50/JDCC      18/0181/OUT - Land North Of Cherry Hinton, Coldhams Lane (Education)**

The Principal Planner gave an introductory overview of the development of Land North of Cherry Hinton. She provided a summary of the planning policy

context and details of the Outline Planning application, including timeline since submission in March 2018.

Rob Lewis (10-19 Area Education Officer) gave a post submission presentation regarding Land North of Cherry Hinton, Coldham's Lane (Education).

In response to Members' questions the Area Education Officer said the following:

- i. Confirmed that the Primary School would have a phased entry system as it was intended to serve the new development and would grow with the community. However, it was acknowledged that parents had statutory choices regarding their preferred school.
- ii. Confirmed that there were plans to expand other schools in the area such as St Phillips in Romsey.
- iii. Stated that a wider piece of work was on-going regarding sixth form provision which would be looking at provision across the City and beyond (Ely).
- iv. Provision of vocation training would be included in the wider provision review.
- v. Confirmed that generous outdoor space for the schools had been included which would also allow for revision to the building footprint within the site.
- vi. Confirmed that the developer contribution would only part fund the Secondary school as a significant proportion of the provision was required to meet an existing short fall in provision.
- vii. Shared members concerns that the primary school, as the heart of the new community, might not be completed in line with the built out of housing.
- viii. Confirmed that the Primary school would be a Wave 12 Free School ESFA (Education Skills Funding Agency). The curriculum would meet national standards with little direct local influence.
- ix. Confirmed that the entry process would be managed to minimise any impact of other schools in the area.

**19/51/JDCC      18/0181/OUT - Land North of Cherry Hinton, Coldhams Lane (Transport)**

### **Post Submission Presentation**

The Transport Assessment Manager gave a post submission presentation regarding Land North of Cherry Hinton, Coldham's Lane (Transport).



The Transport Assessment Manager outlined the policy requirements and the sustainability approach taken towards the proposed mitigation measures. He presented a brief overview of the strategic vision of the Greater Cambridge Partnership (GCP) for sustainable travel in the area with less reliance on the car and long term alternative travel modes.

A forward looking site assessment had been completed considering the impact on existing junctions and interaction with existing road users and pedestrians.

The Chair invited local Ward Councillor for Teversham, Councillor Daunton to address the Committee.

Councillor Daunton was concerned that Teversham village appeared to have been omitted from the North of Cherry Hinton plans. It currently had a number of development sites in close proximity to the village but had received little or no extra provision.

The Transport Assessment Manager explained that mitigation must be limited to areas directly impacted by the proposed development. However, there was recognition of the need to connect new communities to exiting villages. The Transport Officer added that Teversham transport link would enjoy some improvements to cycle and pedestrian routes as a result of the Wing (Marley) development.

Members expressed concerns regarding the following:

- i. The Sixth form college had a high proportion of its catchment area outside the proposed development site. This would result in significant additional traffic in the area. Airport Way lacked the capacity to deal with the envisaged number of additional vehicles generated.
- ii. Suggested that the proposed bus route would not be popular with bus users and was not logical.
- iii. Suggested that the transport strategy did not give rail use significant attention.
- iv. Expressed the hope that pedestrian routes around and between villages would be protected as this promoted the health and wellbeing of residents.
- v. Suggested that car parking areas should be grouped together within new developments so that the land could be redeveloped for an alternative purpose/use when car use was significantly reduced.

In response to Members' questions the Transport Assessment Manager and the Transport Officer said the following:

- i. Confirmed that school traffic had been included in the transport assessments undertaken. However, mitigation measures were controlled by the application of the statutory tests within CIL Regulations. Increased traffic generated from meeting an existing school need could not be included.
- ii. Stated that the highway authority were aware of proposed additional supermarket provision in the Newmarket Road area and the impact it would have on traffic. Congestion was a result of the success of the City and the highway authority's teams were working to secure the best outcomes with the tools available to them.
- iii. Suggested that the proposed development could not wait for the delivery of the long term goals of the GCP for alternative traffic modes.
- iv. Agreed that cycle routes in the Coldham's Lane area were currently problematic due to the railway bridges and stated that they were looking at alternative routes that would be attractive to cyclists.
- v. Suggested that land in the area was limited, making it difficult to separate cyclists from pedestrians removing the conflict. It was acknowledge the increased use of electric cycles would exacerbated the problem.
- vi. Agreed that improvements to 'The Tins' cycle path would be beneficial but stated that that was too large an infrastructure project to be seen as a mitigation for this proposed development.
- vii. Confirmed that a lot of thought had gone into the route of the main spine road through the development and measures, such as 20 mph speed limits would be used to make it unattractive as a rat-run.
- viii. Stated that as there was no current commitment to a railway station in Cherry Hinton, which meant no financial contribution could be secured against this.
- ix. Stated that the bus route had not been finalised but in the long-term, any bus route would need to generate significant users to cover its costs.

The meeting ended at 1.00 pm

**CHAIR**

## JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Joint Director of Planning and Economic Development

Date: 18 December 2019

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<b>Application Number</b>	C/5000/19/CW (19/0493/CTY (Cambridge City Council))		
<b>Date Received</b>	25 March 2019	<b>Officer</b>	Helen Wass
<b>Target Date</b>	24 June 2019 (Extension of time 12 July, 13 & 30 September, 10 October, 14 November & 24 December 2019)		
<b>Parishes/Wards</b>	Unparished area East Chesterton (City Council Ward) King's Hedges (County Council Division)		
<b>Site</b>	Veolia ES (UK) Ltd, Cowley Road, Cambridge, CB4 0DN		
<b>Proposal</b>	Section 73 planning application to continue the development without compliance with conditions 5 (hours) and 7 (noise limit) of planning permission reference C/05004/12/CW to enable 24 hour operation of the Waste Transfer Station (WTS) including maintenance depot		
<b>Applicant</b>	Veolia ES (UK) Ltd		
<b>Recommendation</b>	Approval		
<b>Application Type</b>	Major	<b>Departure:</b>	No

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The above application has been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	<p>The application accords with the Development Plan for the following reason:</p> <ol style="list-style-type: none"> <li>1. The site is protected by policies in the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy and Site Specific Proposals and should be allowed to operate in a way that would enable the efficient collection of waste from commercial premises in and around Cambridge.</li> <li>2. With the recommended noise limit condition the development is unlikely to have an adverse effect on the amenity of local residents.</li> </ol>
RECOMMENDATION	APPROVAL SUBJECT TO CONDITIONS

## APPENDICES

Ref	Title
1	Site Location Plan
2	Site Layout Plan

### A.0 BACKGROUND

- A.1 Veolia Environmental Services (ES) Ltd (Veolia) operate a waste transfer station (WTS) and vehicle depot from their site at Cowley Road, Cambridge. They provide a service collecting waste from commercial customers in and around Cambridge. This principally involves refuse collection vehicles (RCVs) bringing dry recyclable waste materials to the site and tipping it into designated bays inside the waste transfer building, except glass which is tipped into an external bay. The waste materials are stored on site for a short period of time before being loaded onto larger vehicles for onward transport to other waste management facilities for recycling or recovery. The site is effectively a 'drop-off point' that enables commercial waste generated in and around Cambridge to be managed higher up the waste hierarchy. The depot allows the RCVs to be parked overnight and repaired in the workshop.

### 1.0 SITE DESCRIPTION / AREA CONTEXT

- 1.1 Veolia's site is located within an established industrial area on the northern edge of Cambridge. The site measures approximately 900 metres x 880 metres, having a total area of 0.8 hectares. It adjoins Cowley Road approximately 430 metres from the junction with the A1309 Milton Road which links the city of Cambridge with the A14 trunk road approximately 650 metres to the north. Business premises adjoin the north eastern boundary; the Cambridge Business Park and other business and industrial premises are situated to the south west and south east on the other side of Cowley Road including Tarmac's concrete batching plant; and a golf driving range abuts the north western boundary beyond which is the Cambridge Waste Water Treatment Works (WWTW). Cowley Road leads to Cambridge North railway station.
- 1.3 The River Cam County Wildlife Site (CWS) is approximately 710 metres to the east. Stourbridge Common City Wildlife Site is approximately 1 kilometre to the south. The site is within flood zone 1.

