

Application Ref: 14/00069/WCMM

Proposal: Variation of conditions C1 (Commencement of development), C2 (Approved plans), C3 (Facing materials), C4 (Lighting), C7 (Landscape details and management), C8 (Fencing), C13 (Programme of archaeological work), C15 (Provision of retention of cycle parking), C16 (Cyclist/pedestrian provision) C18 (Access points), C20 (Construction management plan), C22 (Surface water drainage) C24 (Hydrological monitoring) and C26 (Protection of wildlife) of planning permission 12/01409/WCMM for Energy from Waste Facility, in order to incorporate minor material amendments to the approved scheme

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

Agent: Axis

Site visit: 31.01.2014

Reason referred: Major application of public interest which is a Council Scheme.

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

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

Site Description

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

The site covers an area of 1.9 hectares and was previously occupied by the Council's Materials Recycling Facility (MRF), which was operated by Viridor. It is presently being developed for the EfW facility under the current permission 12/01409/WCMM.

The site is bounded:

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

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

The Fengate Industrial Estate contains a mix of industrial and similar uses, including those referred to above. In addition, there is an existing power station (Peterborough Power Station), located approximately 160m to the north of the application site boundary. Peterborough Power Station is a gas-fired power station operated by Centrica. The power station was commissioned in 1993 and remains in use. The power station is expected to have a life of approximately a further 25 years.

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

Proposal

The permitted scheme and that which has been implemented is that granted under 12/01409/WCMM for an Energy from Waste Facility with a maximum throughput of 85,000 tonnes per annum.

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

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

An Environmental Permit for the operation of the facility has been granted by the Environment Agency. This provides the regulatory control over the facility to ensure that it complies with all relevant environmental restrictions.

The permission is subject to obligations under Section 106 of the Town and Country Planning Act 1990 which secured the payment of financial contributions towards drainage works (£16,756); and set out requirements for the carrying out of hydrological monitoring. The financial contribution has been paid because this development has commenced.

The applicant wishes to make several amendments to the approved scheme, some of which are related to the proposed Household Waste Recycling Centre (HWRC - under separate planning application) on the adjacent site and some of which are relatively minor design alterations.

The amendments which relate to the proposed HWRC include revised access arrangements including widening of the existing access off Fourth Drove, changes to internal roadways and vehicle routing, changes to internal pedestrian routing and car parking, relocation of the weighbridge and office, water tank, cycle and smoking shelters, a new coach drop off point, new fencing and gate arrangements and removal of on street parking currently provided on Fourth Drove. These changes are necessary in order to provide a shared HGV access and egress for both the EfW and proposed HWRC off Fourth Drove and to enable staff and visitor parking to be provided on the neighbouring site (in the ownership of Peterborough City Council) and where the proposed HWRC would be if approved. The staff and visitor vehicular access/egress would be off Dodson Way.

The proposed design changes include repositioning of doors, reduction in the diameter of the main chimney stack from 2.5 to 1.55 metres, increase in the height of the administration block from 13.1 to 14.5 metres, relocation of tanks, change to roof cladding from Kingspan to Tata Roofdek, internal changes to office block arrangement and introduction of additional equipment and amendment to the pipe bridge to the Air Cooling Condensers.

The following matters are not affected by the proposed changes;
 No change to the application boundary
 No alterations to the footprint, orientation and overall height of the main EfW building
 No alterations to the location, height or anticipated levels of emissions from the chimney stack
 No changes to the technology or processes to be carried out within the EfW
 No changes to the waste throughput or the amount of energy that could be potentially exported.

