

Application Ref: 12/01409/WCMM

Proposal: Variation of conditions C2 and C5 of planning permission 09/00078/MMFUL dated 06/05/2010 (Construction of an 'Energy from Waste' facility) - Condition 2 to refer to the submitted drawings (which amend the visual appearance of the building) and Condition 5 to refer to the revised throughput of 85,000 tonnes per annum at a calorific value of 9,700 kJ/kg or equivalent

Site: Grosvenor Resources Ltd, Fourth Drove, Fengate, Peterborough
Applicant: Viridor Waste Management Ltd

Agent: Mr Lewis Evans
 Turley Associates
Site visit: 27 September 2012

Case officer: Mrs T J Nicholl
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Recommendation: **GRANT** subject to the signing of a **LEGAL AGREEMENT** and relevant conditions.

1 Description of the site and surroundings and Summary of the proposal

Site and Surroundings

The site of the proposed EfW facility is located on land off Forth Drove within the Fengate Industrial Estate, on the eastern edge of the built-up area of Peterborough, approximately 2.5km to the east of Peterborough City Centre.

The site covers an area of 1.9 hectares and is currently occupied by the Council's Materials Recycling Facility (MRF), which is operated by Viridor. This facility comprises a portal-framed unit, housing the processing equipment, offices and an education centre, with a weighbridge, car parking and external hardstanding used for the storage of recycled materials.

The site is bounded:

- to the north by Fourth Drove, with a scrap yard (Sims Metals) and a car body repair shop (Lovells) beyond
- to the east by an existing fireworks factory (owned by Le Maitre Ltd), with a sewage treatment works, Flag Fen archaeological site and agricultural land beyond
- to the south by an industrial building (the former Ray Smith Group building) and associated car parking, and
- to the west by Fengate, with industrial and commercial uses beyond.

The perimeter of the site is secured with a palisade fence, with gates to the existing vehicular access to the site, which is taken from Fourth Drove to the north. The primary road link to the area is the A1139 which in turn links to the A1.

The Fengate Industrial Estate contains a mix of industrial and similar uses, including those referred to above. In addition, there is an existing power station (Peterborough Power Station), located approximately 160m to the north of the application site boundary. Peterborough Power Station is a gas-fired power station operated by Centrica. The power station was commissioned in 1993 and

remains in use. The power station is expected to have a life of approximately a further 25 years. The nearest residential properties to the application site are located on North Bank Road to the west and on Palmers Road to the north. Both areas of residential dwellings are located over 1km from the site. There is also a residential caravan park located approximately 800m to the south west of the site at Second Drove. There are a number of houses and farms within the fenland area to the east of the site, including Masons Farm, Poplar Farm and Northey Bungalow. These properties are at least 1km from the application site.

The site is easily accessible by public transport, primarily by bus. There are a number of bus stands along Fengate and Padholme Road East. These stands are served by regular services to surrounding residential areas, including Newborough and Peterborough City Centre.

Proposal

Viridor Waste Management Ltd (Viridor) has submitted an application made under Section 73 of the Town and Country Planning Act 1990 for the variation of conditions 2 and 5 imposed on planning permission 09/0078/MMFUL for the construction of an 'Energy from Waste' facility including access from Fourth Drove and exit onto Fengate.

- Condition 2 states that the development shall be carried out in complete accordance with the specified drawings and information.
- Condition 5 states that the annual throughput of the Energy from Waste plant shall not exceed 65,000 tonnes at a Calorific Value (CV) of 9,400 kJ/kg or equivalent.

The application for the Energy from Waste (EfW) facility was originally prepared and submitted on behalf of Peterborough City Council in order to secure planning permission prior to the commencement of a competitive tendering process to procure a facility for the treatment of the municipal solid waste (MSW) arisings of the Council. To this end the principle of an EfW at the application site was established following the Council's approval of the application. The waste to be burnt is that which can't be recycled.

Viridor has now been chosen as the Preferred Bidder and has entered into a contract to deliver and operate the EfW facility. However, the facility chosen as part of the procurement process requires a number of minor changes to the previously approved scheme. The purpose of this application is therefore to ensure that the necessary planning consent is in place to enable Viridor to build and operate the chosen scheme.

The approved EfW facility comprises a single building (approximately 96m by 37m in area and approximately 35m high) and incorporating the following main elements:

- an oscillating kiln for the combustion of waste;
- waste reception area;
- bunker hall;
- process hall (including boiler and flue gas treatment system);
- turbine generator hall;
- a chimney stack (approximately 60m high);
- metal and ash recycling area;
- bulky waste shredding area;
- 3 storey offices including staff welfare facilities; and
- a workshop.

It is a steel frame construction and external materials comprise metal cladding, with metallic copper and silver cladding used on the main process hall. Dark grey cladding and louvres were also approved, with translucent panels to the front and side elevations. The approved EfW facility is accessed from Fourth Drove, and egress is onto Fengate. New weighbridges and associated offices are provided within the site.

As approved, the permitted throughput of the facility is 65,000 tpa at a CV of 9,4000 kj/kg. The facility has the capacity to generate approximately 34,000 MWh/yr of electricity, of which 28,000 MWh/yr would be available for export to the National Grid with the remainder being used within the plant itself. The plant would also have the ability to produce approximately 127,000 MWh/yr of heat with 102,000 MWh/yr available for export.

The facility is designed to burn residual waste (residual waste is the non recyclable waste) collected by the Council and also some residual waste from Cambridgeshire and other adjoining local authorities, subject to the provision of Condition 16 which restricted the limits on the areas from which waste could be accepted.

As approved, the plant would operate continuously, 24 hours a day, with the exception of shutdown periods for essential maintenance. Waste would be delivered to the facility between 06:00 and 22:00 Monday to Saturday inclusive and 08:00 and 16:00 on Sundays and Bank Holidays. Around 25 staff would be employed.

An Environmental Permit for the operation of the facility has been granted by the Environment Agency. This provides the regulatory control over the facility to ensure that it complies with all relevant environmental restrictions. This would require amendment if the current scheme is approved.

The permission is subject to obligations under Section 106 of the Town and Country Planning Act 1990 which:

- secured the payment of financial contributions towards the provision of highway infrastructure (£20,000), sustainable transport improvements (£25,000) and drainage works (£16,756); and
- set out requirements for the carrying out of hydrological monitoring.
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This Section 73 application proposes the following:

- Physical changes to the design of approved scheme, requiring a variation to Condition 2. This condition lists the plans approved as part of the extant permission.
- To increase the annual throughput to 85,000 tpa at a CV of 9,700 kj/kg from 65,000 at a CV of 9,400 kj/kg by varying Condition 5. This would be achieved by allowing the additional 20,000 tpa to come from commercial and industrial (C & I) waste sources.