- 1.4 The nearest residential properties are located on Discovery Way approximately 280 metres to the south west, south west of the Cambridge Business Park and the Cambridgeshire Busway. Dwellings accessed from Fen Road are approximately 340 metres to the east of the site, to the east of the railway line. Long Reach Road is approximately 475 metres to the south of the site, to the west of Cambridge North station.

## 2.0 THE PROPOSAL

- 2.1 This application is for permission to continue the development without compliance with conditions 5 (hours) and 7 (noise limit) of planning permission C/05004/12/CC to enable 24 hour operation of the WTS including the vehicle maintenance depot. As RCVs have been operating from the site outside of the permitted hours since 2012 the application is part retrospective.

- 2.2 The existing wording of condition 5 is as follows:

### Hours of Operation

*The site shall not operate (including the arrival, departure, loading or unloading of refuse collection vehicles) outside the hours 0700 to 1800 hours Monday to Friday. No such operation shall take place on Saturdays, Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Waste Planning Authority.*

*Reason: To protect the amenity of occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, Development Plan Document (July 2011).*

- 2.3 The application seeks to amend the wording of condition 5 to allow the hours of delivery to the WTS to be extended (including bank and public holidays) to:

Monday:	05:00 to 00:00 (midnight)
Tuesday to Friday:	Unrestricted
Saturday:	00:00 to 23:00
Sunday:	07:00 to 23:00

The activities to be undertaken within the extended hours would take place within the WTS building. Glass, which is stored outside, would not be accepted or loaded outside the current permitted hours of 07:00 to 18:00 Mondays to Fridays as currently permitted by condition 5. It is proposed that there is no restriction on vehicle movements and that the vehicle maintenance workshop would operate on a 24 hour basis.

- 2.4 Veolia is seeking to vary the hours of operation because of the waste collection contracts that they fulfil. Many areas in Cambridge and surrounding towns have vehicle access restrictions during the normal working day and often into the evening. This limits the times during which premises may be serviced including waste collection.

- 2.5 The existing wording of condition 7 is as follows:

### Noise Limits

*The free-field equivalent continuous noise level, measured as a Laeq, (1 hour) from operations carried out at the site shall not exceed 55dB when measured at the boundary of the site. Measurements shall be taken from a position 1.2 – 1.5 metres above ground and at least 3.5 metres away from any façade.*

*Reason: To minimise disturbance to neighbours and the surrounding area in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, Development Plan Document (July 2011).*

- 2.6 The application seeks either the removal or variation of condition 7 because the Noise Impact Assessment (NIA) identified that the existing background noise levels are higher than the noise level limit in condition 7, irrespective of the noise generated by the activities on Veolia's site. During the daytime background noise levels are typically between 60dB and 62dB L Aeq.
- 2.7 The application is accompanied by the following supporting information:
1. Planning Application Form;
  2. Location Plan
  3. Existing Site Plan
  4. Covering letter/planning statement
  5. Noise Impact Assessment

Additional Information

6. Applicant response to consultation responses
7. Noise consultant response to Environmental Health Officer

**3.0 RELEVANT SITE HISTORY**

- 3.1 C/0584/89/CW - Extension of existing waste transfer depot, installation of two aqueous storage tanks, construction of parking hardstanding, erection of boundary fence and construction of new estate road (Granted 28/11/1989)
- 3.2 C/00302/90/CW - Removal of condition 3 of planning consent [C/0584/89] (which granted consent for a temporary period only until 31/12/92) (Granted 18/07/1990)
- 3.3 C/0674/06/CW – Retention of 5 Portakabin buildings (Granted 12/07/2006)
- 3.4 C/00149/07/CW - Replacement of close boarded wooden fence with 2.4m high concrete fence (Granted 04/04/2007)
- 3.5 C/05004/12/CW - Erection of pre-fabricated building for use as waste transfer station; new weighbridge and storage bays; alterations to existing vehicular access and 8 no. additional vehicle parking spaces (Granted 28/09/2012)
- 3.6 C/05005/12/CW - Retention of 3 no. Portacabins (Retrospective) (Granted 23/08/2012 for temporary period expiring 31 August 2017)
- 3.7 C/5001/16/CW - Replacement & relocation of existing modular building 'Portacabin 1' for a temporary period until 31 August 2021 (Granted 30/08/2016)

**4.0 PUBLICITY**

Advert – Yes  
Site Notice – Yes  
Adjoining Owners/Occupiers – Yes

- 4.1 This planning application has been subject to consultation and publicity via the standard consultation letters, statutory press notice and the display of site notices in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

## 5.0 POLICY & GUIDANCE

### National Planning Policy Framework (February, 2019) and National Planning Practice Guidance

- 5.1 The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies for England. These policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The document was first published on 27 July 2012 (revised on 19 February 2019) and immediately became a material consideration for planning applications. The 2019 NPPF document encourages positive, balanced decisions and emphasises the primacy of the Development Plan and local decision making. The NPPF is accompanied by online Planning Practice Guidance (PPG).
- 5.2 The following paragraphs within the NPPF are considered to be relevant to this application:
- **Paragraphs 7 and 8 Achieving Sustainable Development** - state that the purpose of the planning system is to contribute to the achievement of 'sustainable development' pursued through mutually supportive economic, social and environmental objectives;
  - **Paragraph 109** – states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network would be severe; and
  - **Paragraph 182** – states that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or "agent of change") should be required to provide suitable mitigation.

### The National Planning Policy for Waste (NPPW)

- 5.3 The NPPF refers to the Waste Management Plan for England (published in December 2013). The NPPW sets out the national planning policies for waste development and is to be read in conjunction with the NPPF. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. The Government's Planning Practice Guidance (PPG) on noise is relevant.
- 5.4 **Relevant Development Plan policies:**

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Minerals and Waste Core Strategy July	CS2, CS30, CS32, CS34

2011 (M&WCS)

Cambridgeshire and Peterborough  
Minerals and Waste Site Specific  
Proposals Plan February 2012  
(M&WSSP)

SSP W8

Cambridge Local Plan October 2018  
(CLP)

Policy 15, Policy 35, Policy 81  
CE/1, CE/2, CE/3, CE/4, CE/6, CE/8, CE/9

### **Emerging Planning Policy**

- 5.5 Cambridgeshire County Council and Peterborough City Council are undertaking a review of the Minerals and Waste Development Plan. This new Plan will be known as the Cambridgeshire and Peterborough Minerals and Waste Local Plan. A draft Local Plan (Preferred Options) was published for public consultation between 15 March and 9 May 2019 and the final draft (Submission) Local Plan was published on 15 November 2019 and is currently out for public consultation until 9 January 2020. The adopted Minerals and Waste Core Strategy and the associated Site Specific Proposals Plan remain in force until the new Local Plan replaces them.
- 5.6 In February 2019 Cambridge City Council and South Cambridgeshire District Council published the North East Cambridge Area Action Plan – Issues and Options 2019 Consultation (the draft AAP). It was the subject of public consultation between 11 February and 25 March 2019 and the adopted Local Development Scheme suggests a further public consultation in spring 2020, before the final proposed submission consultation in spring 2021, with examination anticipated in summer 2021, and adoption in summer 2022. At the point of adoption the AAP would replace CLP Policy 15.