To enable these changes to be made the applicant proposes to amend the following conditions;
 Condition 2 - The list of approved plans
 Condition 3 - Reference to the Design and Access Statement to be replaced with the revised materials board drawing
 Condition 4 - Replace reference to the external lighting and CCTV drawing
 Conditions 7 and 8 - Replace reference to the Landscape and Fencing drawing
 Conditions 15 and 16 - Amend to reference the proposed bicycle and smoking shelter drawing

The current and implemented planning permission was subject to a number of pre-commencement conditions which have been discharged. These conditions relate to commencement of development, archaeology, Construction Management Plan, De-watering and Ecology. One further pre-commencement condition (prior to the commencement of the building) relating to surface water drainage is still being considered at the time of writing. As well as amending the conditions stated above, the Local Planning Authority has the opportunity to amend, remove or add other conditions as necessary as a result of the current development and planning position and as a result of the changes being proposed. This will be further discussed in later in the report.

The previously approved scheme was subject to an Environmental Assessment, the contents of which still need to be taken into account as part of the consideration of this application. The applicant has submitted an addendum to the previous ES in order to consider any changes to environmental impact as a result of the changes to the development, the main issue of relevance here being transport due to alterations to the access arrangements.

2 Planning History

Reference	Proposal	Decision	Date
12/01409/WCMM	Variation of conditions C2 and C5 of planning permission 09/00078/MMFUL dated 06/05/2010 (Construction of an 'Energy from Waste' facility) - Condition 2 to refer to the submitted drawings (which amend the visual appearance of the building) and Condition 5 to refer to the revised throughput of 85,000 tonnes per annum at a calorific value of 9,700 kJ/kg or equivalent	Permitted	07/03/2013

3 Planning Policy

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

National Planning Policy Framework

Section 12 - Development Affecting Non-Designated Heritage Assets

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

Section 7 - Good Design

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

Section 12 - Conservation of Heritage Assets

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

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

Peterborough Core Strategy DPD (2011)

CS14 - Transport

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

CS17 - The Historic Environment

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

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

MW02 - Strategic Vision and Objectives for Sustainable Waste Management Development

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

MW15 - The Location of Future Waste Management Facilities

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

MW22 - Climate Change

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

MW23 - Sustainable Transport of Minerals and Waste

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

MW24 - Design of Sustainable Minerals and Waste Management Facilities

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

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

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

MW32 - Traffic and Highways

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

MW34 - Protecting Surrounding Uses

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

MW35 - Biodiversity and Geodiversity

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

MW39 - Water Resources and Water Pollution Prevention

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

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

Adequate water pollution control measures will need to be incorporated.

Community Infrastructure Levy (CIL) Regulations 2010

Paragraphs 203-205 of the National Planning Policy Framework: Planning Conditions and Obligations:

Requests for planning obligations whether CIL is in place or not, are only lawful where they meet the following tests:-

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In addition obligations should be:

- (i) relevant to planning;
- (ii) reasonable in all other respects.

Planning permissions may not be bought or sold. Unacceptable development cannot be permitted because of benefits/inducements offered by a developer which are not necessary to make the development acceptable in planning terms. Neither can obligations be used purely as a means of securing for the local community a share in the profits of development.

4 Consultations/Representations

Transport & Engineering Services (20.02.14)

No objections subject to conditions concerning parking, turning and unloading and access arrangements along Fourth Drove (removal of on street parking)

Landscape Architect (Enterprise) (24.01.14)

No objections

Wildlife Officer (06.02.14)

No additional impacts on protected species or habitats are likely to occur as a result of the proposed variation of conditions. I would wish to see the temporary compound restored for wildlife purposes.

Archaeological Officer (23.01.14)

All archaeological requirements remain as previous

Anglian Water Services Ltd (17.02.14)

No comments as does not appear to be relevant to Anglian Water

English Heritage (05.02.14)

No comments; Determine in accordance with National and Local policy and advice.

Environment Agency (12.02.14)

No objections but refer to previous comments with regard to the condition requiring the drainage scheme to be submitted. This suggested that further detailed information would need to be submitted in order to satisfy PCC's drainage team.

National Grid (30.01.14)

There is apparatus within the vicinity of the site which may be affected by the proposal. The contractor should contact National Grid.

