

Application Ref: 12/01236/MMFUL

Proposal: Removal of existing structures and development and operation of a materials recovery and recycling facility, comprising a relocated household waste recycling centre, a materials recycling facility, an anaerobic digestion facility and ancillary development including offices/welfare/education centre, operatives car park, weighbridge, commercial vehicle park and surface water attenuation lagoon

Site: Dogsthorpe Landfill Site, Welland Road, Dogsthorpe, Peterborough

Applicant: Mr Mat Nicholson
FCC Environment

Agent: Mr James Cook
Stratus Environmental

Referred by: Head of Service

Reason: Largescale development which has potential to impact on the environment

Site visit: 28.08.2012

Case officer: Mrs T J Nicholl

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Recommendation: **GRANT** subject to relevant conditions

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

Site and Surroundings

The proposed facility would be located on land which presently forms part of the overall Dogsthorpe landfill site. The site comprises an existing vehicle parking area, equipment storage area, other land which is not used and a proportion of the restored landfill. The site is generally flat and measures approximately 4.7 hectares. The vegetation on site is grassland and there are several immature self set trees and bushes.

The site is bound to the north by an existing skip hire business operated by a third party and a disused clay pit. Beyond these to the north is the Welland Road and Eye Road roundabout (A47T). To the north of the A47 is the continuation of the clay pit which is designated as a Site of Special Scientific Interest (SSSI)

Immediately to the east is the active landfill site operated by the applicant. Eye village lies approximately 1.2 km to the east of the application site.

To the south east of the application site is the Peterborough Garden Park retail development. To the south is the A15 (T) and beyond this the urban area of Peterborough. The nearest residential property is located on Belvoir Way approximately 160 metres to the south.

To the immediate west is a concrete batching plant operated by Cemex and beyond this a grain store/flour mill comprising substantial buildings. To the west of the grain store Welland Road crosses over the A15.

Proposal

The proposal is for a waste recycling centre (termed an “eco park”) and comprises the following;

- Removal of existing structures on site
- Materials Recycling Facility (MRF) and pre-treatment building (for the Anaerobic Digester (AD) located in one purpose building portal framed building
- A Household Waste Recycling Centre (HWRC) under a covered open sided building
- An anaerobic digestion (AD) facility comprising pre-storage tanks, digester tanks (x2), a digestate tank together with associated plant and machinery including a feedstock clamp.
- Combined heat and power units and associated plant (generating up to MWe of power)
- Ancillary parking and turning areas, gatehouse and weighbridge, offices and visitor centre
- Surface water lagoon

Definitions:

Materials Recycling Facility (MRF) = Dry recyclables such as plastics, paper, card, cans, glass etc collected from households/businesses and delivered to the facility in lorries. The materials will be sorted/separated within the building and baled ready for transfer to specialist reprocessors. Any non-recyclable material is baled for use as solid fuel or taken into the landfill.

Household Waste Recycling Centre (HWRC) = Place where householders/individuals can take their recyclables/non recyclables and deposit into different skips/containers depending on the material. The materials are then taken elsewhere for recycling.

Anaerobic Digester (AD) = Facility for turning waste food/putrescible material into non waste product such as fertilizer, gas (which can in turn be converted to electricity and heat) through an anaerobic process which takes place within the proposed tanks. Digestate is the product that emerges from this process. This can be used to be spread as a fertilizer on the landfill site or on nearby agricultural land. The digester tanks are where the anaerobic process takes place. All of the processing from delivery of waste through to production of digestate tanks place within buildings/tanks. The feedstock clamp is a storage area for maize (or possibly other feedstocks) that can be used/mixed with the waste food to aid the digestate process.

Dimensions:

MRF and Pre-Treatment building = 106 metres long x 81.3 metres wide x 11 metres high to the ridge of the roof (9 metres to the eaves)

HWRC – the area to be used measures 74 metres x 64.5 metres and the recycling containers would be covered by steel canopies of 6.5 metres in height (each canopy supported by a single central row of steel pillars)

AD plant;

Digestate Tank = circular 34.5 metres diameter with conical roof with outlet in the top – 13.9 metres tall overall

Primary Digester tanks (x2) = circular 31.5 metres diameter with domed roof – 15.1 metres tall overall

Pre-storage tanks (x3) = circular 9.3 metres diameter with conical roof – 5 metres high overall

Feedstock clamp = 75 metres long x 25 metres wide x 5 metres high

Odour control unit comprising two steel framed buildings measuring 12.1 metres long x 2.4 metres wide x 2.9 metres high, cylindrical tank measuring 10.5 metres high and chimney measuring 20 metres high.

Combined heat and power units comprising two steel framed buildings measuring 12.1 metres long

x 2.4 metres wide x 2.9 metres high and a chimney stack measuring 18 metres high.