## **6.0 CONSULTATIONS**

- 6.1 The following paragraphs provide a summary of the consultation responses received from statutory consultees and have been separated out to show the comments received as part of the initial consultation followed by any different comments received in relation to the additional information provided by the applicant:
- 6.2 **Cambridge City Council (Planning) - Object to the granting of full permission for changes to conditions 5 and 7.** The application would not be in line with Policy 15: Cambridge Northern Fringe East and new railway station Area of Major Change because the Veolia waste transfer site is in a prominent central location in the Area of Major Change and the intensification of the use would therefore unduly prejudice the outcome of the Area Action Plan process and the achievement of a comprehensive vision for the area as a whole. After considering the applicant's response and taking into account the adopted development plan, a temporary permission for 5 years would be acceptable, notwithstanding the waste planning authority's view that a temporary permission has not been recommended. This is to ensure that any temporary permission to extend the operational hours of the site will not compromise the ability to bring forward appropriate "meanwhile" uses in accordance with the AAP's vision for North East Cambridge.
- 6.3 **Cambridge City Council (Environmental Health) - The proposed development is unacceptable and should be refused. Further clarification of the proposed extended operating hours for both the waste transfer station and vehicle depot is required.**



*Condition 5 - Proposed extension of operating hours (waste transfer station)*

- 6.4 Considering the separation distance to the site boundary of existing noise sensitive residential premises at Discovery Way / Long Reach Road to the south / south west (approximately 280m) [approximately 306.21 yards] and Fen Road to the east (340 to 360m) [371.33 to 393.70 yards] significant adverse impact is unlikely to arise. However, it is uncertain if other residual adverse noise impact on residential quality of life / amenity will arise during the evening and night-time which are more sensitive times of day.
- 6.5 It is understood that the Veolia site is a safeguarded waste management facility under the current [Cambridgeshire and] Peterborough Minerals & Waste Development Framework (SSP W8N - Cowley Road, Cambridge - Cambridgeshire & Peterborough Minerals & Waste Development Framework: Site Specific Proposals Development Document Adopted 22 February 2012). It is understood the safeguarding is required in order to increase capacity and to facilitate the recycling and composting of waste in order to meet challenging Regional and Government targets.
- 6.6 This application may not be in accordance with the Cambridge Local Plan 2018 – ‘Policy 15: Cambridge Northern Fringe East and new railway station Area of Major Change’. There is an emerging North East Cambridge Area Action Plan for the site / general area with aspirations to provide thousands of residential units in the area. The Veolia waste transfer site is in a prominent central location in this Area of Major Change and the intensification of the use proposed may therefore unduly prejudice the outcome of the Area Action Plan process and the achievement of a comprehensive vision for the area as a whole.
- 6.7 It may already be very difficult to locate noise sensitive uses such as residential close to the existing Veolia site even with the existing planning restrictions. This would be very difficult to achieve under the intensification of use proposed (additional hours of use and removal of noise limits).
- 6.8 However, subject to the satisfactory clarification of what hours of operation for each activity are being applied for it may be possible to recommend a temporary permission for 1 year. This would need to be subject to additional noise limit controls for the evening (19:00 to 23:00hrs) and night time (23:00 to 07:00hrs) periods.
- 6.9 No unacceptable noise impacts during the evening and night-time hours have been predicted (by the use of noise modelling software) in the NIA. However, noise is not an exact science and even at long distances certain noise characteristics such as crashes and bangs may be audible at times thus giving rise to potential adverse noise impacts. A temporary permission for 1 year would allow the local residents and businesses the opportunity to gauge any potential adverse impacts and report concerns. After one year the status of the application could be reviewed.
- 6.10 In the longer term such a ‘temporary permission’ approach would also ensure that due consideration would be given to safeguarding the appropriate future development of the wider site through the AAP process.

*Condition 7 – Proposed variation or removal of the noise limit*

- 6.11 The reason for Condition 7 Noise Limits is ‘To minimise disturbance to neighbours and the surrounding area in accordance with policy CS34 of the Cambridgeshire and

*Peterborough Minerals and Waste Core Strategy, Development Plan Document (July 2011).* It is understood that the purpose of the LAeq, (1 hour) noise limit of not exceeding 55dB when measured at the boundary of the site is to ensure that there is no increase in background levels (match the background noise levels), in order to minimise disturbance and limit creeping background noise levels in the area including at nearby existing office / commercial type buildings e.g. Trinity House, 11 Cambridge Business Park, Cowley Road (35 - 40m approx.) [38.28 – 43.74 yards approx.]. This is the usual standard requirement for industrial and commercial sounds.

- 6.12 The noise level limit is for the specific sound sources - that is the sound sources being assessed / under consideration including cumulative operations on the site. What is more relevant is the monitored background noise levels as detailed in the submitted NIA. The NIA reports averages of 56.1dBA (0930-1500hrs), 52.9dBA (1500-1800hrs), 50.5dBA (1500-2300hrs) and 45.6dBA (2300-0700). Therefore the noise limit of 55 LAeq, (1 hour) as stipulated in Condition 7, remains relevant and protective of the existing background noise levels.
- 6.13 The application submission does not propose an alternative noise limit to reflect a reasonable, workable alternative and to reflect the limitations of the site use as is suggested within the NIA. In conclusion, this condition remains relevant and serves an important purpose which is to ensure that there is no increase in background noise levels in the area during the current permitted hours of 0700 to 1800 hours Monday to Friday.
- 6.14 As already stated, as there are proposals to undertake evening and night time activities on the site it is likely that additional and separate stricter noise limits for those evening and night time periods if this application is considered acceptable in principle would be recommended.
- 6.15 Where the site noise has a significant tonal element, it may also be appropriate to set specific limits to control this aspect. Peak or impulsive noise, which may include some reversing beepers or crashes and bangs, may also require separate limits that are independent of background noise e.g. Lmax, in specific octave or third-octave frequency bands that should not be allowed to occur regularly at night.
- 6.16 The removal of condition 7 and the intensification of the use may not be in accordance with the CAMBRIDGE LOCAL PLAN 2018 – ‘*Policy 15: Cambridge Northern Fringe East and new railway station Area of Major Change*’ as this may unduly prejudice the outcome of the Area Action Plan process and the achievement of a comprehensive vision for the area as a whole.
- 6.17 (20 September 2019 - following the receipt of further information from the applicant including from the noise consultant NVC Ltd). **The development proposed is acceptable subject to the imposition of the condition(s)/informative(s) outlined below with a temporary period of 1 year for the new conditions that have been recommended.**

*Condition 5 – Proposed extension of operational hours*

- 6.18 The clarifications provided by Veolia are understood and acceptable. The additional NVC Ltd evidence, information and clarifications are also understood and acceptable. Considering the separation distance to the site boundary of existing noise sensitive residential premises at Discovery Way / Long Reach Road to the south / southwest (approximately 280m) [approximately 306.21 yards] and Fen Road to the east (340 to

360m) [371.83 to 393.70 yards] and commercial premises in the area, it is agreed that the extended hours for activities as requested are unlikely to give rise to unacceptable adverse noise impact. To date have not received any noise complaints about operations on site. Complaints from immediately local businesses have been about odour.

- 6.19 No unacceptable noise impacts during the evening and night-time hours have been predicted (by the use of noise modelling software) in the NIA. However, noise is not an exact science and even at long distances certain noise characteristics such as crashes and bangs may be audible at times thus giving rise to potential adverse noise impacts. Therefore, a temporary permission for 1 year is recommended to allow the local residents and businesses the opportunity to gauge any potential adverse impacts and report concerns. After one year the status of the permission conditions could be reviewed.

*Condition 7 – Proposed removal of noise limit*

- 6.20 It is agreed that the condition with a limit of 55dB(A) Leq 1hr is so prescriptive that it would mean that almost no noise could be generated by vehicles or plant such that the site could not effectively operate and is therefore unworkable and unreasonable. A noise limit is recommended that reflects a reasonable, workable alternative and the limitations of the site use as is suggested within the NIA.