Natural England - Consultation Service (13.02.14)

No objections with regard to statutory nature conservation sites. Protected species - follow Natural England's standing advice

Police Architectural Liaison Officer (29.01.14)

No objections

Health & Safety Executive (26.03.14)

No objections

Local Residents/Interested Parties

Initial consultations: 755

Total number of responses: 2

Total number of objections: 2

Total number in support: 0

Two letters of objection have been received which raise the following issues;

The Planning Department and people living in and around Peterborough should read the findings of Global Alliance for Incinerator Alternatives, The Myths and Facts which would make up our minds that we do not want this to go ahead.

I object to any increase in the agreed size or throughput of this facility as it will greatly increase the already poor quality air in the City, leading to health problems for our citizens.

5 Assessment of the planning issues

The main considerations are

1. Whether the changes to the proposed design and layout (including access arrangements) of the Energy from Waste Facility are acceptable in comparison to the approved scheme and in accordance with the development plan and other material considerations
2. Any other issues and/or changes that have arisen in terms of policy and/or physical works since the last application was approved that need to be taken account of e.g. conditions that have been discharged.

Consideration of this Section 73 application should be limited to those issues affected by the proposed changes to the scheme and any consequential changes occurring as a result. This is not an opportunity to go back to first principles and consider whether Energy from Waste scheme is acceptable on this site. This has already been established by the extant planning permission and subsequently through the necessary procurement procedures that resulted in the award of the contract to deliver the EFW scheme to Viridor. The approved scheme has been lawfully commenced on site.

1. Whether the Changes to the approved design and layout are acceptable

Access, parking etc.

With regard to the changes to access arrangements, the approved scheme contains condition 18 which requires an access only from Fourth Drove and egress only from Fengate. The proposed amendments include vehicular access and egress for HGVs visiting the site from Fourth Drove only. Employees and visitors to the site will not be able to use this access but instead will access via the car park on the adjacent site via Dodson Way. The overall number of vehicles visiting the development will remain the same. The changes would allow HGVs visiting the EfW and the neighbouring site to use the singular access off Fourth Drove which would be widened to facilitate HGVs going in and out at the same time. The proposals also separate out the HGV traffic from car traffic and therefore reduce pedestrian movement (from employees and visitors) in those areas of the site where HGVs will be manoeuvring.

At present, on street parking is permitted on Fourth Drove which is an adopted highway. The Transport Assessment submitted with current application sets out that in line with advice from the

Highway Authority, the on street parking bays on Fourth Drove (between Fengate and the access to the site) will be removed in order to better accommodate two-way HGV traffic movements. The applicant carried out parking demand surveys in Spring/Summer 2013 which show that parking demand is generally at a limited level and that removal of the on street parking would not result in a material impact on the operating conditions along this route.

The provision of a cycle shelter is retained albeit it is relocated within the site to an acceptable and accessible location.

The Highway Authority has raised no objections to the proposals subject to conditions requiring the provision and retention of on-site parking and turning areas and the removal of the on street parking on Fourth Drove prior to the occupation of the development.

Policy CS32 of the Core Strategy requires that waste development proposals are acceptable in terms of sustainable transport, highway network and suitable access to serve the site. Policy CS32(b) states that minerals and waste development will only be permitted where the access and highway network are suitable and CS32(c) states that any highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity. As volume of traffic to the site is not changing it is only the change in access arrangements that is pertinent. It is considered that the proposal is acceptable as it meets the above policy requirements and the Highway Authority raise no objections. Suitable conditions will be imposed to satisfy the Highway Authority requirements.

Visual appearance and design

With regard to the changes in the visual appearance of the layout of the site and the design of the building, overall these changes will be barely noticeable from the scheme as previously approved because the overall building envelope and footprint remains as approved and the position and height of the chimney is the same (albeit a smaller diameter of chimney is proposed). The changes to the building elevations are relatively cosmetic in the context of the scale of the development and will not result in significant changes in visual appearance or affect the amenity of any neighbouring occupiers (no residential). As such the proposal complies with policies MW24 and MW34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy which are concerned with the design of waste management facilities and their impact upon surrounding uses.