The effect of the changes proposed through the Section 73 application will be to enable Viridor's scheme to be implemented.

In summary, the proposed physical changes are as follows:

- Main Process Hall to be reduced in height by 1m, length by 3m, and over two-thirds of its length reduced in width from 38m to 24m
- Parapet to Main Process Hall, Tipping Hall, Incinerator Bottom Ash enclosure and visitor's centre to be revised
- Tipping Hall height to be reduced by 3m and width reduced by 10m
- Air cooled condensers (ACCs) to be increased from 3 to 4. Width increased by 0.5m, length increased by 15.7m.
- Changes to internal layout within the building including change from an oscillating kiln technology to moving grate technology
- Minor elevation changes including external materials. The colour theme of the main bulk of the building is a dark metallic red in vertically orientated cladding with contrasting silver and grey horizontally aligned cladding to the other elements of the building.
- The above changes result in minor changes to the site layout.

The amount of power generated by the facility will be 8.4MW per annum, an increase of 3.6MW in comparison to the approved scheme. It will retain the ability to generate heat as part of Combined Heat and Power (CHP) facility capable of providing heat for a district heating system.

The application is accompanied by an Environmental Assessment which comprised the original assessment submitted with the approved scheme and an addendum statement which updates the relevant topic areas of traffic and transport, air quality, landscape and visual assessment and ecology and nature conservation. The applicant has also submitted a Statement of Community Involvement which sets out the public engagement that took place as organised by the applicant ahead of this application being submitted. The applicant has also submitted a Waste Arisings Study and addendum, the purpose of which is to demonstrate that there is a need and sufficient C & I residual waste available to serve the facility.

2 Planning History

Reference	Proposal	Decision	Date
09/00078/MMFUL	Construction of an 'Energy from Waste' facility including access from Fourth Drove and exit onto Fengate	Application Permitted	06/05/2010

3 Planning Policy

Decisions must be taken in accordance with the development plan polices below, unless material considerations indicate otherwise.

National Planning Policy Framework (2012)

Section 7 - Good Design

Development should add to the overall quality of the area; establish a strong sense of place; optimise the site potential; create and sustain an appropriate mix of uses; support local facilities and transport networks; respond to local character and history while not discouraging appropriate innovation; create safe and accessible environments which are visually attractive as a result of good architecture and appropriate landscaping. Planning permission should be refused for development of poor design.

Section 12 - Conservation of Heritage Assets

Account should be taken of the desirability of sustaining/enhancing heritage assets; the positive contribution that they can make to sustainable communities including economic viability; and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a new development great weight should be given to the asset's conservation.

Planning permission should be refused for development which would lead to substantial harm to or total loss of significance unless this is necessary to achieve public benefits that outweigh the harm/loss. In such cases all reasonable steps should be taken to ensure the new development will proceed after the harm/ loss has occurred.

Section 12 - Development Effecting Non-Designated Heritage Assets

A balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. Where the asset is demonstrably of equivalent significance to a Scheduled Monuments it should be subject to the policies for designated heritage assets.

PPS10 Planning for Sustainable Waste Management

Provides national policy guidance on waste management and advocates moving waste up the "waste hierarchy" – at the top of the hierarchy is "prevention" of waste, then descending is "preparing for re-use", "recycling", "other recovery" and the least desirable is "disposal".

Guidance for Local Planning Authorities on implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC)

The government published this guidance in December 2012 therefore it is very up to date. The guidance reinforces the over arching aim of moving waste up the waste hierarchy and also emphasises the provision of new waste management facilities of the right type, in the right place and at the right time as being essential to reduce the dependency on landfill to enable local authorities to provide weekly collections of residual waste.

Peterborough Core Strategy DPD (2011)

CS14 - Transport

Promotes a reduction in the need to travel, sustainable transport, the Council's UK Environment Capital aspirations and development which would improve the quality of environments for residents.

CS17 - The Historic Environment

Development should protect, conserve and enhance the historic environment including non scheduled nationally important features and buildings of local importance.

Cambridgeshire & Peterborough Mineral and Waste Core Strategy DPD (2011)

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

Growth will be supported by a network of waste management facilities which will deliver sustainable waste management. The facilities will be 'new generation' which will achieve higher levels of waste recovery and recycling in line with relevant targets. They will also be of high quality design and operation, contributing towards addressing climate change and minimising impacts on communities in Cambridgeshire and Peterborough. There will be a network of stand alone facilities but also co-located facilities in modern waste management 'eco-parks'. The network will manage a wide range of wastes from the plan area, contributing to self sufficiency but also accommodating the apportioned waste residues from London or authorities in the East of England. Any long distance movement of waste should be through sustainable transport means - such facilities will be safeguarded via Transport Zones. A flexible approach regarding different types of suitable waste technology on different sites will be taken and Waste Consultation Areas and Waste Water Treatment Works Safeguarding Areas will be designated to safeguard waste management sites from incompatible development. A proactive approach to sustainable construction and recycling will be taken and strategic developments will need to facilitate temporary waste facilities to maximise the reuse, recovery and recycling of inert and sustainable construction waste throughout the development period. Where inert waste cannot be recycled it will be used in a positive manner to restore sites. The natural and built historic environment will continue to be protected with an increased emphasis on operational practices which contribute towards climate change and minimise the impact of such development on local communities. (Policy CS2 sets out a list of strategic objectives to support this vision; those of relevance will be discussed in the body of the report).

MW15 - The Location of Future Waste Management Facilities

A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by various economic and environmental factors (the relevant details of which will be discussed in the main body of the report).

MW22 - Climate Change

Minerals and waste proposals will need to take account of climate change over the lifetime of the development, setting out how this will be achieved. Proposals will need to adopt emissions reduction measures and will need to set out how they will be resilient to climate change. Restoration schemes which contribute to climate change adaption will be encouraged.

MW23 - Sustainable Transport of Minerals and Waste

Sustainable transport of minerals and waste will be encouraged and new and enhanced facilities to enable this will be encouraged. Transport Zones and Transport Safeguarding Areas will be defined and designated in the Site Specific Proposals Plan. There will be a presumption against development which could prejudice a protected area for transport of minerals and/or waste.

