

<b>REPORT TO:</b>	Joint Development Control Committee - Cambridge Fringes Planning Committee (Cambridge City) Planning Committee (South Cambridgeshire DC)	20 March 2019 3 April 2019 10 April 2019
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**LEAD OFFICER:** Joint Director of Planning and Economic Development

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## **Information for Planning Committee: New Odour Assessment of Cambridge Water Recycling Centre**

### **Purpose**

1. Cambridge City Council and South Cambridgeshire District Council commissioned consultants Odournet to undertake an odour impact assessment, in order to assess the level and risk of odour impact posed by Cambridge Water Recycling Centre (CWRC) to both inform the North East Cambridge Area Action Plan and aid consideration of development proposals. That assessment has been completed.
2. To accompany the study, a technical note has been prepared jointly with Environmental Health to set out how officers intend to interpret the results of the Odournet Assessment.
3. Members of the three committees are asked to note both reports.

### **Recommendations**

4. It is recommended that Committee note the findings of the 'Odour Impact Assessment for Cambridge Water Recycling Centre (2018) (appendix A), and the Technical Note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018) (Appendix B), for the purposes of considering planning applications in the vicinity.

### **Background**

5. Planning policy in the National Planning Policy Framework (NPPF) (2019) and the Cambridge and South Cambridgeshire Local Plans are clear that new development should only be permitted where

there will not be any significant adverse effects from existing poor air quality, including odour, in order to protect the health and amenity of future occupiers.

## **Considerations**

6. In order to assess the level and risk of odour impact posed by CWRC, the Councils commissioned consultants Odournet to undertake an odour impact assessment (see Appendix A for the final report entitled 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018)). The assessment involved an on-site odour measurement survey and atmospheric odour dispersion modelling to produce predicted odour exposure contours, setting out levels of odour experienced in the area around the CWRC.
7. Environmental health officers at the Councils have advised that are fully supportive of the approach taken in the Odournet report, which in their view was conducted in accordance with all relevant published UK technical guidance issued by the Institute of Air Quality Management (IAQM), the Environment Agency and DEFRA. It is considered to be a reasonable representation of likely odour emissions from the CWRC site and provides robust predicted odour exposure levels in the area.
8. The Odournet study discusses at length the various odour criteria used in the UK which identify when an odour annoyance is likely to occur. The risk of annoyance is highly dependent upon how sensitive the use is. Residential is considered as a high sensitivity receptor, compared to non-residential such as office or commercial development which are medium sensitivity. The report states that there is no definitive precedent as to which odour exposure level criterion is acceptable and suitable for either residential or non-residential premises, although the majority of the guidance and legal/planning cases relating to odour, focus on the risk of impact at residential premises. The report goes on to say that 'ultimately the decision on which odour criteria to apply is for the Council based on their risk appetite'.

## **Technical Note**

9. The technical note (Appendix B) sets out how officers intend to

interpret the results of the Odour Assessment, when considering planning applications for development in the vicinity of CWRC and more specifically which are located within the Odour Exposure Contours in Figure 1.

10. The key parts of the note are Figure 1 and Table 1. Figure 1 shows the odour exposure contours around CWRC (this is the worst case modelled year, as advised in the Odournet Study). The higher the contour value, the higher the level of odour exposure. Figure 1 also shows the Waste Water Treatment Works (WWTW) Safeguarding Area (how the Water Recycling Centre was previously named) from the Cambridgeshire and Peterborough Minerals and Waste Plan (2012), which is discussed further below.
11. Table 1 sets out the likely acceptability of different types of development within the different odour exposure contours. The note applies to planning applications for all development (including change of use) which will be regularly occupied or used, but does not apply to householder applications. For each of the odour exposure contours (3 to <5, 5 to <10, and 10 & above) Table 1 sets out:
  - types of developments that are unlikely to be suitable even with mitigation;
  - types of development that may be suitable and provides examples of suitable mitigation measures;
  - types of uses that are likely to be suitable.
12. Having regard to policies in the Local Plans, if a planning application falls within the odour exposure contours in Figure 1 of this technical note it is recommended that it is accompanied with a statement setting out how the application has regard to this note and the following:
  - the Councils' Odournet Report 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018);
  - relevant Government, national and industry standards, codes of practice and best practice technical guidance; and
  - The Institute of Air Quality Management (IAQM) 'Guidance on the assessment of odour for planning' (Version 1.1 - July 2018).
13. The note also highlights that if an application falls within the WWTW Safeguarding Area (shown on Figure 1), the application should be accompanied by the information required by Policy CS31

of the Minerals and Waste Core Strategy (2011). This requires that all planning applications for proposed new development involving buildings which would normally be occupied must be accompanied by an odour assessment report. The Waste Planning Authority (Cambridgeshire County Council) must be consulted on any planning proposal within a Safeguarding Area, except householder applications or advertisements.

14. The note highlights that applicants are encouraged to enter into pre-application discussions with the Local Planning Authority, to determine the individual submission requirements of planning applications which fall within the areas identified in Figure 1.
15. The note also refers to permitted development issues at paragraph 1.7 of the Technical Appendix. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows certain changes of use to high sensitive end uses (such as residential or educational uses) without requiring planning permission. This would be of concern if permission was granted for an office development, which could then change to residential without the need for planning permission. The Local Planning Authority can remove permitted development rights by means of a condition on a planning permission. The restrictions imposed will vary on a case by case basis.

### **Options**

16. Members are being asked to note the Odournet Assessment and Technical Note only, as material considerations in decision making. It will be for planning committee to make a decision on a case by case basis on individual planning applications weighing up all material planning considerations at the time of the decision.

### **Implications**

17. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -
18. There are no significant implications.

## Consultation responses

19. There has been no formal consultation involved in the preparation of this report.

## Background Papers

The following background papers were used in the preparation of this report:

Cambridge Local Plan 2018

<https://www.cambridge.gov.uk/local-plan-2018>

South Cambridgeshire Local Plan 2018

<https://www.scambs.gov.uk/planning/local-plan-and-neighbourhood-planning/the-adopted-development-plan/south-cambridgeshire-local-plan-2018/>

National Planning Policy Framework (2018)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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## Appendices:

Appendix A – Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018).

Appendix B – Technical note on interpretation of 'Odour Impact Assessment for Cambridge Water Recycling Centre' (October 2018)