Impact on Flag Fen Scheduled Monument

Similarly, as the position and scale of the EFW building are as approved there will be no further impact upon the hydrology of Flag Fen and the approved hydrology strategy will remain as valid. This will be covered via a further unilateral undertaking as it has been previously. English Heritage has not objected and advises that we rely on national and local policies and PCC archaeological advice. PCC's archaeologist does not object subject to the existing hydrological strategy remaining in force. In terms of national policy, Flag Fen as a Scheduled Monument is a heritage asset of the highest significance. With the hydrological strategy in place the proposal may lead at worst to less than substantial harm to the asset but the likelihood is that no harm will be caused. This matter has already been considered and accepted previously and the proposed amendments do not alter this scenario. Therefore the proposal is in accordance with policy CS17 of the Core Strategy and paragraphs 132 and 134 (in particular) of the NPPF.

Health and Safety

The Health and Safety Executive has confirmed that it has no objections to the application with regard to the relationship with the Le Maitre Fireworks Factory to the rear of the site.

The Environmental Assessment

The applicant has provided an addendum to the Environmental Statement submitted previously

which sets out that apart from changes in transport/vehicular access, in all other respects the conclusions of the previous ES remain valid. This is accepted and the changes to the access arrangements have been adequately dealt with.

2. Other issues

Discharge of Pre-commencement Conditions

The permission granted under 12/01409/WCMM was subject to several pre-commencement conditions. These have been discharged with the exception of surface water drainage details. The material submitted with the discharge of condition applications is still relevant and acceptable with regard to the current proposals. The pre-commencement conditions will therefore be amended to require compliance with the already approved material. The matters approved relate to the Construction Management Plan, De-Watering Concept and Monitoring and Mitigation Contingency document, Phase 1 Habitat Survey, Archaeology Written Scheme of Investigation (partially discharged).

At the time of writing this report, the surface drainage scheme for the site remains to be submitted and approved. It has been agreed with the developer in consultation with PCC Drainage Team, that there would be no harm in the works to the building taking place ahead of the drainage scheme being approved but that no other hard surfacing should be laid ahead until the drainage scheme is agreed. It is therefore proposed to amend the drainage condition to reflect this current agreed position.

Construction Hours

The current condition 5 restricts deliveries and construction work to between 07:00 to 19:00 Monday to Saturday. It is considered that for a project of this size, requiring abnormal load deliveries that this is too restrictive. It is proposed to re-word the condition so that if there needs to be an exception to these hours, such as abnormal load delivery, 24 hours' notice shall be given to the local planning authority. There will be minimal risk to residential occupiers given the location of the site.

Section 106 Unilateral Undertaking

The current permission is subject to a unilateral undertaking which required the payment of a contribution to the Padholme Catchment Drainage Scheme and that the developer undertake the Hydrological Monitoring Scheme. The contribution has already been paid therefore if this application is approved it will need to be subject to a legal agreement to cover the Hydrological Monitoring Scheme only.

Policy

The government has recently published its Planning Practice Guidance which is a material consideration in the determination of planning applications. However, there is nothing contained within this guidance that introduces new issues or would affect consideration of the application as set out above.

6 Conclusions

This application seeks to vary several conditions to enable alterations to be made to the access arrangements for the Energy from Waste facility, parking and various layout and design matters, none of which significantly affect the overall appearance of the development as approved. The in principle issues have been previously accepted and the proposed changes do not warrant a re-visit of these issues. The applicant has provided an addendum to accompany the previous Environmental Assessment which adequately covers any changes to the environmental assessment of the scheme as a result of the changes to layout and design. The previous

Environmental Statement with the addendum adequately demonstrate that with mitigation the proposal will not have significant impacts on the environment that would warrant refusal of the proposals. The main area of change is transport due to the alteration in access arrangement. The Highway Authority raises no objection subject to conditions and the proposal accords with policy CS32 of the Core Strategy. In all other respects the proposal complies with the adopted Development Plan policies as set out above and does not conflict with the NPPF or the advice contained in the recently published Planning Practice Guidance. The application is therefore recommended for approval subject to revised conditions and the entering into of a legal agreement in respect of hydrological monitoring.

