



**MINUTES OF A MEETING OF THE PLANNING AND ENVIRONMENTAL  
PROTECTION COMMITTEE  
HELD AT THE TOWN HALL, PETERBOROUGH ON 3 DECEMBER 2013**

**Members Present:** Councillors Serluca (Chairman), Harper (Vice Chairman), Hiller, Todd, Sylvester, Lane, Shabbir and Harrington

**Officers Present:** Nick Harding, Group Manager Development Management

Jez Tuttle, Senior Engineer (Development, Highway Control)  
Ruth Lea, Lawyer  
Hannah Vincent, Planning and Highways Lawyer  
Karen S Dunleavy, Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillor North and Councillor Simons.

**2. Declarations of Interest**

Councillor Sylvester declared an interest in item 4.1, in that the owner of the stables was known to her, however, the association would in no way affect her decision.

Councillor Serluca declared an interest in item 4.3, in that the two speakers registered for item 4.3 were known to her, however, the association would in no way affect her decision.

**3. Minutes of the Meeting held on 5 November 2013**

The minutes of the meeting held on 5 November 2013 were agreed as a true and accurate record.

**4. Development Control and Enforcement Matters**

Following a request for additional speakers, the Committee unanimously agreed that Mr Peppercorn was permitted to speak regarding item 4.1 and Councillor Over was permitted to speak regarding item 4.3.

**4.1 13/00147/FUL - Land to The Rear of Barsby Cooked Meats, Northey Road, Peterborough – Construction of Stables - Retrospective**

The application site comprised a small narrow parcel of land measuring approximately 2,236 sq. metres and was located on the west side of Northey Road approximately 1.8 km from the urban area boundary and within land designated as open countryside. The stable had already been erected on site. Notwithstanding the site was on agricultural land and it had previously been used as a horse paddock. A 2 metre tall close boarded timber fence had been erected around that part of the site closest to Northey Road and enclosed on three sides the hardstanding/turning area and stable building. There was an unauthorised Gypsy and Traveller pitch to the

South of the site, which was to be considered by the Committee. To the east were sporadic residential dwellings and the Northey Lodge Carp Fishing Lakes with its wooded surroundings, otherwise the surrounding character was flat open agricultural land. There was an existing access to the site from Northey Road. The site lay at a slightly lower level than the public highway which formed the eastern boundary.

The site was 300 metres south of the Flag Fen Scheduled Ancient Monument (SAM). Flag Fen was recognised as one of the most important complexes of Bronze Age archaeology in the country and had an international reputation as an archaeological site. The site was also to the North of the Roman SAM.

The application sought planning permission for retention of a stable block 3.69 x 11 metres by 3 metres high and the area of hardstanding which formed the parking and turning area for the stable. The fencing and entrance gate did not require planning permission.

The officer's recommendation was to approval subject to the imposition of relevant conditions.

The Committee's attention was drawn to a number of photographs taken in relation to concerns raised over visibility splays by the Highways Authority in relation to a bend at Northey Road/North Bank. The Group Manager Development Management advised that in his opinion (and contrary to Highway Officer advice) the visibility splays were acceptable. In addition the Committee's attention was drawn towards the success of a recent appeal regarding a decision in relation to a similar Gypsy & Traveller pitch, which was situated closer to the SAM than that of the retrospect application.

The Committee was also advised that the site had been subject to a significant number of enforcement cases involving the site due to unauthorised developments. These developments and remediation works as well as the development now in place would have disturbed any archaeological remains near the surface. A condition was recommended so that if there were further ground works, these would be subject to archaeological assessment.

Mr Peppercorn addressed the Committee and raised a number of points in response to a neighbour's objection to the planning application. In summary the points raised included:

- The site address had been provided by the Planning Officer;
- The high mound at the front of the site that had reduced visibility had been removed;
- No horses had ever escaped from the field;
- It was rare for children to visit the site, which demonstrated that there had been no apparent danger to them; and
- The Planning Officer had recommended the application for approval.

The Senior Engineer (Development, Highway Control) reiterated the concerns raised by Highways regarding the issue of distances in relation to the visibility splays. The main issue raised was in regard to the earth bund in that as the land was not in the ownership of the applicant there was no control over how high it may reach, which could affect the visibility splays in the future.