The following boundary noise limit condition is considered achievable and reasonable:

*Noise Limits - Boundary*

*The free-field equivalent continuous noise level, measured as a LAeq<sub>1hr</sub>, (dBA Equivalent Continuous Sound Level, 1 hour) from operations carried out at the site shall not exceed 60dB when measured at the boundary of the site. Measurements shall be taken from a position 1.2 – 1.5 metres above ground and at least 3.5 metres away from any façade.*

- 6.21 (3 December 2019 – following receipt of further information from the applicant) **The evidence about a degree of historical night time use and the fact that this service has not received any complaints to date, along with the proposed ‘Noise Complaint Investigation Protocol type condition’ would ensure unacceptable noise impacts would not arise and the recommendation for a temporary permission is withdrawn.**
- 6.22 The previous response concluded that ‘The development proposed is acceptable subject to the imposition of the condition(s)/informative(s) outlined below with a temporary period of 1 year for the new conditions that have been recommended.’ Following discussions about the risks and appropriateness of granting such a temporary permission on noise grounds, the applicant has provided additional information / evidence in relation to the historical use of the site in terms of vehicle movements to and from the site and workshop building during the night-time period (2300 to 0700 hrs).
- 6.23 Setting additional noise limits during the night-time period was considered but would be complex. As an alternative to a temporary permission consideration was given to the imposition of a Noise Complaint Investigation Protocol type condition. This would ensure that in the unlikely event of any noise complaints from local residents, the operator would be required to undertake a noise survey and impact assessment to

determine if the noise level detailed in Condition 7 – Noise Limits (as recommended) is being breached and to investigate the said noise complaint/s. In the event that the noise survey indicates that the noise criterion is being exceeded or if the assessment indicates an ‘adverse impact’ a noise management plan detailing further measures to mitigate the noise impact would be required for approval and implementation forthwith. If a condition of this nature is acceptable in planning terms, then this application would be entirely acceptable subject to the additional conditions previously recommended.

- 6.24 **Environment Agency - No objections to the proposal.** The site already has an Environmental Permit (ref. EAWML 104734). The proposed changes are to the existing planning permission at the site, and therefore will not affect the conditions of the permit. The operator will still be required to comply with condition 3.3 Noise & Vibration, of the permit.

*[3.3.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration.*

*3.3.2 The operator shall:*

*(a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan;*

*(b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.]*

- 6.25 **Highways Development Management Engineer - No significant adverse effect upon the public highway should result from this proposal.** The proposed removal of condition 7 falls outside the remit of the Highway Authority. The proposed removal of condition 5 will now affect the adopted public highway as the section of Cowley Road that directly serves the property was adopted as part of the Cambridge North Station development. This section of road now operates as the only access for the new railway station and thus can carry relatively high levels of traffic (all modes) in particular at peak times.

- 6.26 The rationale given in the applicant’s supporting statement for the removal of condition 5 is that many of the refuse vehicles need to leave the site before 07.00hrs and return in the late afternoon. This will by virtue of there not being an increase in the volume of waste being processed on the site remove a number of refuse vehicles from Cowley Road before the significant commuter period starts.

## **7.0 REPRESENTATIONS (INCLUDING PRE-APPLICATION PRESENTATIONS)**

- 7.1. **Local Residents** – no representations received.

## **8.0 PLANNING CONSIDERATIONS & OFFICER ASSESSMENT**

- 8.1 The main planning considerations in relation to this planning application are:

- Impact on surrounding land uses (noise);
- Traffic and highway safety; and
- Future development of North East Cambridge.

- 8.2 The principle of the site operating as a waste transfer station and vehicle depot has already been accepted (see planning history in section 3 above). In the current application the operator is seeking more flexibility in the hours of operation so that the WTS may operate 24 hours a day and RCVs may continue to enter and leave the site 24 hours a day. They are also asking that the noise limit may be either removed or varied (see paragraphs 2.1 – 2.6 above in relation to the hours of operation and noise changes sought). The main planning considerations are the impact on the amenity of the occupiers of existing nearby properties and the impact on potential new development which may come about if the area is redeveloped as envisaged by Cambridge City Council as set out in CLP Policy 15.

Impact on surrounding land uses (noise)

- 8.3 The PPG states in relation to noise impacts that *“Local planning authorities’ plan-making and decision taking should take account of the acoustic environment and in doing so consider:*

- *whether or not a significant adverse effect is occurring or likely to occur;*
- *whether or not an adverse effect is occurring or likely to occur; and*
- *whether or not a good standard of amenity can be achieved.”*

- 8.4 Policy CS34 of the MWCS states that:

*“Mineral and waste management development will only be permitted where it can demonstrate that there would be no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss to residential or other amenities.*

*Mitigation measures will be required, including where appropriate a buffer zone, between the proposed development and neighbouring existing or proposed sensitive land uses.”*

- 8.5 Policy 35 of the CLP states that:

*“Development will be permitted where it is demonstrated that:*

- a) *it will not lead to significant adverse effects and impacts, including cumulative effects and construction phase impacts wherever applicable, on health and quality of life/amenity from noise and vibration; and*
- b) *adverse noise effects/impacts can be minimised by appropriate reduction and/or mitigation measures secured through the use of conditions or planning obligations, as appropriate (prevention through high quality acoustic design is preferable to mitigation).”*

- 8.6 The Environmental Health Officer (EHO) agrees that given the separation distance between the site and the nearest existing noise sensitive residential properties on Discovery Way and Long Reach Road and commercial premises in the area the proposed extended hours are unlikely to have an unacceptable adverse noise impact (see paragraph 6.18 above).

- 8.7 Planning permission C/05004/12/CW is for the erection of a pre-fabricated building for use as waste transfer station; new weighbridge and storage bays; alterations to existing vehicular access and 8 no. additional vehicle parking spaces. At the time that application was submitted the site had been used as a vehicle depot for many years

operating on a 24/7 basis. When planning permission C/05004/12/CW was issued it was subject to condition 5 which limited the hours of operation including the arrival and departure of refuse collection vehicles at the depot as well as the waste handling operations as set out in paragraph 2.2 above. It is not clear whether this was intentional or not and Veolia has continued to operate its RCV fleet on a 24/7 basis.

- 8.8 It is also relevant to consider that the additional activities which it is proposed would be undertaken outside currently permitted hours would take place within the waste transfer building. Glass (which is handled outside) would not be accepted or loaded outside the current permitted hours. It is also appropriate to consider the location of the site in relation to the nearest properties whose occupiers would be sensitive to noise in the evenings, night and early mornings. As noted in paragraph 1.4 and by the EHO in paragraph 6.18 the closest residential properties are on Discovery Way 280 metres (306.21 yards) to the southwest of the site and a similar distance from the railway line. The houses on Long Reach Road are closer to the railway line than they are to the Veolia site. The land between Discovery Way and the Veolia site is allotment gardens and, between the guided busway and Cowley Road, the southeastern end of the Cambridge Business Park. This part of the business park comprises three large office buildings which effectively screen between the houses and flats from the Veolia site.
- 8.9 The EHO acknowledges that no unacceptable noise impacts during the evening and night-time hours have been predicted and has noted that no complaints have been received about noise from the site. It is considered that the proposed operations outside the currently permitted working hours are unlikely to have an adverse effect on the amenity of the occupiers of the houses and flats on Discovery Way and Long Reach Road. It has been taken into account that the environmental permit is subject to a condition to control noise as set out in paragraph 6.21 above. It is also relevant that the RCVs have been operating on the site outside the hours set out in planning permission C/05004/12/CW for some 7 years without complaint. That supports the view that the increase in hours would not be detrimental.
- 8.10 Although it is unlikely that the proposed increase in working hours would give rise to noise complaints from local residents it is considered prudent to have in place a mechanism for monitoring compliance with the recommended noise limit and requiring mitigation measures to be undertaken. This could be secured by condition as recommended by the EHO at paragraph 6.23.
- 8.11 The EHO has considered the additional information provided in the applicant's NIA and has recommended an alternative to the extant condition 7 which would set a noise limit which would be achievable and reasonable (see proposed condition 7 in paragraph 10.1). The applicant has confirmed that they consider such condition would meet the tests for imposing condition set out in the NPPF and would be straightforward to monitor.
- 8.12 It is considered that with the inclusion of the EHO's suggested conditions the proposed development would comply with MWCS policy CS34 and CLP Policy 35 in respect of noise.