7 Recommendation

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

C 1 The development hereby permitted shall be carried out in complete accordance with the following submitted documents and plans:

1033150-00 Version A	Site Location Boundary Drawing
1033150-02 Version H	Proposed Site Layout (EfW)
1033150-11 Version J	Landscape and Fencing
1237 001 Rev C	Proposed South West Building Elevations
1237 002 Rev C	Proposed North East Building Elevations
1237 003 Rev C	Proposed North West Building Elevations
1237 004 Rev C	Proposed South East Building Elevations
1237 009 Rev B	ACC Elevations
1237 011 Rev C	Proposed Site Sections
1237 013 Rev C	Proposed Office Layouts
1237 018 Rev B	Materials Board
1237 036 Rev A	Bicycle and Smokers Shelter
1237 038	Fire Water Tank and Pump House

Environmental Statement and appendices
 Environmental Statement addendum reports
 Groundwater Monitoring Strategy - except where amended by provisions of the legal agreement
 Summary of De-Watering Concept by Project Dewatering Ltd dated 21.08.2013
 Monitoring and Mitigation Contingency Document by Project Dewatering Ltd emailed by G Scott 02.10.2013
 Construction Management Plan and plan MA_11125_SK001 Rev 2
 Phase 1 Habitat Survey dated 22.06.2012
 Archaeology Written Scheme of Investigation by Mouchel dated 14.12.2012
 Reason: To clarify what is hereby approved

C 2 The development shall be carried out in complete accordance with the submitted details of materials set out on drawing 1237 018 Rev B Materials Board.

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

C 3 Notwithstanding the details shown on drawing 1033150-14 Version I Indicative Lighting and CCTV, no lighting shall be erected unless in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include the location, design and lux levels of each light together with details to minimise light pollution to neighbouring land and the night sky.

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

- C 4 The annual throughput of the Energy from Waste Plant shall not exceed 85,000 tonnes at a Caloric Value of 9,700kj/kg or equivalent.

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

- C 5 During construction

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

07.00 - 19.00 hours Monday to Saturday

Should there need to be an exception to this (for example due to abnormal load delivery) the developer shall provide the local planning authority with at least 24 hours' notice that such works/deliveries are to take place.

During normal operation

Deliveries to the site shall only take place between:

06.00 - 22.00 hours Monday to Saturday

08.00 - 16.00 Sunday, Bank Holidays and Public Holidays.

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

- C 6 The development hereby approved shall not be occupied until the grassed area, vegetated verge and all of the fencing has been provided in accordance with drawing 1033150-11 Version J Landscaping and Fencing. All metal/galvanised fencing shall have a painted finish in green as shown on the approved Materials Board drawing 1237 018 Rev B. All such landscaped areas and fencing shall be retained as such thereafter.

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

- C 7 With the exception of any acoustic fencing, all new and replacement fencing shall be designed to allow free flow of floodwater to ensure that the floodplain can be utilised during a flood event unless it can be demonstrated that adequate flood plain mitigation is in place.

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

- C 8 The development hereby permitted shall only be carried out in accordance with the supplementary flood risk information undertaken by Anna Butler (for and on behalf of Atkins Ltd) and dated 5 November 2009. In particular all electrical equipment shall be mounted no lower than 2.7 metres above Ordinance datum and provided with water resilient housing. The applicant shall confirm completion of the approved scheme, in writing, to the Local

Planning Authority within one month of it being so completed. Thereafter no additional electrical equipment shall be installed except in compliance with the recommendations of the above supplementary flood risk information.

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

- C 9 If, during development, contamination not previously identified in the risk assessment set out in Chapter 11 of the Environmental Statement, is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained approval in writing by the Local Planning Authority, an addendum to the Method Statement detailing how this unsuspected contamination shall be dealt with. The development, thereafter, shall not proceed except in accordance with the approved addendum Method Statement.