Members debated the application and were not concerned with the issues raised by

Highways over the visibility splays, due to the fact that it had been demonstrated that there was a sufficient visibility due to the width and length of road at the front of the site. However, Members had appreciated the highway concerns raised. Members also felt that the site would fit in well with the surrounding area.

The Group Manager Development Management asked if the Committee was content to include the proposed condition regarding the planting of hedgerows along the pony paddock. Following the advice, the Committee was minded to go with the officer recommendation for removal of the hedgerow condition, as it had been felt that there needed to be a degree of open aspect to the area.

A motion was put forward and seconded to grant the application subject to the imposition of relevant conditions and the removal of condition C1 in relation to the planting of hedges. The motion was carried unanimously.

**RESOLVED:** (Unanimous) to grant the application, as per officer recommendation subject to:

- The conditions numbered C2-C4 as detailed in the report; and
- The removal of condition C1.

#### **Reasons for the decision**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighing against relevant policies of the development plan and specifically: it had been considered that there would be no unacceptable impact on the amenities of neighbours, that there had been sufficient parking and there was a safe vehicular access. It had been considered that the small scale harm (including cumulative) caused to setting of Flag Fen was acceptable. The proposal would not be harmful in ecological terms. The proposal was therefore in accordance with Policy CS14, CS20, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies PP01, PP02, PP03, PP12, PP13, PP16 PP19 of the Peterborough Planning Policies DPD (2012).

#### **4.2 13/00384/FUL - Land To The North Of Barsby Cooked Meats, Northey Road, Peterborough - change of use to include 1 No static caravan and 2 No touring caravans with the erecting of a facilities block and relocation of stables for one extended Gypsy / Traveller family – part retrospective**

The application site comprised of a small narrow parcel of land measuring approximately 1,450 sq. metres and was located on the west side of Northey Road approximately 1.8 km from the urban area boundary and within land designated as open countryside. The site was on agricultural land and was most recently used as a horse paddock. A close boarded timber fence had been erected to the front of the site. The southern boundary was made up of a mature hedgerow. Barsby Cooked Meats, a meat wholesaler, was sited to the South of the site. To the east are sporadic residential dwellings and the Northey Lodge Carp Fishing Lakes with its wooded landscape, otherwise the surrounding character had been flat open agricultural land. A new access to the site from Northey Road had been formed. The site lay at a lower level than the public highway.

The site was 300 metres south of the Flag Fen Scheduled Ancient Monument (SAM). Flag Fen was recognised as one of the most important complexes of Bronze Age archaeology in the country and had an international reputation as an archaeological site. The site was also to the North of the Roman SAM which was located on the

opposite side of the River Nene to the application site.

The application sought planning permission for the siting of one static caravan 3.2 metres by 9.2 metres by 3 metres high and two touring caravans 2.4 metres by 7.2 metres for use by a single extended Gypsy/Traveller family. Associated ancillary development included internal driveway, parking, turning and a facilities block 3.1 metres by 4.5 metres by 3.4 metres high. The proposal also involved the relocation of a stable block 3.69 metres by 11 metres by 2.9 metres high from its as built location to a revised location.

The Committee was advised by the Group Manager Development Management that there had been similar planning applications for Northey Road and Newborough, which had been successful in appeal following planning refusal due to considerable weight being given to Peterborough's lack of site provision for Gypsy & Traveller sites and the conclusion that in its modified form, the proposal would not impact on the setting of the Flag Fen Scheduled Ancient Monument. The officer's recommendation was to grant the application subject to imposition of relevant conditions.

If any further groundworks were to take place there would be a requirement to undertake an archeological investigation.

Mr Barry Nicholls addressed the Committee and raised a number of points. In summary the points raised included:

- The applicant had been living at the site since March 2013;
- The highways visibility issues raised were further away from similar site applications for the area;
- The application was in line with the National Planning Policy Framework (NPPF), which included provision for the Local Authority to introduce further Traveller & Gypsy sites;
- Additional sites were needed to accommodate the Traveller & Gypsy communities;
- In a recent SAM (Scheduled Ancient Monument) appeal it had been demonstrated that Traveller & Gypsy sites were a part of the setting of the countryside; and
- The current residents wish to live a peaceful life on the site.