MW24 - Design of Sustainable Minerals and Waste Management Facilities

All proposals for minerals and waste management development must achieve a high standard in design and environmental mitigation. Waste Management proposals must be consistent with guidance set out in The Location and Design of Waste Management Facilities SPD.

MW29 - The Need for Waste Management Development and the Movement of Waste

Proposals for new or extended waste management development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. Applicants will be required to enter into binding restrictions on catchment area, tonnages and/or types of waste. Permission may be granted for development involving importation of waste from outside the Plan area where it is demonstrated it is sustainable.

MW32 - Traffic and Highways

Minerals and Waste development will only be permitted where it meets the criteria set out in this policy.

MW34 - Protecting Surrounding Uses

Mineral and waste management development will only be permitted where it can be demonstrated (with mitigation where necessary) there is no significant harm to the environment, human health or safety, existing or proposed neighbouring land uses, visual intrusion or loss of residential/other amenity.

MW35 - Biodiversity and Geodiversity

Mineral and waste management development will only be permitted where there will likely be no significant adverse affect on local nature conservation or geological interest. Where it is demonstrated there are overriding benefits to the development compensation and/or mitigation measures must be put in place. Proposals for new habitat creation must have regard to the Peterborough Biodiversity Action Plan and supporting Habitat and Species Action Plans.

MW39 - Water Resources and Water Pollution Prevention

Mineral and waste management development will only be permitted where it is demonstrated there is no significant adverse impact or risk to;

- a. Quantity or quality of groundwater/water resources
- b. Quantity or quality of water enjoyed by current abstractors unless alternative provision is made
- c. Flow of groundwater in or near the site

Adequate water pollution control measures will need to be incorporated.

4 Consultations/Representations

Archaeological Officer (18.12.12)

No objection subject to the hydrological monitoring scheme, dewatering strategy and mitigation measures to prevent any adverse impact on Flag Fen Scheduled Monument being put in place and agreed with English Heritage.

Transport and Engineering Services (10.01.13)

No objection. The requirement for the highway works contribution is no longer necessary as the works are carried out. There are some points with regard to internal movement of traffic within the site that need clarification

Landscape Architect (Enterprise) (29.11.12)

No objection. Nothing of interest is being proposed anywhere. The applicant will need to show what is being done to the bed at the front of the building.

Wildlife Officer (30.11.12)

No objections subject to the recommendations made, following the stage 1 habitat survey, being carried out.

English Heritage (03.01.13)

The minimum term for monitoring in advance of the project is 12 months. To fully establish a baseline there needs to be monitoring both on the site and on the Scheduled Monument. There will need to be a minimum agreed period of post development monitoring and a mitigation strategy in place should monitoring show that baseline conditions have deteriorated below a minimum point. Boreholes in the Scheduled Monument may require scheduled monument consent and agreement of the landowner. The monitoring information needs to be made available to English Heritage as well as the LPA and suggest that an annual report and six monthly interim statements will be enough. The results should be interpreted and the report compiled by a historic environment specialist who is suitably qualified and has experience in this technical area.

Environment Agency (29.11.12)

No objections. Confirm that a variation to the existing permit will be needed before the plant is brought into commission. The variation will not be issued unless the EA is confident the plant poses no significant risk of pollution or harm to human health. The permit if issued, will allow the EA to satisfactorily regulate emissions and take any necessary enforcement action.

Natural England - Consultation Service (15.11.12)

No objection.

Health & Safety Executive (22.10.12)

No objection.

Local Residents/Interested Parties Initial consultations: 749

Total number of responses: 11

Total number of objections: 11

Total number in support: 0

RepresentationsPeterborough Friends of the Earth

- Do not agree with the application's suggestion that there have been no policy changes since the original application was approved. The publication by Defra 'The Economics of Waste and Waste Policy...' June 2011 casts uncertainty over the effectiveness of EfW incinerators
- Disagree that the principle of the EfW has been established by the previous permission because the waste treatment industry in the UK and particularly mainland Europe has changed dramatically in the intervening period
- The importation of an additional 20,000 tonnes of material will breach the proximity principle and the current permission only allows the acceptance of waste from Peterborough, Cambridgeshire and adjoining authorities.
- The change in technology from that of an oscillating kiln to a moving grate technology will produce more Nitrogen Oxide (400mg per m³ rather than 300mg per m³) and will produce more polluting emissions to the environment. Emissions levels should also include those from biogenic carbon.

- Due to the low percentage of materials recycled through kerbside collection in Peterborough, it is inevitable that some material will be incinerated when it should have been segregated and ought to be recycled. It will emit large volumes of greenhouse gases and other pollutants when burnt.
- It is unlikely that the Combined Heat and Power element will come into fruition and that it is likely to be an electricity producing EfW only. The actual greenhouse emissions should be provided and compared with the emissions of other waste treatment options to ascertain whether Viridor's EfW incinerator is the best environmental solution for treating Peterborough's waste.
- The proposals should quantify how greenhouse gases will be minimised in accordance with Policy CS2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.
- PFoE contends that the proposed Energy from Waste facility is not a low carbon solution and nor should it be considered sustainable because much of the energy source is based upon the use of fossil fuels e.g. plastics.
- The proposal does not accord with the proximity principle established by European law which states that waste should be disposed of as close to its source as possible.
- The proposal does not comply with PPS10 because it will not move waste up the waste hierarchy because it will produce more CO2 than Dogsthorpe Landfill currently does and this will only reduce at the landfill because of weekly food waste collections.
- The proposals do not accord with the Cambridgeshire and Peterborough Minerals and Waste Development Plan in particular CS28 which refers to not over providing waste facilities which would lead to unacceptable importation of waste. The proposal does not comply with policy CS2 or CS22 because of the increase in emissions and impact upon climate change
- The proposal also does not comply with regional objectives. The site is no longer providing a suite of waste management facilities and should no longer be considered a preferred site
- PFoE believe that the Commercial and Industrial Wastes could be more effectively treated by the PREL scheme
- The additional vehicle trips generated by the additional capacity proposed should not be permitted as the road network is already heavily trafficked at peak times.

Cllr Nick Sandford on behalf of Peterborough Liberal Democrats

- I endorse much of what Peterborough Friends of the Earth have said particularly the policy references
- I am particularly concerned that this facility is far in excess of what is required to deal with Peterborough's black bin waste and that the estimates for Peterborough's future waste capacity requirements are exaggerated.
- It is clear that Viridor plan to import considerable amounts of waste from further afield thus adding considerably to CO2 emissions produced by the transport process. The excessive reliance upon importation is clearly in breach of Cambridgeshire and Peterborough Waste Development Plan 2011
- The excess capacity is also contrary to PPS10 which requires Councils to drive waste up the waste hierarchy and will create a disincentive for Viridor and the Council to promote waste reduction through recycling as they will have an incentive to find sufficient waste for the incinerator
- Investing heavily in excess capacity at the current time could limit the Council's options for such diversification in the future.