The proposed facility will manage up to 206,000 tonnes per annum of municipal, commercial and industrial waste and has the potential to generate up to a maximum of 1.5MWe of power. The electricity can be used to power the wider facility and/or the local distribution network. The nearest sub station to which the facility could potentially connect is on Welland Road.

Access to the site would be as existing, off the Welland Road/A47 roundabout.

The application is accompanied by an Environmental Assessment.

2 Planning History

Various history associated with the landfill site.

3 Planning Policy

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

National Planning Policy Framework (2012)

Section 1 – Presumption in favour of sustainable development

Approving development proposals that accord with an up to date development plan without delay

Section 11 - Contamination

The site should be suitable for its intended use taking account of ground conditions, land stability and pollution arising from previous uses and any proposals for mitigation. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Section 11 – Nature Conservation and Biodiversity

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and geological interest, recognising wider benefits of ecosystems, minimising and where possible providing net gains in biodiversity, preventing new and existing development from being at risk of or contributing to unacceptable levels of pollution and mitigating/remediating despoiled land where appropriate.

Section 10 - Development and Flood Risk

New development should be planned to avoid increased vulnerability to the impacts of climate change. Inappropriate development in areas of flood risk should be avoided by directing it away from areas at higher risk. Where development is necessary it shall be made safe without increasing flood risk elsewhere. Applications should be supported as appropriate by a site-specific Flood Risk Assessment, a Sequential Test and, if required, the Exception Test.

Peterborough Core Strategy DPD (2011)

CS21 - Biodiversity and Geological Conservation

Development should conserve and enhance biodiversity/ geological interests unless no alternative sites are available and there are demonstrable reasons for the development.

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.

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).

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.

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.

MW14 - The Scale of Waste Management Provision

Sets out the amounts of waste provision and timescales for the various types of waste management facility to be provided for by the Waste Planning Authority by 2026.

MW16 - Household Recycling Centres

A network of household recycling facilities easily accessible to local communities will be developed through the Site Specific Proposals Plan, including amongst broad location areas, a site in Peterborough. New developments will contribute towards the provision of household recycling centres, consistent with the RECAP Waste Management Design Guide and additionally through POIS or CIL (in the event this supersedes the current mechanism).

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.

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.

MW32 - Traffic and Highways

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

Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (2012)

SSP W1 – Allocates Dogsthorpe, former brickworks site for waste recovery and recycling facilities

Peterborough Planning Policies DPD (2012)

PP13 - Parking Standards

Permission will only be granted if appropriate parking provision for all modes of transport is made in accordance with standards.

PP16 - The Landscaping and Biodiversity Implications of Development

Permission will only be granted for development which makes provision for the retention of trees and natural features which contribute significantly to the local landscape or biodiversity.

PP20 - Development on Land affected by Contamination

Development must take into account the potential environmental impacts arising from the development itself and any former use of the site. If it cannot be established that the site can be safely developed with no significant future impacts on users or ground/surface waters, permission will be refused.

PP01 - Presumption in Favour of Sustainable Development

Applications which accord with policies in the Local Plan and other Development Plan Documents will be approved unless material considerations indicate otherwise. Where there are no relevant policies, the Council will grant permission unless material considerations indicate otherwise.

4 Consultations/Representations

Transport and Engineering Services (09.01.12)

No objections subject to conditions

Wildlife Officer (28.02.13)

No objections subject to revised biodiversity area and newt mitigation/management being secured by condition.

Landscape Architect (Enterprise) (26.09.12)

No objections

Building Control Surveyor (14.08.12)

Building Regulations approval is required. Part M relating to disabled requirements is applicable.

Archaeological Officer (27.12.12)

No objection as buried archaeological remains are likely to have already been obliterated by extensive quarrying.

Police Architectural Liaison Officer (29.08.12)

No objections or further recommendations.

Drainage Team (22.01.12)

No objection subject to a condition regarding surface water drainage.

Pollution Team (11.12.12)

No objections subject to the suggested conditions covering noise limits on Belvoir Way, lighting, insect/pest control and a stage II land contamination investigation and remediation report.

Environment Agency (15.01.12)

No objections subject to conditions regarding surface water drainage and contamination remediation.

Natural England - Consultation Service (04.01.13)

Natural England is now satisfied with the proposals following receipt of the revised newt mitigation strategy and habitat creation proposals. These, together with a management plan should be secured by a suitable condition.