Members debated the application and in the main were in agreement with Mr Nicholls' address in that there had not been increased provision of Traveller & Gypsy sites made by the Authority. There had also been a historical issue with the overcrowding of current Gypsy & Traveller sites.

A motion was put forwarded and seconded to grant the application subject to the imposition of relevant conditions. The motion was carried unanimously.

**RESOLVED:** (Unanimous) to grant the application, as per officer recommendation subject to:

1. Conditions numbered C1 to C17 as detailed in the committee report.

#### **Reasons for the decision**

Subject to the imposition of the conditions, the proposal was acceptable having been assessed in the light of all material considerations, including weighing against

relevant policies of the development plan and specifically: it had been considered that there would be no unacceptable impact on the amenities of neighbours, that the site was within a reasonable distance of local services and facilities, that there had been sufficient parking and had a safe vehicular access. It had been considered that there was no significant harm to the setting of the nearby scheduled ancient monuments and any as yet uncovered archaeology would be investigated by way of condition. The very limited harm caused to character and appearance of the local area would be mitigated by a conditioned landscape scheme. The proposal would not be harmful in ecological terms and foul and surface water conditions would ensure that the risk of pollution and flooding was mitigated. The proposal was therefore in accordance with Policy CS9, CS14, CS20, CS21, CS22 of the Peterborough Core Strategy DPD (2011) policies PP01, PP02, PP03, PP12, PP13, PP16 PP19 of the Peterborough Planning Policies DPD (2012), the NPPF and the Planning Policy for Traveller Sites (DCLG) March 2012.

**4.3 13/01360/FUL - Compass Barn, Main Street, Ufford, Stamford - Extension of curtilage of dwelling into paddock to enable the building of a two storey garage office and gym building, with associated excavations and re-profiling of ground levels, tennis court and lake.**

The application site was a C18 barn with adjoined stable range which had been converted into a dwelling. It was located within the Ufford Conservation Area and was constructed from coursed stone with steeply pitched Collyweston stone roof with coped gable ends. The dwelling had large enclosed grounds with various outbuildings and paddock area to the rear.

Permission was sought to change the use of the paddock to residential curtilage to facilitate the construction of a garage block, tennis court and lake.

The garage, office and gym building would be two storeys, curved and measuring 27 metres wide at its widest point by 7.7 metres tall, 5.1 metres projecting above the ground. The tennis court would measure 11 metres x 24 metres within an 18 metres by 25 metres area. The lake would measure approximately 64 metres by 25 metres, no information regarding its profiling or depth had been submitted with the application.

The Group Manager Development Management outlined officer responses to a letter sent to Members by the applicant. In summary the responses included:

- The site was within the village conservation area contrary to the statement submitted in the information letter;
- Whilst the land was not in agricultural production, its authorised planning use was for agriculture and not as a domestic garden;
- The application had, contrary to what was now suggested by the agent, included the change of use for the whole of the paddock not just the part covered by the buildings and tennis court
- There had been landscape implications arising from the development as there would be a significant amount of excavation that would be required to take place. In addition there had been no clarity over where the spoil would be placed and therefore there were concerns the proposal would be detrimental to the conservation area;
- There had been a suggestion by the agent that the tennis court would be sunken and planting provided to the west point of the site, but this would be impractical because of the lack of space between the tennis court and the

- property boundary; and
- A late submission by the applicant of additional plans did not appear to be wholly accurate.

The Group Manager Development Management also presented a number of photographs outlining the surrounding buildings to the proposed application including the street scene. The officer's recommendation was for refusal, due to the development location outside of the village boundary which was against and would be detrimental to the character of the conservation area and the street scene.

Councillor Over addressed the Committee and responded to comments and questions raised by Members. In summary the address and responses to questions included:

- There had been a large number of objections received from the Parish Council and from residents;
- The application was outside the planning envelope which the Parish Council and villagers had spent a large amount of time developing;
- The application was located inside a conservation area;
- The Parish Council had spent a large amount of time towards maintaining the village's rural character;
- The Parish Council had recently invested £1k and had planted trees, flowers and ponds in order to create rural corridors;
- The Parish Council received two applications to extend gardens which were refused due to the sites reaching beyond the village envelope; and
- The applicant's consultant had attended one PC meeting in order to reach an agreement on the way forward with the application.