#### Traffic and highway safety

- 8.13 NPPF paragraph 109 states that development should only be refused on highway grounds where there is an unacceptable impact on highway safety or the residual cumulative impacts of the development are severe. The MWCS policy CS32 seeks to ensure that access and the highway networks serving the site are suitable or could

be made suitable and able to accommodate any increase in traffic and / or the nature of the traffic associated with the development. CLP Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

- 8.14 The Highway Development Management team has been consulted upon the application and has not raised any objections to the proposal for the reasons set out in paragraph 6.26 above. It is considered that the proposal would not have an unacceptable impact on highway safety or capacity and would comply with NPPF paragraph 109, MWCS policy CS32 and CLP Policy 81.

#### Future development of North East Cambridge

- 8.15 Policy CS2 of the MWCS sets out the strategic vision and objectives for sustainable waste management during the plan period (to 2026). It refers to a significant amount of growth taking place including in new communities on the fringes of Cambridge and at the new settlement of Northstowe approximately 9 miles northwest of Cambridge. This new development will generate domestic and commercial waste which policy CS2 states “will be supported by a developing network of waste management facilities which will deliver sustainable waste management”. One of the strategic objectives of the MWCS set out in policy CS2 is “to safeguard waste management sites from incompatible development that may prejudice the waste use, through the designation of Waste Consultation Areas.”

- 8.16 The text supporting MWCS policy CS30 expands on this explaining that:

*“10.18 Waste management facilities are an essential part of the infrastructure required to develop sustainable communities. However, due to their particular requirements e.g. in terms of access, compatibility with surrounding uses, proximity to waste arising, visual impact, geology and hydrology, sites (non-landfill and landfill) require careful selection and they are not easy to identify. In some instances, particularly where waste management uses may have been present for a considerable time, they can become surrounded by other development which has led to pressure for the waste management facility to close or relocate. This can also lead to loss of valuable facilities.*

*10.19 Given the above, it is appropriate to protect suitable sites from inappropriate development that may prejudice the existing or allocated waste management use.”*

- 8.17 MWCS policy CS30:

#### **CS30 Waste Consultation Areas**

**Waste Consultation Areas will be identified in the Core Strategy and Site Specific Proposals Plan and defined on the Proposals Map at locations:**

- within and around existing waste management facilities that make a significant contribution in managing waste in Cambridgeshire and Peterborough
- within and around unimplemented permitted waste management sites, allocations and designated Areas of Search

**The Waste Planning Authority must be consulted on any planning applications within Waste Consultation Areas except:**

**a. householder applications (minor development works relating to existing property)**

**b. advertisements**

**Development will only be permitted where it is demonstrated that this will not prejudice existing or future planned waste management operations.**

8.18 During the development of the MWCS it was concluded that it was not practicable to safeguard all existing waste management facilities but that it was important to protect the 'key' facilities i.e. those which make a significant contribution to managing any waste stream. Waste Consultation Areas (WCA) were, therefore, designated around these sites to ensure that existing and allocated sites for waste management facilities are protected from development that would prejudice a waste management use.

8.19 MWSSP policy SSP W8:

**Waste Consultation Areas are designated at locations:**

- **Within and around (250m) existing waste management facilities that make a significant contribution to managing waste in Cambridgeshire and Peterborough**
- **Within and around unimplemented permitted or allocated waste management sites and Areas of Search**

**Development will only be permitted where it is demonstrated that this will not prejudice existing or future waste management operations.**

**The following Waste Consultation Areas have been identified:**

**All site specific allocations tabled in policies SSP W1 to SSP W6 are protected by a Waste Consultation Area.**

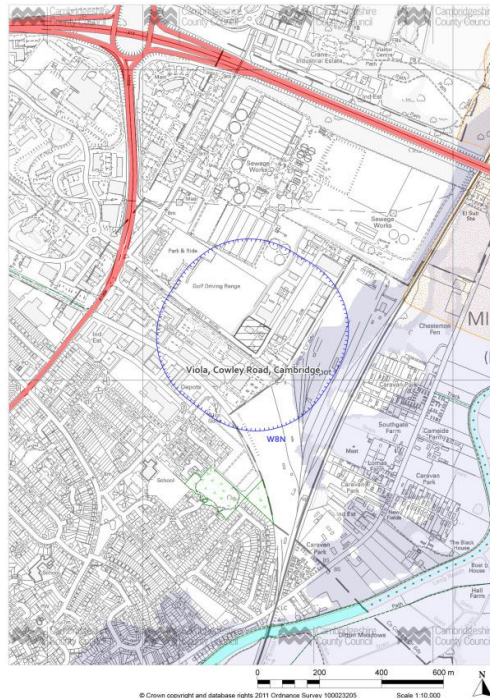
**Additionally**

**Waste Consultation Areas are designated for the permitted and operational waste management sites listed below**

- **W8N Cowley Road, Cambridge**

8.20 Veolia, Cowley Road, Cambridge is shown on MWSSP Inset Map No. 127 surrounded by a 250 metre wide WCA (see figure below). It is therefore recognised by the waste planning authority as an existing waste management site which makes a significant contribution to managing waste. The site is on the edge of Cambridge and is the only waste management site within the City Council area which is protected by a WCA.





- 8.21 The WCA is designed to alert prospective developers to the waste management operation, allocation and designated Area of Search to ensure adjacent new development is an appropriate neighbouring use. New neighbouring development can impact on waste management sites and make it problematical for them to continue to deliver their important function. It is considered that typically, industrial uses (B2 - B8 land use classification), other waste management operations and mineral operations are unlikely to prejudice waste management uses. Other forms of occupied development including residential may be incompatible with waste management development and prejudice existing or future operations.
- 8.22 It is apparent from their response set out in paragraph 6.2 that there is potentially conflict between the existing and protected land use (waste management) and Cambridge City Council's long term aspirations for the redevelopment of the area in which the Veolia waste transfer station and depot is located.
- 8.23 CLP Policy 15 sets out Cambridge City Council's plans for an Area of Major Change known as Cambridge Northern Fringe East which encompasses the area between the A14, Milton Road and the railway line and includes Cambridge Business Park (see Figure 3.3 below).



**CLP Policy 15:**

The Cambridge Northern Fringe East and the new railway station will enable the creation of a revitalised, employment focussed area centred on a new transport interchange.

The area, shown on the Policies Map, and illustrated in Figure 3.3, is allocated for high quality mixed-use development, primarily for employment uses such as B1, B2 and B8, as well as a range of supporting commercial, retail, leisure and residential uses (subject to acceptable environmental conditions).

The amount of development, site capacity, viability, timescales and phasing of development will be established through the preparation of an Area Action Plan (AAP) for the site. The AAP will be developed jointly between Cambridge City Council and South Cambridgeshire District Council, and will involve close collaborative working with Cambridgeshire County Council, Anglian Water and other stakeholders in the area. The final boundaries of land that the joint AAP will consider will be determined by the AAP.

All proposals should:

- a. take into account existing site conditions and environmental and safety constraints;

- b. demonstrate that environmental and health impacts (including odour) from the Cambridge Water Recycling Centre can be acceptably mitigated for occupants;**
- c. ensure that appropriate access and linkages, including for pedestrians and cyclists, are planned for in a high quality and comprehensive manner;**
- d. recognise the existing local nature reserve at Bramblefields, the protected hedgerow on the east side of Cowley Road which is a City Wildlife Site, the First Public Drain, which is a wildlife corridor, and other ecological features, and where development is proposed, provide for appropriate ecological mitigation, compensation and enhancement measures either on- or off-site; and**
- e. ensure that due consideration has been given to safeguarding the appropriate future development of the wider site.”**

- 8.24 The supporting text in paragraph 3.31 of the CLP refers to the new railway station and the Cambridgeshire Busway improving accessibility making “a highly attractive business location”. Paragraph 3.33 refers to the MWCS:

*“The adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Site Specific Proposals Plan (2012) designate a safeguarding area for the existing Cambridge Water Recycling Centre and another for an existing aggregates railhead; as well as a Waste Consultation Area for an existing waste management facility. In addition, an area of search is identified for a household (waste) recycling centre to serve the north of Cambridge and an inert waste recycling facility. Any development proposals will need to be assessed against the above minerals and waste policies and specifically will need to prove they are compatible to ensure the existing safeguarded aggregates railhead and waste operations can continue without conflict.”*

- 8.25 It is acknowledged in the CLP that:

*“3.34 The sidings, in South Cambridgeshire, currently have a number of businesses importing aggregate using the railway that is used for construction and road maintenance in the wider Cambridge area. This provides an important source of building materials for the wider area.*

*3.35 Exploration in respect of the viability and feasibility of redevelopment of the Cambridge Water Recycling Centre to provide a new treatment works facility either elsewhere or on the current site, subject to its scale will be undertaken as part of the feasibility investigations in drawing up the AAP. If a reduced footprint were to be achieved on the current site, this could release valuable land to enable a wider range of uses. Residential development could be an option, subject to appropriate ground conditions, contamination issues and amenity and air quality.*

*3.36 The development of Cambridge Northern Fringe East will require partnership working between landowners and developers, as well as the two local authorities and Cambridgeshire County Council. Highways England will also be engaged with on strategic road network issues.”*

- 8.26 The draft AAP referred to in CLP Policy 15 is currently at an early stage in its journey to becoming an adopted document. As already identified in paragraph 5.6 of this report, an Issues and Options report was issued for consultation between 11 February and 25 March 2019. A further document is due to be issued for consultation in spring 2020 with a view to being adopted in summer 2022.