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

- C10 Prior to the development being brought into operation a noise management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include steps to be taken to ensure that noise is minimised from plant and machinery which could include plant modification, enclosures, screening, location and maintenance and monitoring of noise from the facility. The plan shall demonstrate how the noise limit set out below shall be achieved. The noise management plan shall also include a scheme for noise monitoring to be undertaken by the operator in the instance of being requested to do so by the Local Planning Authority if a reasonable complaint is received.

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

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

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

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

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

- C11 Prior to the first occupation of the facility details of the reversing alarms to be fitted to all mobile plant shall be submitted to and approved in writing by the Local Planning Authority. The approved reversing alarms shall be utilised on mobile plant for the duration of the development.

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

- C12 No development shall take place except in complete accordance with the approved archaeological Written Scheme of Investigation by Mouchel dated 14 December 2012, including any post development requirements e.g. archiving and submission of final reports. Reason: to secure the obligation on the planning applicant or developer to mitigate the impact of their scheme on the historic environment when preservation in situ is not

possible, in accordance with Policy CS17 of the adopted Peterborough Core Strategy DPD and the National Planning Policy Framework, particularly paragraphs 128 and 141.

C13 At least 75% by weight of the municipal solid waste and at least 75% by weight of the commercial and industrial waste shall be sourced from the following area:

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

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

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

C14 The building shall not be brought into use until the approved cycle shelter and pedestrian routes have been constructed in accordance with drawing 1033150-02 Revision H Proposed Site Layout Plan (EfW) and drawing 1237 036 Revision A, the approved Bicycle and Smokers Shelter Plan. The cycle shelter shall be retained as such thereafter.

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

C15 The building shall not be brought into use until

(1) a 2 metre wide footway along the eastern side of Fengate from Dodson Way to Fourth Drove, including pedestrian crossing points has been constructed

(2) Parking for 19 cars (to include 2 disabled spaces) within the car park to the front of Dodson House have been provided together with adequate alternative parking to serve the employees and visitors to Dodson House

(3) The access/egress to Fourth Drove has been provided/constructed (shown on the site layout (EfW) drawing 1033150-02 Revision H), and

(4) On street parking on Fourth Drove between the site access and Fengate has been removed in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include measures to ensure that at least 19 parking spaces are permanently available within the car park to the front of Dodson House for use of employees and visitors to the EfW facility. The development shall only be brought into use and continue to operate in accordance with the approved details/scheme.

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

C16 The development shall not be carried out except in complete accordance with the approved Construction Management Plan and accompanying drawing MA_11125_SK001 Revision 2.

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

C17 Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system shall be sealed with no discharge to any watercourse, land or underground strata. Any associated pipe work shall be located above ground and protected from accidental

damage. All filling points and tank overflow pipe outlets shall be detailed to discharge into the bund.

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

- C18 Prior to the permanent surfacing of any hardstanding or parking areas, details of the proposed surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in accordance with the approved scheme.

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

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

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

- C19 Details of the means of operation of the unmanned weighbridge shall be submitted to and approved in writing by the Local Planning Authority prior to any waste being received. The unmanned weighbridge shall not be operated except in accordance with the approved details.

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

- C20 The development shall not take place except in complete accordance with the Summary of De-Watering Concept by Project Dewatering Ltd dated 21 August 2013 and the Monitoring and Mitigation Contingency document by Project Dewatering Ltd (emailed by G Scott on 2 October 2013) unless amended under the provisions of the legal agreement.

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

- C21 Prior to the decommissioning of the facility hereby permitted a scheme, including a timetable for the demolition of the buildings and plant and decommissioning of the land shall be submitted to and approved in writing by the Local Planning Authority. The decommissioning shall take place only in accordance with the approved scheme.

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

- C22 The development shall not take place except in accordance with the updated Phase 1 Habitat Survey by Mouchel dated 22 June 2012 specifically implementation of the recommendations contained within Section 4.5 of this report.

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

Copies to Councillors N Shabbir, M Todd, J Johnson