Mr Scott Weavers-Wright addressed the Committee and responded to Members questions. In summary the main address and responses to questions included:

- The property had been purchased in 2011 and restored to a high standard at a cost of £2.8m;
- The residents were a local family that had made a huge effort the community in Peterborough;
- The use of the paddock barns was for the storage of wood and the applicant's vehicle collection;
- The proposed tennis court was intended to provide recreational family time;
- There would be limited noise created when utilising the paddock as a garage due to the use of one vehicle in operation at any one time;
- There had been little Parish Council support received for previous applications of a potting shed;
- The applicant had spent a significant amount of time developing the property into a family home;
- Local tradesmen had been employed throughout the property restoration process, which had demonstrated the applicants passion for Ufford;
- The existing gym was furnished with an Olympic spa pool for the provision of the one type of exercise, which had been the main reason to create further gym space in order to vary the types of exercise undertaken by the family;
- The consultant had attended the Parish Council meeting due to the applicants business commitments;
- The City of Peterborough should attract entrepreneurs to the area;
- There had been four acres of paddock area that had been utilised in a unique way that provided ground source heating and water to the house; and

- The request was for four garages just outside the turning circle, a tennis court and a lake rather than grass.

Members debated the application and appreciated the applicant's efforts in the restoration of the property, however the main concern had been that the application was located within the village conservation area and beyond the village envelope. Some Members felt that there would be no issues with the lake and tennis court however, there was a concern with the proposed buildings within the application.

Following a request from Members the Principal Built Environment Officer provided an overview of the site and its importance to the character and appearance of the conservation area of Ufford, which had been recorded in map form since the 1970s. Members were provided with an overview of the linear view from various positions within the village and how the application would impact each of the vantage points.

Member continued to debate and in the main felt that the evidence and advice provided over the preservation of the village conservation area was weighted towards the officer recommendation of refusal.

A motion was put forward and seconded to refuse the application, as per officer recommendation. The motion was carried unanimously.

**RESOLVED:** (Unanimous) to refuse the application, as per officer recommendation.

### **Reasons for the decision**

The proposal was unacceptable having been assessed in light of all material considerations, including weighing against relevant policies of the development plan and for the specific reasons outlined as follows:

- R 1 The proposal was outside of the village envelope and was not essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, access to natural green space, transport or utility services. This had been contrary to policy CS1.
- R 2 The tennis court, garage, office, gym, associated terracing and lake were not compatible with the open, undeveloped agricultural character of the area which was located between the Ufford village envelope and conservation area boundaries. The proposed developments by way of their scale, appearance, materials and location would result in development on land which had been currently undeveloped appear incongruous and dominate wider views, when juxtaposed against the surrounding undeveloped land. The resulting loss of undeveloped paddock would be detrimental to the character of the Ufford Conservation Area. This had been contrary to policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and policies PP2 and PP17 of the Peterborough Planning Policies (DPD).
- R 3 The tennis court, garage, office, gym associated terracing and lake would be visible in the foreground and block views of the sites listed building and other listed buildings within the village when viewed from public footpaths to the north of the village. The scale of the proposed development would result in harm to the significance and setting of the site and other listed buildings beyond. This had contrary to policies CS16 and CS17 of the Peterborough Core Strategy (DPD) 2011 and policies PP2 and PP17 of the Peterborough Planning Policies (DPD).

- R 4 The noise nuisance resulting from the use of the tennis court and garage and the light nuisance resulting from any lighting likely to be installed to facilitate the safe use of these developments will result in unacceptable harm to the amenity of the occupiers of neighbouring dwellings; this is contrary to policy CS16 of the Peterborough Core Strategy (DPD) 2011 and policy PP3 of the Peterborough Planning Policies (DPD).
- R 5 The site lay within a minerals and waste safeguarding area. The applicant had failed to demonstrate that the underlying minerals were not of economic value, that they could be extracted prior to the development or that development was compatible with mineral extraction, or that there had an overriding need for the development. This had been contrary to minerals and waste core strategy policy CS26.