Highways Agency (23.08.12)

No objections

Eye Parish Council (21.09.12)

No comments to make

Local Residents/Interested Parties

Initial consultations: 239

Total number of responses: 5

Total number of objections: 2

Total number in support: 1

- We were told the landfill would be closed this year but now appears to be carrying on until at least 2015. Originally we were told it would become a golf course or wildlife area. We have suffered long enough from smells from this site.
- Spreading waste products onto the landfill will cause smells and vermin
- It can't be right that such a project is proposed near residential areas and the Garden Park shopping centre where a large food supermarket is proposed. There is also a proposed hotel development nearby.
- There will be an increase in traffic which will cause problems
- There has been virtually no public consultation on these proposals
- Pollution – what measures will limit the flue gases from the anaerobic digester.
- Health risk
- There are already large amounts of mud being deposited on the roads
- I am concerned about the noise – it is already noisy with the road and the cereal plant
- I am concerned about the anaerobic digester and the surface water lagoon and their proximity to the cereal plant.
- There is also concern of flooding from the surface water lagoon.
- Anaerobic digestion facilities cause air pollution and cause ozone layer damage
- Dogsthorpe Liaison Group support the application

5 Assessment of the planning issues

Main Considerations

- Principle of development/sustainability
- Access and transport/traffic
- Visual appearance
- Impact on surrounding uses with regards to noise, odour, lighting
- Contaminated land
- Surface Water Drainage/Flood Risk
- Ecology/biodiversity
- Other issues

Principle of development/sustainability

Policy SSP W1 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD allocates the site for waste recycling and recovery facilities. The policy sets out that the site is suitable for a materials recovery facility, household recycling centre, specialist facilities, in vessel composting and inert waste recycling. The facilities proposed are therefore in compliance with this policy.

The NPPF states that there is a presumption in favour of sustainable development and that for decision making this means approving development proposals that accord with the development plan without delay. This is repeated in policy PP1 of the Peterborough Planning Policies DPD. The application is therefore acceptable in principle.

Access and transport/traffic

The proposed access to the site is the same as the existing access to the landfill site and existing household recycling centre, off Welland Road which adjoins the A47 to the north of the site via a roundabout. Neither the Highways Agency nor the Local Highway Authority have raised objections to the proposal. A transport assessment has been submitted with the application which demonstrates that the road network can accommodate the level of traffic (HGV and car) associated

with the proposed uses. The Highway Authority has requested that conditions be imposed to cover provision of on site parking and turning and submission of a construction management plan.

A car park containing 18 parking spaces, motorbike parking, two mini coach spaces and a cycle stand (space for 6 cycles) is proposed to the front of the MRF/offices and visitor centre. HGVs are kept separate to private vehicles and turning and unloading of HGVs will take place at the rear of the buildings facing onto the existing landfill area. It is considered that these arrangements are acceptable and comply with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (the MW Core Strategy) and policy CS14 of the Peterborough Core Strategy DPD. Policy PP13 of the Peterborough Planning Policies DPD states that development will only be permitted where adequate parking space is provided in accordance with the Council's parking standards. In the case of recycling centres/civic amenity sites the standard is one parking space per full time equivalent staff, one cycle space per 8 staff and two bays/5% of total (whichever is greater) for disabled parking. The application states that up to 20 full time equivalent staff will be employed. There is a slight under provision of two parking spaces, correct provision of two disabled spaces and an overprovision of cycle parking. This is considered acceptable as it will not lead to problems on the public highway.

The submitted Transport Assessment bases the proposed traffic levels upon the assumption that the proposed MRF will operate with a maximum input of recyclable material of 120,000 tonnes per annum and the AD plant at a maximum input of waste of 20,000 tonnes per annum. It is proposed to condition this as a maximum input for these facilities so that any future increases in throughput can be re-assessed including any increase in traffic movements.

At present there are 140 2-way commercial vehicle movements to and from the landfill site. The proposal will generate an additional 78. There will also be vehicle movements generated by new staffs (20) that choose to drive to work. There are presently 2,800 2-way movements to and from the household waste recycling centre. This will remain the same with regards the new facility.

The existing wheelwash which serves the current landfill operation would be re-located (or replaced) if this development goes ahead. The proposed new location is identified within the site on the submitted site layout plan. There is no need to condition this because the planning permission for the landfill site already contains a condition that requires that no commercial vehicle enters the public highway unless their wheels and chassis have been cleaned to prevent material being deposited on the public highway. The proposal does not generate a need for a wheelwash because all of the access and turning facilities to serve the eco-park will be hard surfaced.

Visual Appearance

The proposed buildings are of a significant scale and bulk – the dimensions of each building are set out above. The proposed MRF building is large. It is an L shaped building and is 106 metres long and 11 metres high. It is set well into the site and will be partially screened from the A15 and properties to the south and east by the existing grain store buildings. Although the building is large it is not considered it will be overbearing or overly prominent when viewed from the nearest residential areas. The closest residential properties are located approximately 125 metres to the south and southwest beyond Paston Parkway.