- 8.27 One of the three overarching objectives set out in the Issues and Options report is to create “A City Innovation District which will deliver affordable homes, a diverse range of quality jobs and excellent neighbourhood facilities.” It goes on to say that “Development in areas to the east of Milton Road is proposed to be predominantly residential led with land allocated to support business uses including the relocation of existing industrial uses where these are suitable for relocation.”
- 8.28 The draft AAP recognises (page 15, paragraph xxix) that “*There are a number of industrial uses currently within the area. These provide an important function for Cambridge, and there is a limited supply of industrial land in the City.*” It goes on to say that:
- “However, much of the land in the area is under-utilised in terms of development density. Examples from around the country have shown that there are ways to accommodate some industrial uses within higher density urban environments using innovative solutions. Careful consideration would need to be given to the compatibility with adjoining uses such as residential development. Alternatively, provision could be made to relocate these uses elsewhere, which may be necessary for those uses deemed ‘bad neighbours’, such as the concrete batching plant.”*
- 8.29 The concrete batching plant is located immediately to the east of Veolia’s site. Planning permission (ref. no. 16/0442/FUL) for the erection of replacement plant, equipment and ancillary facilities was granted by Cambridge City Council on 14 September 2016. There are no restrictions on working hours. Tarmac have advised that the hours of operation are very variable with 0630 - 1830 being the minimum recently with the plant however sometimes working to 2000 on weekdays. On Saturdays they typically operate 0630 to 1200 with maintenance beyond this and occasionally work on Sundays.
- 8.30 The scope of the redevelopment of the draft AAP area is heavily influenced by the presence of the Cambridge WWTW (sewage works) which occupies 38.36 of the 104.57 hectares (94.19 of the 258.4 acres), equating to approximately 37% of the AAP area which lies to the east of Milton Road. Cambridge City Council and Anglian Water’s Housing Infrastructure Fund (HIF) bid has received positive support from Homes England making relocation of the WWTW more likely. Subject to this funding, this may remove a significant constraint on the site that previously limited development to compatible employment and industrial uses and a small amount of residential.
- 8.31 The draft AAP identifies the Veolia site for housing development but does not make any provision for a replacement site. As noted in paragraph 8.28 above, in order to fully realise the aspirations of the draft AAP, other existing industrial uses would need to be relocated. Figure 6.1: NEC Indicative Concept Plan (page 84 of the draft AAP) shows a small area close to the A14 and railway line at the very north east of the AAP area for “Industrial Development Sites.” This may be suitable for the waste transfer operations and vehicle depot given the operational and business need for Veolia to be located within or very close to the City as set out in paragraph 2.4 above but there is no certainty that it will be available to the company. Given the lack of alternative sites within the City which would be suitable for a waste management use it is considered important to protect existing sites in accordance with the policies of the adopted development plan, MWCS CS30 and MWSSP policy SSP W8. These policies state that development will only be permitted where it is demonstrated that this will not prejudice existing or future planned waste management operations.

- 8.32 The County Council's views on the importance of the existing waste management uses were made known to Cambridge City Council when we commented on the draft AAP. In response to a question on whether the AAP should seek to relocate industrial uses away from the North East Cambridge area or seek innovative approaches to supporting uses on site as part of a mixed use City District we said:

*"There are a number of industrial uses in the CNFE, which play an important role in supporting the wider economy and local area, including existing waste management uses. It is noted that the concept plan shows an industrial development area adjacent to the northern boundary of the CNFE, and thus it may be possible to relocate current general industrial uses, including waste management uses, within the CNFE site. It is vital that such uses are not displaced from the local area, and if they are to be relocated from the CNFE then there should be a clear strategy / site for them to be located on in the future. Requiring industrial development just to relocate without such a strategy in place will mean that they may just be lost, especially as there are few general industrial sites in the local area. This would result, for example, in waste management capacity being lost, when such facilities contribute significantly to delivering sustainable development by dealing with waste arising in Cambridge and the wider surrounding area."*

- 8.33 In response to a question about the proposed approach to dealing with planning applications made ahead of the AAP reaching a more formal stage of preparation we said:

*"The proposed approach is supported. It is particularly important in transport terms the North East Cambridge area is considered as a whole. Proposals will also need to have regard to the need not to prejudice safeguarded mineral and waste management facilities, including the railheads, in the east of the proposed AAP area."*

- 8.34 Paragraph 182 of the NPPF requires planning decisions to ensure that new development can be integrated with existing businesses and community facilities. It goes on to say that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. The PPG at states that:

*"Development proposed in the vicinity of existing businesses, community facilities or other activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme."*

It makes it clear that is the responsibility of the "agent of change" (in this case the developer of new residential development) to clearly identify the effects of existing businesses that may cause a nuisance, including noise, and the likelihood that they could have a significant adverse effect on new residents/users. In doing so, the agent of change will need to take into account not only the current activities that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made.

- 8.35 If the AAP is adopted, in theory the land to the north and east of the Veolia site could be redeveloped for housing provided it was demonstrated that the existing waste management use would not be prejudiced and that acceptable living conditions could be provided for occupiers of the new dwellings. Even with the current operating hours the waste management site would be incongruous in a new residential area. It is considered that in order to release the land within this part of the AAP area for

residential development the Veolia site would need to be relocated whatever its hours of operation.

- 8.36 CLP Policy 15 proposes redevelopment of the Cambridge Northern Fringe East area as an employment focussed area centred on a new transport interchange. Other uses including residential would be subject to acceptable environmental conditions being achieved. It is considered that the proposed increase in hours of operation of the Veolia WTS would not conflict with the aims of CLP Policy 15. The draft AAP envisages a residential-led redevelopment which would be dependent on the relocation of the WWTW and other “bad neighbours”. It is considered that the draft AAP is at an early stage in the path to adoption so should carry only very limited weight and that greater weight should be given to the adopted the MWCS and MWSSP which seek to protect existing waste management sites which have been recognised as making a significant contribution to managing waste.

## **9.0 CONCLUSION**

- 9.1 This proposal has been considered against local and national planning policy, as well as other material planning considerations, in order to provide a full assessment of the benefits and negatives that need to be balanced with a project of this nature.
- 9.2 It is acknowledged that there is a need for more houses in Cambridge and that the City Council is promoting ambitious plans to redevelop the North East Cambridge Area for residential-lead uses. However, existing and future commercial premises in and around Cambridge will continue to need a waste collection service. Until an alternative site is identified and secured it is considered that the Veolia WTS is a valuable waste management site in the city of Cambridge which is protected by adopted development plan policies and should be allowed to operate in a way that would enable the efficient collection of waste from commercial premises in and around Cambridge.
- 9.3 It is worth emphasising the role of a WTS. RCVs that operate within an urban area typically make many separate collections each day. It is not efficient or economic for each relatively small RCV to take each load of waste directly to a recycling facility which may be some distance from the collection area. A WTS provides a location where relatively small loads of waste are stored for a short time relatively close to where they were collected. The waste is then bulked up and taken to an appropriate recycling facility in fewer but larger loads.
- 9.4 Weight has also been given to the proximity of the Veolia site to the City of Cambridge and the lack of alternative permitted waste management sites which could efficiently serve the City area given the access restrictions and the desirability of minimising the distance travelled in terms of vehicle emissions.
- 9.5 Having regard to the above, the proposals to:
- i) vary the terms of condition 5 to extend the hours of operation of the WTS and allow the continued unrestricted use of the site as a vehicle depot; and
  - ii) vary the terms of condition 7 to apply a reasonable and achievable noise limit
- are considered to be acceptable in terms of the principle of the development, residential amenity and traffic and highway safety.
- 9.6 For the above reasons it is considered that subject to the recommended conditions the proposal is compliant with national and local planning policy and guidance and should be approved.