It was agreed that 4.4 and 4.5 would be presented and debated together, however a decision would be made on each application respectively.

#### **4.4 13/01372/WCMM Cooks Hole, Leicester Road, Thornhaugh, Peterborough - Application to vary condition 11 of 13/00434/WCMM**

The site measured approximately 3.74 hectares and was triangular in shape and located to the north part of Cook's Hole Quarry, adjacent to the A47. In operational terms the site was part of the whole Cook's Hole Quarry but was originally permitted under a separate application because the area of the site had not been part of the old mineral workings at the site (1950's). Currently, the site was being worked as part of the overall phasing of the whole of Cook's Hole Quarry. The issues to be considered were the same as those being considered under application 13/01374/WCMM.

The most recent decision (which the current application sought to vary) was approved at Committee in July 2013 (13/00434/WCMM). The application sought to extend the hours at the beginning and end of each working day. The hours of working as originally approved were conditioned as follows:

No development (including any servicing, maintenance or testing of plant), other than pumping operations for the removal of water from the excavations, authorised or required by this permission should be carried out on the site except between the following times:

0700 - 1700 hours	Mondays to Fridays
0700 - 1300 hours	Saturdays.

There would be no development on Sundays, Bank Holidays or national holidays. Between 0700 and 0800 on Saturdays operations would be limited to loading vehicles from stockpiles, traffic movements associated with the collection of mineral and associated environmental control and administrative activities.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

In July 2013, Committee approved the extension of these hours subject to conditions C11 and C24



The application was to further vary condition 11 to the following:

"No development (including the servicing maintenance or testing of plant), other than pumping operations for the removal of water from the excavations, authorised or required by this permission would be carried out on the site except between the following times:

0600 - 1900 hours	Mondays to Fridays
0700 - 1300 hours	Saturdays

There would be no development on Sundays, Bank Holidays or national holidays. Between 1800 and 1900 Monday to Friday and 0700 and 0800 on Saturday, operations would be limited to loading vehicles from stockpiles, traffic movements associated with the collection of minerals and associated environmental control and administrative activities. Between 0600 and 0700 Monday to Friday operations would be limited to traffic movements only."

The applicant had therefore requested that morning hours and operations be permitted to continue as they currently did (in line with the permission granted in July 2013 for a temporary period) i.e. traffic movements only and also that the evening working hour on weekdays be extended from 1800 to 1900. During this hour, operations would be limited to loading of vehicles from stockpiles, traffic movements associated with the collection of minerals and associated environmental control and administrative activities.

It was to be noted that the applicant had proposed to commence work at 05.30 on weekday mornings and be permitted to load lorries during this time. The applicant was advised by officers that such a proposal would be unacceptable due to potential for changes in noise character at such an early hour causing disturbance to residents. The applicant had amended the proposal in line with officer requests.

The Group Manager Development Management provided Committee with an overview of the contents of the update sheet and requests in relation to consideration for planning permission to be granted personally to Mick George. In addition concerns had been raised by objectors, which were in relation to noise pollution and requested for consideration to be given grant the extended hours for a temporary period only.

The officer's recommendation was to grant, subject to the imposition of relevant conditions.

Mr Clarke, Wansford Parish Councillor, addressed the Committee and responded to questions raised. In summary the address and responses included:

- Wansford Parish Council had objected to the application in its original form of 5.30;
- Concerns had been raised through the Parish Council regarding the drip changes in the sites operating hours;
- The original conditions agreed were in order to mitigate noise impact;
- It was understood that noisy equipment was to be fitted below the ground level and to date had not been moved;
- The Parish Council requested the Committee to consider attaching a condition within the proposal for trucks to be loaded below ground level which was in line with the original agreement in order to mitigate increased noise impact; and
- A query had been raised with Minerals Officers, regarding why plant equipment

had not moved to below ground level and it had been confirmed that this would happen within a few weeks.