The digestate tanks, odour control unit and combined heat and power (CHP) units are located in a "cluster" to the north of the proposed MRF building in the location of the current composting area and part of the current household recycling area. The tallest digestate tank is just over 15 metres in height and there are two chimneys (one for odour control and one for the CHP unit). These chimneys are 20 metres and 18 metres in height respectively. For comparison, the current grainstore silos are approximately 30 metres in height and are closer to existing residential property than the proposed digestate tanks and chimneys.

It is noted that land to the north of the A47 at Norwood and Paston Reserve is allocated for urban extensions. This has been accounted for in the submitted Environmental Assessment. It is considered that there is adequate separation between the site and the proposed allocations such

that visual impact will be limited.

The proposed feedstock clamp and the household recycling centre are of limited height and will have an insignificant visual impact upon the surroundings.

Additionally, as the application site has been allocated for the uses proposed at the time this allocation was being considered the possible scale of such facilities will have been known.

Materials have been suggested by the applicant with all buildings being clad and coloured either light grey or fir green. It is considered that further consideration needs to be given to materials and particularly colours given the bulk and height of the MRF building and the height of the digestate tanks and chimneys. This can be covered by imposition of a condition.

The design of materials recovery and recycling facilities is driven to a large extent by the function of the buildings and the need to comply with other legislation (e.g. odour control, health and safety, pollution control etc). Nevertheless it is considered that the buildings are located in such a way within the allocated site so as to minimise as far as possible their impact on the surroundings, in particular the nearest residential property. As such the proposals comply with policy CS24 which requires high standards of design and policy CS34 of the MW Core Strategy which requires waste management development to only be permitted where it is demonstrated that no significant harm will occur to the environment including visual intrusion or loss to residential amenity. Similarly it is considered that there is no conflict with other development plan design policies, specifically CS16 of the Peterborough Core Strategy and PP2 of the Planning Policies DPD.

Impact on surrounding uses with regards to noise, odour, lighting

Noise:

A noise assessment has been submitted (as part of the Environmental Statement) with the application. The assessment has taken a representative sample of properties on Belvoir Way, Newborough Road and Welland Road as the nearest noise sensitive properties which might be affected by the proposals. The Principal Pollution Control Officer (Lynden Leadbeater) has liaised directly with the applicant's noise consultant to agree a set of maximum noise limits at these representative locations and has taken into account that there are already high levels of ambient noise in the area. The development is considered to be acceptable subject to a condition which places limits on the daytime and night time noise levels at the nearest noise sensitive properties. With the imposition of such a condition, the development will comply with MW Core Strategy policy CS34.

The Pollution Control Officer has been keen to ensure that noise levels will not be perceptibly louder than the current situation. The survey results show that there may be a possibility of a 1dB exceedence of noise limits in Belvoir Way but such a small increase should not be perceptible. The noise limits which will be set by imposition of condition 3 are in line with current background noise levels at the nearest noise sensitive properties in Welland Road, Belvoir Way and Newborough Road.

Odour:

The potential sources of odour at the site would emanate from material being unloaded at the site ready for processing, from the processing itself particularly with regards to the AD and the emissions from the stack and from the spread of processed digestate on the adjacent landfill (or nearby farmland).

All of the unloading of material delivered to the proposed MRF and AD plant will take place inside the building and air pressure would be strictly controlled to ensure escape of odour is minimised. The movement of waste to be recycled in the AD plant will be undertaken by pipes between

unloading and processing through the tanks thus preventing escape of odour through these stages.

The Environment Agency has confirmed that odour will be controlled by the Environmental Permit and as part of the permitting process an odour management plan will be required to be submitted. Despite this your officers were concerned to ensure as far as possible that the proposal has been assessed using robust methodology and that if approved the likelihood of complaints being received about odour would be minimised. We requested further information with regards to the methodology used to establish predicted odour levels and where these should be measured and also further information about the “end product” from the anaerobic digestion process i.e. the digestate that would be used to spread onto the landfill. The Principal Pollution Control Officer is now satisfied with the odour assessment and recommends that no condition need be imposed regarding odour as it will need to be covered as part of the environmental permit to be issued and enforced by the Environment Agency.

With regard to the digestate matter, the applicant has explained the difference between this matter and farm slurry to highlight the behavioural differences between the two. This comparison is made because slurry when spread on fields most often causes unpleasant odour issues. Digestate is more stable than slurry, it contains less bacterial activity once processed than slurry and thus the potential for smells from digestate when spread, is vastly reduced from the smells that would occur with slurry. Your officers are satisfied that the proposal if approved would be constructed and operated using best available means and that if odour issues do occur they could be adequately dealt with through the environmental permit. As such the proposal complies with policy CS34 of the MW Core Strategy.

With regard to insect and pest control, limited information has been submitted but this can be dealt with by imposition of a condition requesting that a pest control plan be submitted and approved.