## 10. RECOMMENDATION

- 10.1 **APPROVE (C/5000/19/CW)** subject to the following conditions. The conditions of planning permission C/05004/12/CW that remain relevant have been retained.

### Commencement

1. The development hereby permitted shall be begun not later than three years from the date of this permission.

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

### Compliance with Submitted Details

2. The development hereby permitted shall not proceed except in accordance with the following documents and drawings except where amended by the conditions of this decision notice:

- Planning Application Supporting Statement (undated – received with planning application C/05004/12/CW 30.04.2012)
- Drawing No. PENTDEC\_COWL\_100\_001 Cowley Road WTS Site Location Plan dated 02.09.10 (received 30.04.2012)
- Drawing No. PENTDEC\_COWL\_100\_003 Rev H Cowley Road WTS Proposed Site Layout dated 02.09.10 (Rev H not dated) (received 29.08.2012)
- Drawing no. PENTDEC\_COWL\_100\_004 Rev B dated 02.02.12 Cowley Road WTS WTS Building Plans & Sections (received 30.04.2012)
- Drawing No. PENTDEC\_COWL\_100\_008 Rev A dated 23.08.12 Cowley Road WTS Proposed Site Drainage (received 29.08.2012)
- Drawing No. PENTDEC\_COWL\_100\_009 dated 23.08.12 Existing & Proposed Plans and Elevations for Storage Bays (received 29.08.2012)

*Reason: To define the site and to protect the appearance of the locality in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011)*

### Acoustic Barrier

3. The acoustic barrier comprising concrete panel fence 2.4m high and timber panel fence 2.4m high shown on drawing no. PENTDEC\_COWL\_100\_003 Rev H Cowley Road WTS Proposed Site Layout dated 02.09.10 shall be retained and maintained for the duration of the development hereby permitted.

*Reason: To ensure that the acoustic barrier provides a consistent degree of noise attenuation across the whole site in the interests of the amenity of the occupiers of surrounding land and properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy 35 of the Cambridge Local Plan (October 2018)*

4. [Dust Suppression condition no longer needed because it related to the construction of the waste transfer building only] replace with:

#### Outside Storage of Waste

4. No waste materials other than glass shall be deposited or stored outside the building shown as Waste Transfer Station on drawing no. PENTDEC\_COWL\_100\_008 Rev A dated 23.08.12 Cowley Road WTS Proposed Site Drainage (received 29.08.2012). Glass shall only be deposited and stored within the storage bays shown as 2.4m high storage bay and 2.4m high glass bay on drawing no. PENTDEC\_COWL\_100\_009 dated 23.08.12 Existing & Proposed Plans and Elevations for Storage Bays (received 29.08.2012). The height of any stored glass shall not exceed the height of the storage bays.

*Reason: To protect the amenity of occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy 35 of the Cambridge Local Plan (October 2018)*

#### Hours of Operation

5. The permitted hours of operation are (except glass):

Monday:	05:00 to 00:00 (midnight)
Tuesday to Friday:	Unrestricted
Saturday:	00:00 to 23:00
Sunday:	07:00 to 23:00

The permitted hours of operation for the receipt, unloading, loading and despatch of glass are:

Mondays to Fridays each day (except bank or public holidays) 07:00 to 18:00

*Reason: To protect the amenity of occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011) and policy 35 of the Cambridge Local Plan (October 2018)*

6. [Hours of Construction / Demolition condition no longer needed because it related to the construction of the waste transfer building only] To guard against an increase in volume of waste/traffic movements replace with:

#### Throughput of Waste

6. No more than 75,000 tonnes of waste shall be accepted at the site shown outlined in red on Drawing No. PENTDEC\_COWL\_100\_001 Cowley Road WTS Site Location Plan dated 02.09.10 (received 30.04.2012) within any calendar year.

#### Noise Limits

7. The free-field equivalent continuous noise level, measured as a LAeq<sub>1hr</sub>, (dBA Equivalent Continuous Sound Level, 1 hour) from operations carried out at the site shall not exceed 60dB when measured at the boundary of the site. Measurements shall be taken from a position 1.2 – 1.5 metres above ground and at least 3.5 metres away from any façade.

*Reason: To minimise disturbance to the occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and*



Noise Complaint Investigation Protocol

8. In the event of a noise complaint being received by the Waste Planning Authority (WPA) regarding the development hereby permitted which, in the considered opinion of the WPA may be justified, the operator shall, within one month of a written request from the WPA (unless a longer time is approved), undertake a noise survey and impact assessment in accordance with BS4142:2014 +A1:2019 - 'Methods for rating and assessing industrial and commercial sound' to determine if the noise level in condition 7 above is being breached and to investigate the said noise complaint.

Details of the noise survey / impact assessment, including the position of noise monitoring equipment, the methodology and approach to be used and the date(s) for the survey to be undertaken, shall be submitted to and approved in writing by the WPA in advance / prior to the survey taking place.

The completed noise survey / assessment report shall be submitted for approval in writing by the WPA within 28 days of completion.

In the event that the noise survey indicates that the noise criterion detailed in condition 7 above is being exceeded or if the assessment indicates an 'adverse impact' as defined in BS 4142, the submitted report shall include a noise management plan detailing further measures to mitigate the noise impact, including a timetable for the implementation of these additional measures, which shall be submitted for approval in writing by the WPA. The additional noise mitigation measures shall be implemented forthwith in accordance with the approved details and thereafter maintained / retained for the life of the development.

*Reason: To protect and safeguard the quality of life (amenity) of the occupiers of noise-sensitive premises in accordance with paragraphs 170 e) and 180 of the National Planning Policy Framework (February 2019), policy 35 of the Cambridge Local Plan (October 2018) and policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy Development Plan Document (July 2011).*

Compliance with paragraph 38 of the National Planning Policy Framework (February 2019)

The waste planning authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms by seeking the clarification and submission of further details. The development hereby approved would enable the applicant's waste transfer station to be operated more efficiently. This would contribute to the recycling of waste and sustainable use of resources thereby improving the economic, social and environmental conditions of the area.