Mr Gough, representative for the applicant, addressed the Committee and responded to questions. In summary the address and responses included:

- To date there had been no noise complaint received as a result of the extended hours of 6.00 – 7.00;
- The mobile plant equipment was due to move to below ground level once the hole had been back filled;
- The applicant was not in objection to the Parish Council's suggestion of a condition to be introduced over the loading below ground level; and
- There had been no deadline date introduced over the relocation of plant equipment below ground level.

The Group Manager Development Management advised that it was apparent from the Minerals Officer appraisal in relation to condition C1 regarding the loading of lorries below ground level, was not reasonable or required and inclusion of such a condition would be subject to enforcement.

It was noted by Members during debate that introduction of a condition in relation to the site lorry loading would be unnecessary as the relocation of the plant equipment was imminent.

A motion was put forward and seconded to grant the application subject to the imposition of relevant conditions. The motion was carried unanimously.

**RESOLVED:** (Unanimous) to grant the application, as per officer recommendation subject to:

1. Conditions C1 to C22 as detailed in the committee report.

### **Reasons for the decision**

The proposal was in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy with regard to the highways/traffic implications of the development. The Highway Authority (PCC) had raised no objections.

The applicant had amended his proposal in line with officer advice so that the application was to vary condition 11 to enable traffic movements only between 0600 to 0700 Mondays to Fridays and lorry loading and traffic movements between 1800 to 1900. In all other respects the hours and working would remain as permitted.

The business needs of the quarry operator had been carefully considered and balanced with the potential for impact on neighbour amenity. There had been no complaints about lorry noise between 0600 to 0700 and the application was to allow traffic movements only between the stated hours on weekdays. The additional evening hour between 1800 to 1900 was in accordance with normal working hours set out in the National Planning Policy Framework (NPPF) Technical Guidance. The limitations on working practice during these hours together with the proposed conditions were sufficient in the Authority's opinion to protect neighbour amenity. This does not mean that no noise would ever be heard beyond the site. The Environmental Health Officer had not raised objections. The Environmental Assessment (previous

submissions and information submitted as part of the application) had been taken into account and had been adequate. It was considered that the proposal complied with policy CS34 of the Minerals and Waste Core Strategy and the NPPF and Technical Guidance.

There had been no material considerations which outweighed the determination of the application in accordance with the adopted development plan policies, therefore the proposal was acceptable.

#### **4.5 13/01374/WCMM - Cooks Hole, Leicester Road, Thornhaugh, Peterborough – Application to vary condition 11 of 13/00432/WCMM**

The application site was broadly rectangular and extended to some 54.4 hectares of which 39.5 hectares was proposed to be worked. The site was located about 1.7 km west of the A1 at Wansford. Thornhaugh village lay about 1 km to the northeast and Wittering 1.7 km to the north. The cluster of residential properties at Home Farm (about 10 residences) lay about 400m to the north and several other isolated farm houses and residences lay within a few hundred metres of the site, notably Oaks Wood Cottage, 300 metres to the north beyond the A47, Nightingale Farm about 325 metres to the South and Sibberton Lodge, about 500 metres to the east of the site beyond the A47.

The northwest site boundary adjoined Thornhaugh 1 quarry (an active quarry being restored by landfill with access off the A47). The northeast boundary adjoined the A47 Leicester Road and the southern boundary adjoined the active Thornhaugh 2 quarry and agricultural land comprising Nightingale Farm. The west boundary was defined by a restrictive byway and the edge of Bedford Purlieus National Nature Reserve (which was a Site of Special Scientific Interest).

Thornhaugh Beck was risen to the west of Bedford Purlieus, flows eastwards through the site before joining the White Water Brook, a tributary of the River Nene). Although parts of the site had been worked previously for ironstone extraction the land generally sloped down, as to be expected towards the stream valley running west to east through the site.

Central to the site was Cook's Hole Farmhouse, an abandoned stone farmhouse and associated barn and outbuildings. The farmhouse had recently been grade II listed and so the associated buildings were also listed by way of being curtilage buildings. The property was uninhabitable without extensive restoration works.

The site was traversed by various Public Rights of Way.