Lighting;

Although most of the work at the site will be undertaken within buildings, with the exception of the household waste recycling centre, there will be a need for external lighting at the site after dusk. No scheme has been submitted with the application but this can be required to be submitted and approved by the imposition of a suitable condition. The lighting levels and position of lights can then be assessed to ensure that there is no nuisance caused and light pollution to the night sky is minimised. The proposal is therefore in accordance with policy CS 34 of the MW Core Strategy.

Contaminated Land

As the site lies adjacent and partially over a landfill site there will be contaminated land beneath the development area. The Environmental Statement recognises this but no detailed analysis about the actual contamination beneath the site has been submitted although there are several potential sources. The contamination will need to be remediated prior to the building works taking place. The development site is largely covered by a thickness of made up ground (from past landfilling) and so traditional foundations are unlikely to be suitable and it is likely that piled foundations will be required.

There are potential risks from contamination to human health during construction and during operation of the site and also potential for pollution pathways to be created during construction which could spread contamination to presently uncontaminated area. Both the EA and the Principal Pollution Control Officer have requested that conditions be imposed to require site surveys and remediation measures to be submitted for approval prior to the commencement of development. In addition measures to demonstrate that the remediation has worked and is being monitored will also need to be submitted. A suitable set of conditions is proposed to deal with these matters and will ensure there will be no significant harm to human health or the environment thus complying with condition CS34 of the MW Core Strategy, policy PP20 of the Peterborough Planning Policies DPD and paragraphs 120 and 121 of the NPPF. Paragraph 120 states that the

responsibility of securing a safe development rests with the developer and/or landowner. Paragraph 121 states that after remediation the land in question should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Surface Water Drainage/Flood Risk

The application includes a Flood Risk Assessment and consideration of hydrology and drainage issues within the Environmental Statement. The site does not lie within an area of flood risk but due to the scale of the development and the increase in hard surfaced area (from buildings and the impermeable hard surfaced areas, there will be an increase in surface water run off which will require management. The applicant proposes to construct a surface water balancing pond to store excess surface water run off and control flow into the existing drainage structure. The precise details of this system would need to be submitted. The Environment Agency has not objected to the proposals but has requested that a condition be attached requiring details of the surface water drainage proposals be submitted and approved prior to the commencement of the development. The Council's Drainage Team has similarly requested such a condition. Such details will need to adequately demonstrate the control of surface water run off and prevention of pollution. Such a condition is proposed and will ensure that the proposal is in compliance with policy CS39 of the MW Core Strategy which requires waste management to be permitted only where there would be no significant adverse impact or risk to surface or groundwater resources, quality or quantity of groundwater abstraction and flow of groundwater.

Ecology/Biodiversity

Policy CS35 of the MW Core Strategy states that waste development will only be permitted where it has been demonstrated that there will be no significant adverse impact on sites of local nature conservation or on any feature that is of principal importance for wild flora or fauna. Where there are overriding benefits to the development permission may be granted subject to adequate mitigation being provided.

Policy CS21 of the Peterborough Core Strategy states that where possible there should be a net gain for biodiversity/geological conservation.

There is statutory protection for sites of international or national importance such as Special Areas of Conservation (SACs) and Sites of Special Scientific Interest (SSSIs).

The NPPF states (paragraph 109) that development should aim to conserve and enhance biodiversity (and then sets out a set of principles to achieve this) and that where possible a net gain in biodiversity should be incorporated.

The applicant has submitted an ecological appraisal of the site and has identified sites of significance in terms of nature conservation value of up to 5km radius from the site. An extended phase 1 habitat survey of the site including various species surveys (great crested newts, bats, birds, wintering birds, reptile and water vole) has been submitted for the site.

The closest significant site of nature conservation to the site is Dogsthorpe Star Pit SSSI and Local Nature Reserve which is 280 metres to the northeast of the site.

The development will not have an adverse impact upon sites of nature conservation outside the site, particularly with regard to the designated sites such as Dogsthorpe Star Pit and Nene Washes SAC (4.5 km away). Natural England and the Council's Wildlife Officer have raised no objections in this particular regard.

The land immediately to the north of the site (within the applicant's ownership) which is part of an old pit contains ponds, one of which supports a medium population of great crested newts. This

pond is 50 metres away from the site. The site comprises in part provide grassland, scrub and piles of rubble which provide some suitable foraging, commuting and hibernation habitat for the GCN population in the pond area. This habitat within the site will be lost as part of the development. The applicant will require a license from Natural England because of the nearby population of GCN and the loss of the habitat within the site – this license will be required before the development goes ahead.

With regard to the policy requirements therefore (taking aside the statutory requirements) suitable mitigation needs to be provided for the loss of the on site habitat and if possible biodiversity enhancements need to be created. The original proposal involved making limited enhancements to the land to the north of the site containing the pond habitat. Both Natural England and the PCC Wildlife Officer considered that the general principles of the newt mitigation are acceptable but the proposals to create additional habitat to the north of the site were inadequate and did not go far enough. Both consultees suggested that further aquatic features be created.