Other representations

- Many of the above points raised by Peterborough Friends of the Earth are made in the individual letters submitted and are therefore not repeated below.
- We do not want an incinerator in our city. Build it somewhere else out of town or near the cities whose rubbish it will be burning

- The construction and operation of this plant and the emission of toxic fumes from combustion of mixed domestic and C & I waste on any scale will endanger the health and safety of residents and workers in the city and the delivery and removal of an increase in the amount of materials will only worsen these problems
- Concern is raised about the dioxides/carcinogenic emissions that will be released into the atmosphere and the impact on residents and children and the amount of ash this facility will produce
- As the decision was confirmed for this development five years ago is this technology still safe and viable?
- The Council's EfW facility is not using best available technology.
- There will be pressure to use waste that could be recycled and waste with a high calorific value is likely to be waste that can be recycled

5 Assessment of the planning issues

The main considerations are

- Whether the principle of allowing an increase in waste throughput is acceptable in terms of the amount, type and origin of that waste and whether this will lead to any other significant environmental effects over and above those already considered under the approved scheme. If there are any significant effects can these be appropriately mitigated and is the proposal in accordance with the development plan and any other material considerations?
- Whether the changes to the proposed design and layout of the Energy from Waste Facility are acceptable in comparison to the approved scheme and in accordance with the development plan and other material considerations
- Any other issues and/or changes that have arisen in terms of policy and/or physical works since the last application was approved that need to be taken account of.

Consideration of this Section 73 application should be limited to those issues affected by the proposed changes to the scheme and any consequential changes occurring as a result. This is not an opportunity to go back to first principles and consider whether Energy from Waste scheme is acceptable on this site. This has already been established by the extant planning permission and subsequently through the necessary procurement procedures that resulted in the award of the contract to deliver the EFW scheme to Viridor. There have been changes to the development plan since the previous decision was taken in May 2010 to approve the EfW which will be considered below. At a national level, the waste planning policy guidance PPS10 remains in force as confirmed by the new Guidance for Local Planning Authorities on Implementing Planning Requirements of the European Union Waste Framework Directive (2008/98/EC) published December 2012. The National Planning Policy Framework has also been introduced but does not contain specific advice on waste development, although other advice will be relevant including the presumption in favour of sustainable development.

(a) Variation of condition 5 to allow an increase in the throughput of waste

The principle of allowing additional throughput:

Policy CS2 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy "the core strategy" is the overarching policy containing strategic vision and objectives for waste management development. The policy refers to a new generation of facilities that will achieve higher levels of waste recovery and recycling. Policy CS29 of the Core Strategy states that an extension of an existing waste facility will be permitted where there is a demonstrated need within Cambridgeshire and Peterborough to ensure that excessive provision is not made within the plan area. In addition this policy states that permission may be granted for waste development involving the importation of waste from outside the Plan area where this is demonstrated to maximise recycling and recovery of waste materials and is the most sustainable option taking into account proximity, self sufficiency, the Regional Spatial Strategy and the waste hierarchy. It should be noted that the RSS

is revoked from 3 January 2013 and shall therefore no longer be taken account of.

The applicant proposes to import an additional 20,000 tonnes per annum of commercial and industrial residual waste (i.e. waste left after recyclables have been taken out). It is proposed that the same catchment restriction shall apply i.e. at least 75% of the waste must come from within Peterborough, Cambridgeshire or within 50 km of the development.

The majority of the additional waste throughput will come from within the Plan area and the additional waste will enable the EfW facility to run more efficiently and will move waste up the waste hierarchy from disposal to recovery; putting waste in landfill is disposal whereas burning waste but generating energy from that waste is classed as recovery. The additional waste throughput will be waste that would otherwise be destined for landfill sites. It is of course desirable that waste is disposed of as near as possible to its source (in most instances). The very recent government guidance on Implementing the Requirements of the EU Waste Framework Directive states that in meeting the requirement of the proximity principle there is no expectation that each waste authority will deal solely with its own waste. It is considered that the additional throughput will meet the requirements of policy CS29 because it will assist in the maximisation of recycling and recovery of waste materials in addition to increasing the electricity production from 3.6MW to 7.25MW net per annum. The proposal to increase the throughput of waste from 65,000 tpa to 85,000 tpa is acceptable in principle.

Air Quality/pollution:

A revised air quality assessment has been submitted which together with the proposed technology to be used demonstrates that in terms of emissions the proposed increased throughput will still result in levels that are well within air quality standards that will be required to be met (stemming from EU Directives on Air Quality) in order to obtain a revised permit from the Environment Agency (EA). The proposal sets out those emissions will be reduced under the revised throughput than would be the case under the consented scheme. The EA has confirmed that it will only issue the permit if it is satisfied that the standards will be met and that air quality will be monitored and if necessary enforced under the permit regime. PPS10 states that controls under the planning and pollution control regimes should complement rather than duplicate each other and conflicting conditions should be avoided. Given the response received from the EA it is entirely proper that the issue of air quality should be dealt with under the environmental permitting regime and that it should be taken as read that the EA will ensure that the relevant legislation is complied with. Policy CS34 of the Core Strategy states that development shall only be permitted where it is demonstrated there would be no significant harm to the environment, human health or safety etc. Officers consider that the proposal has demonstrated that in terms of emissions the proposal will meet the legal requirements and that the development will not be able to proceed and continue to operate once built unless the environmental permit is granted by the Environment Agency. This satisfies the requirements of CS34.

One of the objections raised by Friends of the Earth (FoE) is that the proposed EfW (particularly the technology of this particular scheme) will result in high emissions of CO₂. The arguments (and figures) put forward by FoE have been refuted by the applicant. Policy CS22 of the Core Strategy sets out that waste proposals must take account of climate change over the lifetime of the development and should include quantifying the reduction in CO₂ and greenhouse gases, demonstrating how the design location and transport related to the development will limit greenhouse gas emissions and setting out how the proposal will make use of renewable energy. Policy CS24 requires that all waste management development will achieve a high standard in terms of their design and mitigation of environmental effects including climate change.