The site comprised of an area historically worked for Ironstone from the 1950s which benefited from a Renewal of Minerals Permission (i.e. a RoMP - an historic planning permission which had been reviewed and updated with appropriate conditions) and a new permission for an area of previously un-worked mineral. These two permissions (03/01171/RMP and 10/01441/MMFUL) were to all intents and purposes identical and were granted in April 2011. The two permissions had subsequently been superseded by the current operator who wished to work the site according to a different phasing.

Members may recall that the most recent decision (which the current application sought to vary) was approved at Committee in July 2013 (13/00432/WCMM). The application sought to extend the hours at the beginning and end of each working day.

The hours of working as originally approved were conditioned as follows:

No development (including any servicing, maintenance or testing of plant), other than pumping operations for the removal of water from the excavations, authorised or required by this permission shall be carried out on the site except between the following times:

0700 - 1700 hours	Mondays to Fridays
0700 - 1300 hours	Saturdays.

There would be no development on Sundays, Bank Holidays or national holidays. Between 0700 and 0800 on Saturdays operations would be limited to loading vehicles from stockpiles, traffic movements associated with the collection of mineral and associated environmental control and administrative activities.

Reason: In order to safeguard the amenity of nearby residents in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

In July 2013, Committee approved the extension of the hours subject to conditions C11 and C24.

The application was to further vary condition 11 to the following:

"No development (including the servicing maintenance or testing of plant), other than pumping operations for the removal of water from the excavations, authorised or required by this permission would be carried out on the site except between the following times:

0600 - 1900 hours	Mondays to Fridays
0700 - 1300 hours	Saturdays

There would be no development on Sundays, Bank Holidays or national holidays. Between 1800 and 1900 Monday to Friday and 0700 and 0800 on Saturday, operations would be limited to loading vehicles from stockpiles, traffic movements associated with the collection of minerals and associated environmental control and administrative activities. Between 0600 and 0700 Monday to Friday operations would be limited to traffic movements only."

The applicant therefore requested that morning hours and operations be permitted to continue as they currently had (in line with the permission granted in July 2013 for a temporary period) i.e. traffic movements only and also that the evening working hour on weekdays be extended from 1800 to 1900. During this hour, operations would be limited to loading of vehicles from stockpiles, traffic movements associated with the collection of minerals and associated environmental control and administrative activities.

It should be noted that the applicant had originally proposed to commence work at 0530 on weekday mornings and be permitted to load lorries during this time. The applicant was advised by officers that such a proposal would be unacceptable due to potential for changes in noise character at such an early hour causing disturbance to residents. The applicant had amended the proposal in line with officer requests.

The officer's recommendation was to grant subject to the imposition of relevant conditions.

Members commented that there had been no noise complaints received over the extended operating hours.

A motion was put forwarded and seconded to grant the application subject to the imposition of relevant conditions. The motion was carried unanimously.

**RESOLVED:** (Unanimous) to grant the application, as per officer recommendation subject to:

1. Conditions C1 to C23 and C99 as detailed in the committee report.

### **Reasons for the decision**

The proposal was in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy with regard to the highways/traffic implications of the development. The Highway Authority (PCC) had raised no objections.

The applicant had amended his proposal in line with officer advice so that the application was now to vary condition 11 to enable traffic movements only between 0600 to 0700 Mondays to Fridays and lorry loading and traffic movements between 1800 to 1900. In all other respects the hours and working would remain as permitted.

The business needs of the quarry operator had been carefully considered and balanced with the potential for impact on neighbour amenity. There had been no complaints about lorry noise between 0600 to 0700 and the application was to allow traffic movements only between this hour on weekdays. The additional evening hour between 1800 to 1900 was in accordance with normal working hours set out in the NPPF Technical Guidance. The limitations on working practice during these hours together with the proposed conditions had been sufficient in the Authority's opinion to protect neighbour amenity. This does not mean that no noise would ever be heard beyond the site. The Environmental Health Officer had not raised objections. The Environmental Assessment (previous submissions and information submitted as part of this application) had been taken into account and was adequate. It had been considered that the proposal complied with policy CS34 of the Minerals and Waste Core Strategy and the NPPF and Technical Guidance.

There were no material considerations which outweighed the determination of the application in accordance with the adopted development plan policies, therefore the proposal was acceptable.

Chairman  
1.30pm - 3.05pm

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