The applicant has submitted a further scheme which shows the disused pit area to the north as a translocation area with additional pond and “scrapes” within an area that floods to provide shallow ephemeral pond areas. Hibernacula will also be provided in the area and a lowland meadow seed mix will be planted close to the pond areas. Elsewhere the existing woodland and scrub would be retained. The applicant proposes to manage this area for five years and then incorporate it into the overall restoration plans for the landfill site.

The Wildlife Officer and Natural England have been reconsulted on the revised proposal. Both state that there are now no objections to the proposals subject to a suitable condition requiring a detailed scheme be submitting to cover newt mitigation and monitoring. The application is therefore now acceptable in this regard and is in compliance with the policies set out above.

Other Issues

The Environmental Statement has considered impact on heritage assets and there are no heritage assets within the vicinity of the development that are adversely affected by the proposal. There are no archaeological implications for the development as any buried remains will have been destroyed by past quarrying and landfill as confirmed in the consultation response of the Council’s archaeologist. In this regard the proposal complies with policy CS36 of the MW Core Strategy and with Chapter 12 of the NPPF.

The ES has also considered the cumulative impact of this development. This relates to the in-combination effects of different parts of the project and combined effects with other known projects in the vicinity. In your officer’s opinion, this assessment has been adequately undertaken and there are no significant impacts that cannot be suitably mitigated by the design of the development itself or by the imposition of conditions.

6 Conclusions

The application has been assessed against the relevant development plan policies and all material considerations and has been found to be acceptable for the following reasons;

Policy SSP W1 of the Cambridgeshire and Peterborough Minerals and Waste Site Specific DPD allocates the site as for waste recycling and recovery facilities. The proposed facilities are in accordance with those set out in policy SSP W1. The NPPF states that there is a presumption in favour of sustainable development and that for decision making this means approving development proposals that accord with the development plan without delay. This is repeated in policy PP1 of the Peterborough Planning Policies DPD. The application is therefore acceptable in principle.

With regard to the detail of the application, the submission which includes an Environmental Assessment has been assessed against current planning policy as follows and has been found to

be acceptable:

Access and transport/traffic: Policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (MWCS), CS14 of the Peterborough Core Strategy (PCS) and PP13 of the Peterborough Planning Policies DPD (PPP DPD).

Visual Appearance (and impact upon nearby property): CS24 and CS34 of the MWCS, CS16 of the PCS, PP2 of the PPP DPD.

Impact on surrounding uses with regards to noise, odour and lighting: CS34 of the MWCS.

Contaminated Land: CS34 of the MWCS, PP20 of the PPP DPD and paragraphs 120-121 of the NPPF.

Surface Water Drainage/Flood Risk: CS39 of the MWCS.

Ecology/Biodiversity: CS35 of the MWCS, CS21 of the PCS and paragraph 109 of the NPPF.

Cultural Heritage: CS36 of the MWCS and Chapter 12 of the NPPF.

The application has also been considered with regard to the cumulative and in-combination effects of the development as set out in the Environmental Statement which concludes the development is acceptable in this regard. The methodology used to compile the ES is considered appropriate and the conclusions reached can be considered as reasonable.

There are no material considerations which would lead to determining the application other than in accordance with the above policies. The application is therefore acceptable.

7 Recommendation

The Head of Planning, Transport and Engineering Services recommends that planning permission is **GRANTED** subject to the following conditions:

- C 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

- C 2 The development hereby approved shall not be carried out except in accordance with the following approved plans and submission documents unless amended or required by any of the other conditions attached to this permission.

WR7094/19/18	Site Views
WR7094/19/04 Rev 1	Proposed site layout
WR7094/19/01	Location Plan
WR7094/19/20	Weighbridge and gatehouse details
WR7094/19/03	Planning application and ownership boundaries
WR7094/19/17	Gate and fence details
WR7094/19/02	Existing levels/contours
WR7094/19/08	Elevations of odour control, safety gas flare and combined
heat and power unit	
FIGURE 4.2	Location of services at site office, wheel wash and power
station compound	
WR7094/19/15	Internal arrangement of materials recycling facility and pre-
treatment building	
WR7094/19/14	Roof Plan
WR7094/19/10	Elevations of fire tank and pumphouse

WR7094/19/09	Elevations of de-sulphurisation unit
WR7094/19/07	Elevations of primary digester, digestate storage tank and pre-treatment tanks
WR7094/19/11	Elevations of feedstock storage clamp
WR7094/19/13	Office, visitor centre and welfare building elevations and floor plans
WR7094/19/12	Elevations of household waste recycling centre
WR7094/19/06	Elevations of materials recycling facility and pre-treatment building
WR7094/19/16	Traffic and pedestrian management
468S172PLAN5	Services/utilities plan

The Environmental Statement except as amended by;
The letter and ecological plans from Abigail Bridge dated 11th February 2013
Letter from Stratus Environmental dated 21st December 2012
Email from James Cook dated 14th February 2013 at 14:48

Reason: To clarify what is hereby approved

- C 3 The level of noise emitted from the site shall not exceed the relevant criterion limit specified in Schedule 1 at each selected location. Measurements taken to verify compliance shall have regard to the effects of extraneous noise and shall be corrected for such effects.