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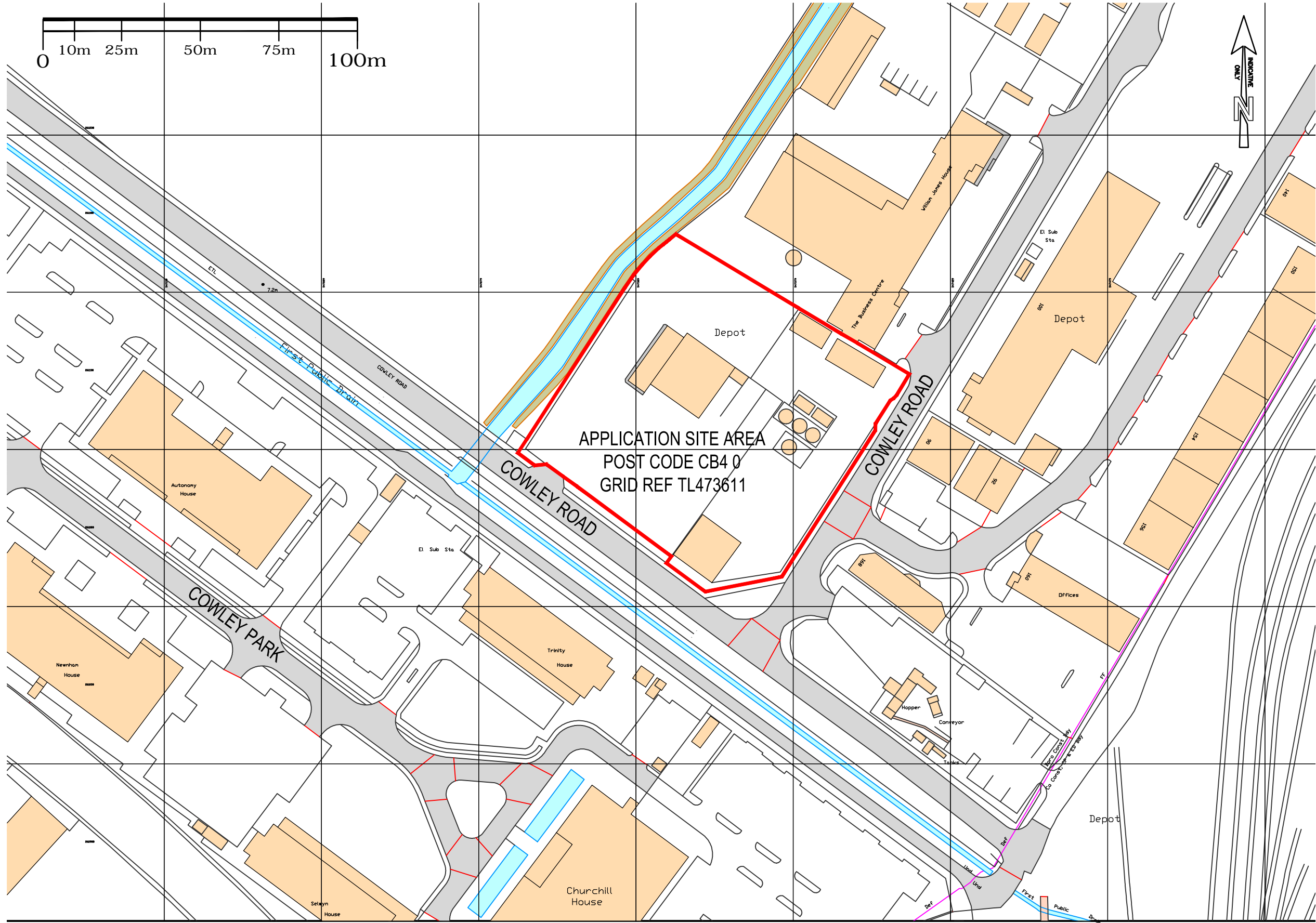




SITE LOCATION PLAN  
SCALE 1:10000 @ A1, 1:20000 @ A3



SITE LOCATION PLAN  
SCALE 1:2500 @ A1, 1:5000 @ A3



SITE LOCATION PLAN  
SCALE 1:1250 @ A1, 1:2500 @ A3

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-	ISSUED FOR PLANNING	DR	TO	JB	02.09.10
Rev	Description of revision	Drawn	Chkd	App	Date

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Project  
**CAMBRIDGE WTS**

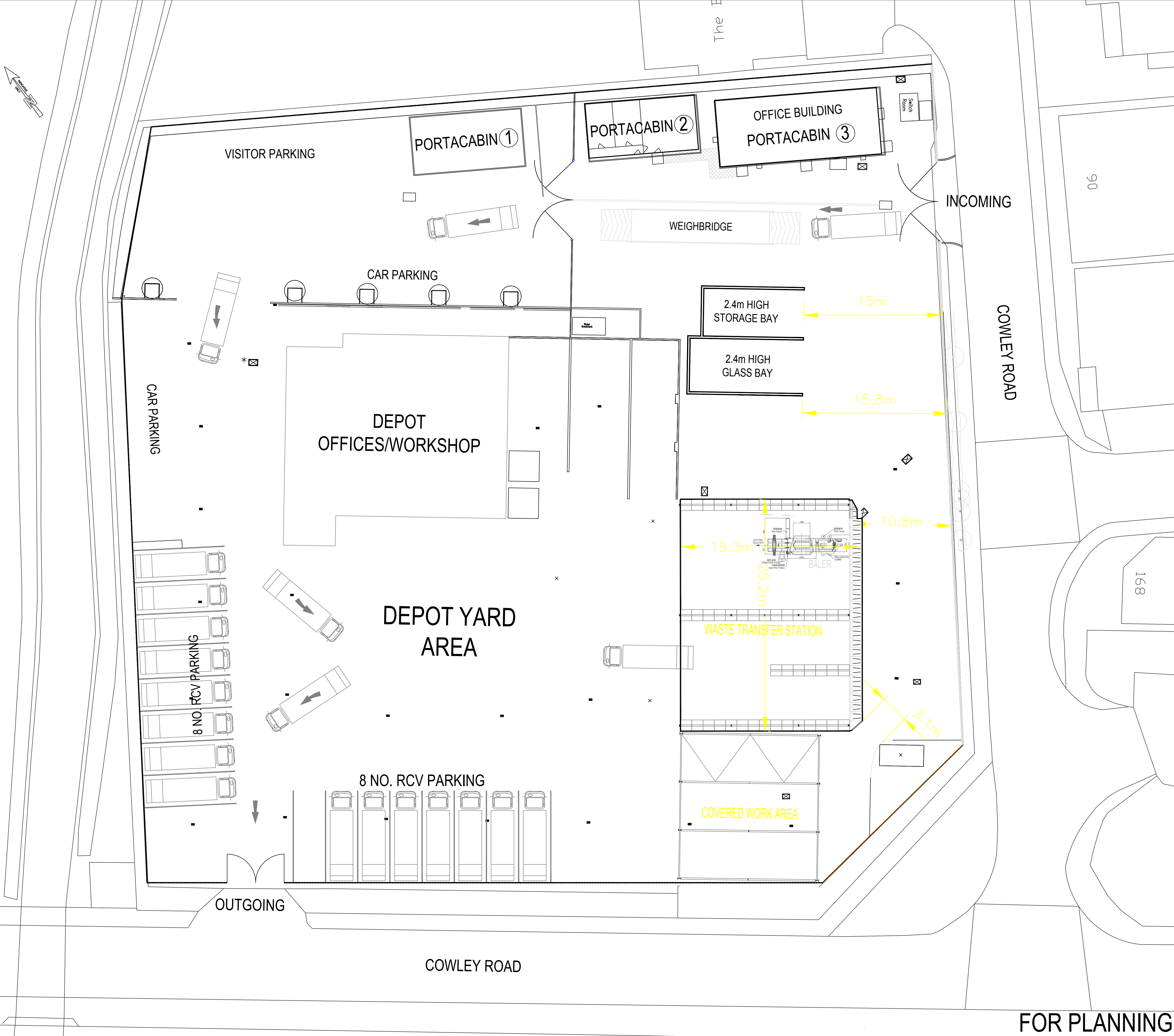
Title  
**COWLEY ROAD WTS  
SITE LOCATION PLAN**

	Initials	Date	Scale	Sheet size
Drawn	DR	02.09.10	AS SHOWN	A1
Checked	TO	02.09.10		
Approved	JB	02.09.10	© Copyright Reserved	
Job No.	COWL			
Drawing No.	PENTDEC_COWL_100_001			
Revision	-			

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-	ISSUED FOR PLANNING	IR	BG	LH	11.05.16
Rev	Description of revision	Drawn	Chkd	App	Date

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Project  
CAMBRIDGE WTS

Title  
COWLEY ROAD WTS  
EXISTING SITE PLAN

	Initials	Date	Scale	Sheet size
Drawn	IR	11.05.16	1:200 @ A1, 1:400 @ A3	A1
Checked	BG	11.05.16		
Approved	LH	11.05.16	© Copyright Reserved	

Job No. COWL

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Drawing No.  
PENTDEC\_COWL\_200\_004

Revision  
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