The applicant has submitted general information in relation to the efficiency and benefits of mass burn technology with regard to residual waste (i.e. waste that cannot be recycled). It is apparent that FoE disagrees with the principle of the technology proposed for the EfW. However, one of the main thrusts of PPS10 is the requirement to move waste up the waste hierarchy away from landfill which will be achieved by this proposal. There will be no valid argument in terms of CO₂

emissions or sustainability matters in general to preferring landfill to the proposed EfW. Any attempt to quantify the proposed CO2 emissions (bearing in mind we are considering only the additional throughput of 20,000 tpa of C & I waste) is, in your officers' opinion going to be questionable in terms of how accurate such a forecast can be. There are many variables including exactly where the waste will come from within the catchment (transportation of the waste), where it would go in terms of transport and landfill sites and then off-setting the CO2 produced by landfill sites as opposed to the EfW. The fact that CO2 will be saved through the production of electricity to be sold back to the grid is also a factor. In other words, the electricity generated by the EfW plant will "save" that electricity from having to be produced by other fossil fuels/through power stations. The Council has already accepted, both through the granting of the previous permission and through its Waste 20/20 policy that it wants an EfW facility to deal with Peterborough's residual municipal and solid waste. The increase in throughput will enable the plant to run more efficiently and to produce double the electricity the consented scheme would have produced. It would not be justifiable for the Council to refuse the current proposal due to CO2 emissions when (a) the principle of the EfW is established and it will result in the additional 20,000 tpa of C & I waste being diverted out of landfill and (b) it would not be possible to make a tangible argument against the proposal on this single issue that could stand up on appeal (potential success or otherwise at appeal is a material planning consideration). It is proposed to vary condition C16 so that at least 75% by weight of both the municipal solid waste and the C & I waste must come from within the consented catchment area. This will ensure that the majority of both waste streams will come from within the Plan area or otherwise from within a 50km radius of the development.

With regard to potential impact of emissions on nearby designated nature conservation areas (SSSI's, Special Areas of Conservation) Natural England has raised no objections. The proposal complies with the requirements of policy CS35 of the Core Strategy which requires development to demonstrate there are no adverse impacts on sites of nature conservation value.

Transportation:

Policy CS32 of the Core Strategy requires that waste development proposals are acceptable in terms of sustainable transport, highway network and suitable access to serve the site. The proposed increase in throughput will not lead to any increase of trips within the peak hour (8.00 – 9.00 and 17.00 – 18.00) because no third party waste (the proposed C & I waste/waste other than PCC's municipal waste contract) will be permitted to deliver outside of the peak hours. The impact of the additional traffic generated by the increase in throughput will be negligible and the Highway Authority has raised no objections to the proposal.

With regard to the previously required transport contribution the Highway Authority has confirmed that as the works are already underway there is no longer a requirement for the transport contribution to make the development acceptable and this should be removed from the contributions required under the legal agreement.

The Highway Authority has requested clarification on some minor points regarding internal movement of vehicles within the site. These are points of clarification and your officers will report further on these issues in an update to this report.

Conclusion regarding increased throughput:

The principle of an EfW facility at this location is established. The increased throughput will enable the facility to run more efficiently and will enable waste to be moved up the waste hierarchy. The same catchment restriction will apply with regards the additional waste throughput as for the consented. It is considered that the proposal has demonstrated that the facility will operate to minimise as far as possible the polluting effects and that in terms of most emissions, control will be covered by the necessary environmental permit. The additional traffic associated with the increased throughput is not significant and will not lead to congestion. As such the proposal complies with PPS10 and with policies CS2, CS22, CS23, CS24, CS29, CS32, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

(b) Variation of Condition 2 to enable changes to the design and layout of the facility to that approved

Visual appearance:

The main changes to the visual appearance of the proposal are set out above. The bulk of the building is reduced from that approved but in terms of scale the perception of the development from close up and distant views will be that it is very similar to the approved scheme. The chimney stack height remains the same (approximately 60 metres). Policy CS2 is the overarching policy containing strategic vision and objectives for waste management development. The policy refers to a new generation of facilities that will achieve higher levels of waste recovery and recycling in line with targets. These facilities shall be of a good design. Policy CS 24 of the Core Strategy requires that all proposal for waste management development achieve a high standard of design and policy CS 34 requires development to demonstrate there is no significant harm, including visual intrusion to neighbouring uses. The National Planning Policy Framework (NPPF) contains core planning principles, one of which is always to seek to secure high quality design.

The building design has to be driven first and foremost by function. The revised design has slightly reduced the bulk of the building from that already approved. The use of modern materials in the dark red and silver/grey colours as chosen will make a positive contribution to the appearance of the scheme rather than using standard industrial colours. It is considered that the revised design is an improvement over the approved scheme and is in compliance with the policies set out above. The other changes to layout and condenser units are minor changes within the scheme as a whole and will have no adverse impacts. It is recommended therefore that condition C2 be amended to approve the revised set of application drawings. The internal building layout including the internal plant and machinery does not require planning permission.

(c) Other issues/changes

Section 106:

The Local Highway Authority has confirmed that the transport contribution is no longer required because the works to the parkway have already been carried out and therefore are no longer required to make this development acceptable.

Similarly, the Council's Transport Planning Officer has confirmed that as the number of employees will be lower for the proposed scheme (than for the current use of the site) a contribution towards sustainable transport cannot be justified and there is no requirement for condition C17 with regards to submission of a travel plan. Financial contributions can only be required (under the CIL Regulations) where they are necessary to make the development acceptable in planning terms and clearly this is not the case with regards these contributions. Conditions should only be imposed on planning permissions where they meet the tests set out in Circular 11/95. These tests are that the condition must be for a planning purpose, must relate to the development proposed, must be necessary, must be precise, must be enforceable and lastly reasonable in all other respects.

It is therefore proposed to remove these requirements from the new S106 agreement and to delete condition C17.

The drainage contribution and provision for the hydrological monitoring scheme will form part of a new S106 agreement that will need to be completed before planning permission, if granted, can be issued.

Hydrological Monitoring Scheme and impact on Flag Fen:

The approved EfW scheme was subject to an obligation in the S106 agreement and condition C29

which requires borehole monitoring (a single borehole) to be undertaken towards the rear of the site to monitor changes in the level of the water table, particularly when the deep foundations for the waste bunker are constructed and afterwards. The current agreement requires that 9 months pre-development monitoring be carried out. This is required to monitor and assess any impact upon buried archaeological remains at Flag Fen Scheduled Monument. It must be noted that Flag Fen has been scheduled as such since the permission for the EfW was granted in 2010. The NPPF terms this as a designated heritage asset. The requirements in principle for monitoring to be undertaken remain the same.