Schedule 1 Location	Noise Limits dB LAeq, 1 hour (0700-2300) dBLAeq, 5mins (2300-0700)	
Representative of Properties on Welland Road	50	45
Representative of Properties on Belvoir Way	55	45
Representative of Properties on Newborough Road	45	35

Reason: In the interest of protecting the amenity of the nearest residents in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 4 Prior to the commencement of the development, a scheme for external illumination and floodlighting of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall accord with the "Guidance Notes for the Reduction of Light Pollution" from the Institute of Lighting Engineers and shall provide details of:-
- * The height of lighting masts/posts
 - * The direction of lights
 - * The intensity of the lights to be used (specified in Lux levels)
 - * Spread of light including approximate light spillage to the rear of floodlighting posts (in metres)
 - * Any measures to minimise the impact of the floodlighting or disturbance through glare (such as shrouding)
- No external lighting shall be erected unless in complete accordance with the approved scheme. In the event of a reasonable complaint being made, (as determined by the Local

Planning Authority) the applicant/site operator shall upon request by the Local Planning Authority, employ a suitably qualified person to investigate the light source(s) subject of the complaint and shall submit a written report of the investigation into whether light pollution is occurring to the Local Planning Authority within 4 weeks of the request being made.
Reason: In order to protect the amenity of nearby residents and to reduce light pollution in a predominantly rural environment in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 5 Prior to the development hereby permitted being brought into use, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which sets out provisions to be undertaken for the control of insects and pests. Such provisions could include physical and/or administrative measures. The development shall not be occupied unless the approved scheme has been implemented. The approved scheme shall continue to be implemented in full thereafter.
Reason: In order to protect other nearby occupiers and in the interests of human health and safety in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C 6 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the Local Planning Authority dispenses with any such requirements in writing:

A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the site's existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved details.

Reason: To ensure potential risks arising from previous site uses have been fully assessed in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and policy PP20 of the Peterborough Planning Policies DPD.

- C 7 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the Local Planning Authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'. No development shall be carried out except in accordance with the approved remedial details unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the proposed remediation plan is appropriate and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and policy PP20 of the Peterborough Planning Policies DPD.

- C 8 On completion of remediation, two copies of a closure report shall be submitted to the Local Planning Authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to appropriate standards and in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and policy PP20 of the Peterborough Planning Policies DPD.

- C 9 If, during development, contamination not previously considered is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter not be carried out except in complete accordance with the approved scheme.

Reason: To ensure all contamination within the site is dealt with in accordance with the National Planning Policy Framework, in particular paragraphs 120 and 121 and policy PP20 of the Peterborough Planning Policies DPD.

- C10 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1.0% annual probability event with climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The development shall not be completed except in full accordance with the approved drainage strategy. The drainage strategy shall also include the following:

1. Full details of the maintenance of the surface water system for the lifetime of the development
2. Provision of all Microdrainage calculations as part of the detailed design
3. Calculations shall be provided for all return periods
4. A detailed drainage layout
5. The existing road network shall be incorporated into the surface water run-off calculations
6. Details of the proposed control chamber
7. A cross section of the proposed balancing pond

Reason: To prevent the increased risk in flooding both on and off site in accordance with paragraph 103 of the NPPF.

- C11 Notwithstanding the submitted details, no construction of buildings or tanks shall take place until details of external materials have been submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour (using BS4800) and reference number. The development shall not be carried out except in accordance with the approved details.

Reason: For the Local Planning Authority to ensure a satisfactory external appearance, in accordance with Policy CS16 of the adopted Peterborough Core Strategy DPD.

- C12 No development shall take place until the great crested newt mitigation scheme has been implemented in accordance with the details contained within the letter and accompanying plans by Abigail Bridge dated 11th February 2013 and the following details have been submitted to and approved in writing by the Local Planning Authority:-
Full details of landscaping to be undertaken within the biodiversity/receptor area as shown on the Habitat Creation and Enhancement Measures drawing 468A199A Rev A
An aftercare and management scheme for the biodiversity/receptor area for a period of five years following the completion of the landscaping of this area
Details of newt monitoring throughout the five year aftercare period.

The development shall not take place except in complete accordance with the approved details/schemes. The approved landscaping of the biodiversity/receptor area shall take place in the first planting season following commencement of the development.

Reason: The biodiversity/receptor area is required to mitigate the loss of terrestrial newt habitat and to provide the biodiversity enhancements required of such a development in accordance with policy CS 35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy, policy CS 21 of the Peterborough Core Strategy DPD and paragraph 109 of the NPPF.

- C13 Prior to the occupation of the development the parking spaces and turning areas shown on drawing number WR7094/19/16 Rev 0 shall be laid out for vehicles to park and turn clear of the public highway. Those areas shall not thereafter be used for any other purpose other than the parking and turning of vehicles.

Reason: In the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD, policy CS14 of the Peterborough Core Strategy DPD and policy PP13 of the Peterborough Planning Policies DPD.

- C14 Prior to the commencement of the development a construction site management plan shall be submitted to and approved in writing by the local planning authority. The site management plan shall include:

- A detailed site layout
- Details of parking and turning for all construction and delivery vehicles
- Operational procedures relating to the movement of site traffic and arrival of deliveries
- Pedestrian routes
- Materials storage
- A scheme of chassis and wheel cleaning for construction vehicles including contingency measures should these facilities become in-operative and a scheme for the cleaning of affected public highways

The development shall not be carried out except in accordance with the approved Construction Management Plan.

Reason: In the interests of highway safety and residential amenity in accordance with policy CS14 of the Peterborough Core Strategy DPD and policy PP13 of the Peterborough Planning Policies DPD.

- C15 The fencing to the site shall be erected in accordance with the details shown on the approved site layout plan drawing WR7094/19/04 Rev 1 and the approved Gates and Fence details drawing WR7094/19/17 Rev 0. The Paladin fencing and gates shall be coloured green RAL6005.

Reason: In the interests of the visual appearance of the development in accordance with CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C16 Prior to the commencement of the development, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include plans showing trees and shrubs to be retained together with trees and shrubs which are to be planted. The approved scheme shall be implemented in full in the first planting season following the first occupation of the development or completion of the development, whichever is the sooner. Should any of the trees/shrubs die, become diseased or be removed during the first five years after planting, they shall be replaced in the next planting season with plants of a similar size and species. *(Note: landscaping of the biodiversity/receptor area is covered by condition 12)*

Reason: To provide adequate landscape and biodiversity mitigation and enhancement in accordance with policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD, policy CS21 of the Peterborough Core Strategy DPD and policy PP16 of the Peterborough Planning Policies DPD.

C17 The materials recycling facility hereby approved shall process dry recyclable waste only. Any contaminated loads shall be quarantined and dealt with in accordance with the submitted planning statement and Environmental Statement.

Reason: To clarify what is hereby approved and because the assessment of the proposal in terms of its impact on the surrounding area has been undertaken on the basis that the MRF will handle dry recyclable waste only in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C18 No waste (both pre and post treatment) shall be stored in any locations other than in designated buildings, plant, tanks or skips as identified on the approved site layout drawing WR7094/19/04 Rev 1.

Reason: In the interest of the visual appearance of the development, prevention of pollution/smell and to minimise any impact on the surrounding area in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

C19 At least 75% by weight of the dry recyclable waste and at least 75% by weight of the waste to be processed in the anaerobic digester shall come from within 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 the permitted waste streams are 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.

C20 The facilities hereby approved shall not be operational and no deliveries or exports shall take place except within the following opening times:

Household Waste Recycling Centre
0800 to 1800 1st April to 30 October

0800 to 1600 31st October to 31st March

This facility can open within the above limits Mondays to Sundays and on Bank Holidays

Materials Recycling Facility

0700 to 2200 hours

This facility can open within the above limit Mondays to Sundays and on Bank Holidays

Anaerobic Digestion Facility

Can generate power 24 hours a day, 7 days a week but deliveries of waste to the facility shall only take place within the following limits:

0700 to 1600 hours Monday to Friday and

0800 to 1300 hours on Saturdays

There shall be no deliveries on Sundays or Bank Holidays to the AD facility

Reason: As has been set out within the submitted application, to ensure the development operates in accordance with the submitted transport assessment and to limit any impact on the amenity of nearby residents in accordance with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C21 The maximum throughput of material per annum with regards to the materials recycling facility and the anaerobic digester shall be as follows:-

MRF - 120,000 tonnes per annum

AD - 20,400 tonnes per annum

Reason: The above throughputs are as set out in the submission and any increase would need to be re-assessed particularly with regard to emissions and transport and the Environmental Assessment in accordance with CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD.

- C22 The permission hereby granted does not include a wind turbine as indicated on the proposed Habitat and Creation Enhancement Measures Drawing which accompanied the letter dated 11 February 2013 from Abigail Bridge with regards to ecology.

Reason: To clarify what is hereby approved.

Copy to Councillors Sanders D A, McKean D

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