The applicant proposes to monitor several boreholes (some existing and some new) on land to the rear of the development, between it and Flag Fen. However, the applicant proposes to proceed with the EfW development no deeper than 1.8 metres below ground level whilst the monitoring is undertaken but that works below this depth, including the bunker shall not be commenced until appropriate baseline monitoring has been undertaken. This will allow the development to commence in time but to depths that will not affect the water table.

English Heritage has commented that 12 months pre-development monitoring should be undertaken, that monitoring should be undertaken on Flag Fen itself, the reports should be annually with a bi-annual interim report for a period to be agreed and that the reports should be compiled by a suitably qualified person in hydrology/assessment on buried archaeological remains. This has been discussed with English Heritage who agree that the Council is at liberty to take into account the extant permission in considerations.

Your officers comment that a balance needs to be taken between the ability to deliver the project and safeguarding Flag Fen though ensuring that the latter is not adversely compromised by the development. The NPPF requires the Local Planning Authority (LPA) to consider whether development will lead to substantial harm or loss of a designated heritage asset or whether development will lead to less than substantial harm. In this case your officers consider that if the development does cause harm it would be less than substantial and could be mitigated against – indeed a mitigation scheme should borehole monitoring indicate that harm could be taking place is required to be submitted. Where a development will cause less than substantial harm the LPA must weigh this against the public benefits of the proposal including securing its optimum viable use. It is considered that as the development will be delivering the Council's approved waste strategy there is considerable public benefit in delivery of the project. Nevertheless the balance needs to be struck between the benefits of the proposal and safeguarding Flag Fen Scheduled Monument.

It is considered that this balance can be struck through the timing of commencement of certain elements of the development i.e. those not affecting the water table, whilst the initial hydrological monitoring takes place but ensuring that an acceptable period monitoring takes place before any works are carried out below a depth of 1.8 metres. This can be agreed prior to the signing of the legal agreement. This will enable the project to commence in accordance with the expiry of the planning permission which is 6th May 2013 whilst providing an agreed period of monitoring before the deep engineering works take place. The extant permission required 9 months of monitoring before development could take place. It is likely that a similar period of monitoring will be agreed before the deep excavations can take place should this permission be granted. It is also agreed that the monitoring reports should be submitted every 6 months for the first five years, then bi annually for 6 years. Further monitoring beyond this should be at the Council's discretion following the findings of the monitoring to date.

At the same time, it has to be borne in mind that there is an extant planning permission in place and that monitoring of Flag Fen itself was not required. It is considered that proposed monitoring involving several boreholes on land between the site and Flag Fen will be sufficient because if this land is unaffected by the development it will be reasonable to assume that Flag Fen will not be.

The above details will be finalised and included in the legal agreement which will need to be signed prior to any planning permission being issued. It is considered that the monitoring regime which

will be defined in the legal agreement and the de-watering and hydrological mitigation strategies that will be required to be submitted by condition 24 are sufficient to provide adequate protection to the Scheduled Monument as required by the NPPF and condition CS36 of the Core Strategy whilst ensuring that the development can be delivered in accordance with the time limits of planning permission with regards commencement of development.

Flood Swale:

The extant planning permission for the EfW contained condition C9 relating to the retention of a flood swale on land to the rear of the development in Council ownership. This condition was discharged on the basis that the flood swale is not in fact required for the EfW development but only in respect of development for a materials recycling facility which was approved for the adjacent site (Former Ray Smith Building). There is no need therefore to re-impose this condition as it is not necessary.

BREAMM Rating:

Condition C4 attached to the existing permission requires the building to be constructed to the relevant Building Research Establishment standard. Given that the building involves energy recovery and its design will be governed by its function incorporating modern design techniques, it is considered that this condition is not necessary and that this issue can be adequately controlled through the appropriate building regulations. The building is being approved as shown. It will not be practicable or desirable to consider changing that design once the building is constructed. It is therefore proposed to delete this condition.

Heat Distribution Strategy

The extant permission contains a condition requiring that a heat distribution strategy be submitted and that if the exportation of heat from the EfW is not feasible or commercially viable then a review of the study must be agreed in writing with the LPA. It is recommended that this condition be removed – the recommendation to approve is not based on the potential for heat distribution from the plant although desirable. The condition also does not require heat distribution to take place but simply that reports are to be produced. It is considered that this aspect of the proposal should be left in the control of the waste authority.

Local Liaison Panel

It is industry best practice that large scale waste and mineral developments establish local liaison panels (involving the parishes, local residents, interest groups, local planning authority/waste authority and the site operator) that meet on a regular basis to discuss any operational issues and to foster good community relations. Officers attend such panels that have been established on other waste/mineral sites in Peterborough. However, the setting up of such panels is not something that should be a condition of planning permission and so this condition should be removed and put on as an informative instead. Given that this is a Council scheme, there should be no reason why the Liaison Panel should not be established voluntarily.

Other conditions:

It is necessary to review the content of all the conditions and reasons for their imposition because of the change in development plan policy since the EfW was permitted – the existing planning permission refers to policy that has now been superseded.

The appropriateness of the conditions in relation to the submitted scheme, in particular the timescales for the applicant to submit further details and when these must be implemented on site has also been reviewed in the light of Circular 11/95. However, subject to the reasons being altered to reflect current policy, changes to refer to plans and documents in the current submission

and review of timescales for submission/implementation of further details, except for those conditions referred to above the other conditions remain as per the previous planning permission.

6 Conclusions

The principle of and EfW facility at this location is established. The main considerations of this application relate to the proposed increase in throughput and changes to the design of the facility. The increased throughput will enable the facility to run more efficiently and will enable waste to be moved up the waste hierarchy. The same catchment restriction will apply with regards the additional waste throughput as for the consented. It is considered that the proposal has demonstrated that the facility will operate to minimise as far as possible the polluting effects and that in terms of most emissions, control will be covered by the necessary environmental permit. The additional traffic associated with the increased throughput is not significant and will not lead to congestion. As such the proposal complies with PPS10 and with policies CS2, CS22, CS23, CS24, CS29, CS32, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy.

Policy CS2 is the overarching policy containing strategic vision and objectives for waste management development. The policy refers to a new generation of facilities that will achieve higher levels of waste recovery and recycling in line with targets. These facilities shall be of a good design. Policy CS 24 of the Core Strategy requires that all proposal for waste management development achieve a high standard of design and policy CS 34 requires development to demonstrate there is no significant harm, including visual intrusion to neighbouring uses.

The NPPF contains core planning principles, one of which is always to seek to secure high quality design. It is considered that the revised design is an improvement over the approved scheme and is in compliance with the policies set out above. The other changes to layout and condenser units are minor changes within the scheme as a whole and will have no adverse impacts.

All other changes since the development was granted permission in 2010, including physical changes and changes in both national and development plan policy have been taken into account and the conditions revised accordingly. The comments of English Heritage have been taken into account with regards the hydrological monitoring and provisions of a revised legal agreement and it is considered that the proposal meets the requirements of the NPPF and policy CS 36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy with regards to impact and mitigation on the Flag Fen Scheduled Monument. The proposal overall is in conformity with the development plan and with national waste policy objectives and there are no other material considerations which outweigh determination of this application is accordance with the development plan.

7 Recommendation

The case officer recommends that planning permission is **GRANTED** subject to the signing of a **LEGAL AGREEMENT** and the following conditions:

C 1 Commencement of development

The development hereby permitted shall be begun before the expiration of 6th May 2013.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended)

C 2 Approved Plans

The development hereby permitted shall be carried out in complete accordance with the following submitted documents and plans:

1237 011 proposed site sections

1237 013		proposed office layouts
1237 014		visitor centre route
1237 009		ACC elevations
1237 001		proposed SW building elevation
1237 002		proposed NE building elevation
1237 003		proposed NW building elevation
1237 004		proposed SE building elevation
1033150-02	Version C	proposed site layout (EFW)
15898/A1/175		proposed cycle shelter general arrangement
16030/A1/151		proposed acoustic fence details
1033150-00		Site location boundary drawing
1237 015		visitor route through process area
1237 018		materials board
1033150-01	Version C	proposed site layout (overall)
1033150-05	Version F	vehicle tracking APC residue collection (artic)
1033150-07	Version E	Vehicle tracking – EFW waste deliveries (artic)
1033150-08	Version E	Vehicle tracking - EFW waste deliveries (bulker)
1033150-06	Version F	Vehicle tracking – IBA collection (20 foot ISO container lorry)
1033150-09	Version E	Vehicle tracking – EFW FGT deliveries (artic)
1033150-10	Version E	Vehicle tracking – contingency back hauling rejection, collection and HLORC delivery
1033150-19	Version A	EFW waste (coach)
1033150-13	Version A	power distribution
1033150-11	Version E	landscaping and fencing
1033150-12	Version C	flood risk mapping
1033150-14	Version D	External lighting and CCTV
1033150-16	Version C	foul and surface water drainage – EFW facility
1033150-17	Version B	pedestrian and cycle routes

Environmental Statement and appendices

Environmental Statement addendum report

Groundwater Monitoring Strategy – except where amended by provisions of the legal agreement

Reason: To clarify what is hereby approved

C 3 Facing materials

The development shall be carried out in complete accordance with the submitted details of materials set out within the Design and Access Statement Addendum.

Reason: In the interests of good design and the visual appearance of the development in accordance with policies CS2, CS24 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD

C 4 Lighting

Notwithstanding the details shown on drawing 1033150-14 Version D, no lighting shall be erected unless in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the location, design and lux levels of each light together with details to minimise light pollution to neighbouring land and the night sky.

Reason: In order to protect surrounding users and wildlife from light pollution in accordance with policies CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD

C 5 Maximum Throughput

The annual throughput of the Energy from Waste Plant shall not exceed 85,000 tonnes at a Caloric Value of 9,700kj/kg or equivalent.

Reason: The application including the Environmental Statement has been assessed on the basis that this is the maximum throughput per annum. Any changes to this would require submission of revised environmental information regarding the relevant potential effects including on air quality, transport and need in accordance with policies CS2, CS15, CS22, CS23, CS29, CS32, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C 6 Hours of Operation

During construction

Construction works including the delivery of materials and removal of waste materials from the site shall only take place between:

07.00 – 19.00 hours Monday to Saturday

During normal operation

Deliveries to the site shall only take place between:

06.00 – 22.00 hours Monday to Saturday

08.00 – 16.00 Sunday, Bank Holidays and Public Holidays.

Reason: In the interests of the amenity of surrounding/nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C 7 Landscape Details and Management

Notwithstanding the details shown on drawing 1033150-11 E, prior to the development being brought into use detailed landscaping plans for all landscaping areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be planted in the first planting season following the development being first brought into use. Any trees or shrubs which die, become damaged or diseased within the first 5 years of planting shall be replaced with plants of a similar size and species in the first planting season immediately following such an occurrence.

Reason: In the interests of the visual appearance of the development in accordance with policies CS2 and CS24 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C 8 Fencing

Fencing shall not be erected unless in accordance with the details shown on drawing 1033150-11 Version E Landscaping and fencing. All palisade fencing shall be painted dark green. With the exception of the acoustic fencing, all new and replacement fencing shall be designed to allow free flow of floodwater to ensure that the floodplain can be utilised during a flood event unless it can be demonstrated that adequate flood plain mitigation is in place.

Reason: In the interest of the visual appearance of the development and to assist with flood mitigation in accordance with policies CS2, CS24 and CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C 9 Supplementary Risk Assessment

The development hereby permitted shall only be carried out in accordance with the supplementary flood risk information undertaken by Anna Butler (for and on behalf of Atkins Ltd) and dated 5 November 2009. In particular all electrical equipment shall be mounted no lower than 2.7 metres above Ordinance datum and provided with water resilient housing. The applicant shall confirm completion of the approved scheme, in writing, to the Local Planning Authority within one month of it being so completed. Thereafter no additional electrical equipment shall be installed except in compliance with the recommendations of the above supplementary flood risk information.

Reason: To reduce the impact of flooding on the development in accordance with the provisions of paragraph 103 of the NPPF.

C10 Contaminated Land

If, during development, contamination not previously identified in the risk assessment set out in Chapter 11 of the Environmental Statement, is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained approval in writing by the Local Planning Authority, an addendum to the Method Statement detailing how this unsuspected contamination shall be dealt with. The development, thereafter, shall not proceed except in accordance with the approved addendum Method Statement.

Reason: In order to protect and safeguard the health of future occupiers of the site and surrounding land in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C11 Noise Management Plan

Prior to the development being brought into operation a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include steps to be taken to ensure that noise is minimised from plant and machinery which could include plant modification, enclosures, screening, location and maintenance and monitoring of noise from the facility. The plan shall demonstrate how the noise limit set out below shall be achieved. The noise management plan shall also include a scheme for noise monitoring to be undertaken by the operator in the instance of being requested to do so by the Local Planning Authority if a reasonable complaint is received.

Any assessment of noise levels shall give consideration to low frequencies which, unless suppressed to a low energy level can cause resonant excitation of windows and lightweight building panels at considerable distances.

At all times noise levels emitted from the site shall not exceed 51dB LAeq, 15 minutes as determined at the nearest noise sensitive receptor. The requirement is to be waived for start up periods, the duration of which shall be included in the noise management plan.

In the event of a reasonable complaint, as perceived by the Local Planning Authority, monitoring shall be undertaken in accordance with the agreed scheme contained within the noise management plan including the submission of the results to the Local Planning Authority.

Except where set out in the approved noise management scheme, the development shall be operated at all times in accordance with the approved scheme.

Reason: To protect the amenity of nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C12 Reversing Alarms

Prior to the first occupation of the facility details of the reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Local Planning Authority. The approved reversing alarms shall be utilised on mobile plant for the duration of the development.

Reason: To protect the amenity of nearby occupiers in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C13 Programme of Archaeological Work

No development shall take place until a programme of archaeological work including a Written Scheme of Investigation has been submitted to, and approved by, the Local Planning Authority in writing. No development shall take place unless in complete accordance with the approved scheme. The approved scheme shall be implemented in full including any post development requirements e.g. archiving and submission of final reports.

Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

C14 Waste Catchment Area Restriction

At least 75% by weight of the municipal solid waste and at least 75% by weight of the commercial and industrial waste shall be sourced from the following area:

1. The administrative area of Peterborough City Council
2. The administrative area of Cambridgeshire County Council, and
3. a radius of up to 50km from the site.

Weighbridge records shall be made available to the Local Planning Authority within one week of such a request being made and they shall set out the originating location and type of waste imported to the facility.

Reason: To ensure that the majority of both permitted waste streams is located within a reasonable distance of the development in the interests of sustainability in accordance with policies CS2, CS15 and CS29 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C15 Provision and retention of cycle parking

The building shall not be brought into use until space has been laid out within the site in accordance with the approved plan for 16 bicycles to be parked and thereafter that area shall not be used for any other purpose other than for parking cycles.

Reason: In the interests of promoting sustainable journeys to work in accordance with policy CS14 of Peterborough Core Strategy DPD.

C16 Cyclist/pedestrian provision

The building shall not be brought into use until a means of access for pedestrians and/or cyclists has been constructed in accordance with plans that shall have been submitted to and approved in writing by the Local Planning Authority. This access shall be retained as such thereafter.

Reason: In the interests of promoting sustainable journeys to work in accordance with policy CS14 of Peterborough Core Strategy DPD.

C17 Construction of Footway

The building shall not be brought into use until a 2 metre wide footway along the eastern side of Fengate from Dodson Way to Fourth Drove, including pedestrian crossing points has been constructed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C18 Access Points

The building shall not be brought into use until the “access only” from Fourth Drove and “egress only” from Fengate have been constructed in accordance with full details which shall have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the design of the part closure of the existing access off Fourth Drove and details of how the access egress only shall be managed. The “access only” and “egress only” shall be managed following completion and thereafter in accordance with the approved details.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C19 Swept Path Analysis

Note: This condition will either be deleted or formulated once the clarification is received with regards internal traffic movements within the site. Further information will be provided in an update to this report.

C20 Construction Management Plan

Prior to the commencement of the development a construction management plan, including risk assessments, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

The scheme shall:

1. detail measures to be undertaken to minimise noise and dust arising from building construction and site works and normal plant operation and monitoring thereof.
2. Specify whether a named environmental co-ordinator is to be employed or in the absence of such a person the competent person who will deal with issues raised by authorities and the public.
3. Specify measures to be taken to foster good community relations
4. Specify the construction programme and its duration (note that construction hours are restricted by condition C6)
5. A scheme for chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become inoperative and a scheme for the cleaning of affected public highways

6. A scheme to demonstrate that all construction vehicles can enter the site immediately upon arrival and that there is adequate space within the site/land within the applicant's/developer's control to enable contractors to park, turn, load and unload clear of the public highway and details of haul routes across the site; and
7. Provide a site waste management audit for the demolition and construction phases of the development setting out how waste arising from the construction phases of the proposed plant is to be managed.

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

Reason: In the interests of highway safety and waste minimisation in accordance with policies CS28 and CS 32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C21 Bunding of Tanks

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 must be located within the bund. The drainage system shall be sealed with no discharge to any watercourse, land or underground strata. Any associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge into the bund.

Reason: To prevent pollution of ground and surface water in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C22 Surface Water Drainage etc

Prior to the commencement of the building or the permanent surfacing of any hardstanding or parking areas, details of the proposed surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in accordance with the approved scheme.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies, with an overall capacity compatible with the site being drained.

The applicant shall ensure that any existing oil interceptors at the site have sufficient capacity to operate effectively when taking into account any additional discharge of surface water from the proposed development. No contaminated runoff shall be discharged to the surface water drainage system.

Reason: To prevent pollution of ground and surface water in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C23 Weighbridge Operation

Details of the means of operation of the unmanned weighbridge shall be submitted to and approved in writing by the Local Planning Authority prior to any waste being received. The unmanned weighbridge shall not be operated except in accordance with the approved details.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C24 Hydrological monitoring

Prior to the commencement of any development beneath 1.7 metres below ground level a de-watering strategy and a hydrological mitigation strategy shall have been submitted to and approved in writing by the Local Planning Authority. The development shall not take place except in accordance with the approved strategies unless amended under the provisions of the legal agreement.

Reason: In the interests of the preservation of the archaeological remains present within Flag Fen Schedule Monument in accordance with policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and the provisions of the NPPF.

C25 Decommissioning

Prior to the decommissioning of the facility hereby permitted a scheme, including a timetable for the demolition of the buildings and plant and decommissioning of the land shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning shall take place only in accordance with the approved scheme.

Reason: In order to reduce the risk of pollution, impact on surrounding occupiers and to remediate the land so that it is capable of being reused in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD and as set out in the core planning principles of the NPPF.

C26 Protection of Wildlife

The development shall not take place except in accordance with the updated Phase 1 Habitat Survey by Mouchel dated 22 June 2012 specifically implementation of the recommendations contained within section 4.5 of this report.

Reason: In the interests of the protection of wildlife in accordance with policy CS21 of the Peterborough Core Strategy.