

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 March 2015

AUTHOR/S: Planning and New Communities Director

Application Number:	S/2268/14/PO
Parish(es):	West Wrattling
Proposal:	Modify paragraph 2.4 of the deed of variation of planning obligation dated 29 July 2011 to amend wording to remove restriction of daily HGV movements within the unilateral undertaking dated 4 January 2007. Modify unilateral undertaking dated 4 January 2007 to remove definition of 'two-way HGV movement' and reference to the need to supply an annual monitoring report to the County Council
Site address:	Camgrain, London Road, Balsham
Applicant(s):	Camgrain Stores Ltd
Recommendation:	Delegated Approval
Key material considerations:	Highway safety
Committee Site Visit:	None
Departure Application:	No
Presenting Officer:	Lorraine Casey
Application brought to Committee because:	The Officer recommendation is contrary to the recommendation of West Wrattling, Great Wilbraham and Balsham Parish Councils
Date by which decision due:	11 November 2014 (Time extension agreed until 27 March 2015)

Planning History

1. S/2494/04/F – Planning permission granted for a 90,000 tonne grain storage facility.
2. S/0506/09/F – Planning permission granted for a 210,000 tonne extension to the original facility.

Planning Policies

3. *National Planning Policy Framework 2012*

4. *Local Development Framework 2007*

DP/1: Sustainable Development
DP/2: Design of New Development
DP/3: Development Criteria
DP/4: Infrastructure and New Developments
DP/7: Development Frameworks
NE/1: Energy Efficiency
NE/15: Noise Pollution
TR/1: Planning for More Sustainable Travel
TR/2: Car and Cycle Parking Standards

5. *Draft Local Plan 2013*

S/1: Vision
S/2: Objectives of the Local Plan
S/3: Presumption in Favour of Sustainable Development
S/5: Provision of New Jobs and Homes
S/7: Development Frameworks
CC/3: Renewable and Low Carbon Energy in New Developments
CC/4: Sustainable Design and Construction
TI/2: Planning for Sustainable Travel
TI/3: Parking Provision

Consultations

6. *West Wrattling Parish Council* – Recommends refusal:

“At the Parish Council meeting...the above planning application was discussed both with the parish council and a large number of parishioners and it was agreed that the Parish Council unanimously opposes the application and wishes the planning authority to consider the following and reject the application.

1. Impact on safety on the A11

The restrictions were put in place on the original application because of safety concerns relating to volume of grain lorries accessing and leaving the A11. These concerns were raised by an independent assessment made at the time that was commissioned by SCDC. No improvements have taken place since.

No change should be made that would result in considerable increase in volume **before the junction to the A11 is substantially improved**. It is the council's opinion that any such improvements to the junction should be financed by the applicant, not the tax payer. Because of concerns about road safety we therefore request that the Police Authority are consulted over this application and a further independent assessment carried out to measure the impact of changes in volume.

2. Impact of removing restrictions on HGV traffic in surrounding villages

Public concern. We have had an unprecedented amount of concern expressed locally about grain lorry traffic already prior to this application that has come about as a result of the expansion of both the facility on West Wrattling Common (Thurlow Estate) and CamGrain. Feelings could be described as febrile on the issue of large numbers of HGV's going through the village.

Weight restrictions. The application has caused many people (and us as a council) to consider lobbying for a weight restriction through our village if matters do not improve.

Accidents. Although as far as we know, there have been no serious accidents yet caused by grain lorries, this is regarded as fortunate, as there have been many minor problems with several near-misses caused by grain lorries going too fast in narrow country roads. We are encouraging residents who experience such incidents to report them to police even if there is no damage. Again we would ask that the Police Authority consider the increased risk of RTAs on minor roads caused by a large increase in HGV traffic.

3. Environment

Noise and air pollution and road damage. There is an environment issue following on from removing the restrictions with the noise of the grain lorries, particularly when empty, which could become a 24-hour nuisance, together with additional localised air pollution and also the damage to the narrow roads.

Listed Buildings. Of great concern to SCDC regarding any decision that increases HGV traffic in the locality should be the impact upon listed buildings close to the roadside. There are 11 listed buildings on West Wrattling High Street (five within a few metres), which is a favoured route for grain to be transferred between Camgrain and the Thurlow facility on West Wrattling Common. The Chairman of WWPC has had it confirmed from a director of the Thurlow Estate that regular movements do take place to make use of spare capacity and use WW High Street as the route of choice.

Again we would ask that independent assessment of the impact of HGVs on listed buildings in West Wrattling, and ask that English Heritage be consulted."

In response to the proposed extension to the routing agreement, West Wrattling Parish Council states that it still strongly objects to the application due to reasons previously given that have not been addressed:

- The proposed exclusion zone needs to have some enforcement capability that should be transparent to the local residents.
- All journeys taken within the exclusion zone for purposes of transfer and delivery need to be separately logged so that if residents have cause to believe drivers are taking shortcuts they can refer to the times when they have seen the lorries to the log to find out where they were delivering to.
- There should be a clear definition as to what constitutes a delivery, and a clear declaration that they will not transfer grain to the Thurlow site on WW Common via WW High Street.
- There should be an agreement to financial penalties if infringement takes place.
- What evidence does Camgrain have to refute evidence by residents? This is a clear attempt to mislead planners, as grain is being transferred to the Thurlow site at The Common via West Wrattling High Street.
- Why has the Parish Council's request for an independent assessment of the safety of the junction been ignored?

7. *Great Wilbraham Parish Council* – Recommends refusal:

“The members of the Council are seriously concerned that no traffic figures have been given as part of the application. In addition no justification for need has been included. Finally it is the Council’s understanding that current movement rates have been exceeded.”

Great Wilbraham Parish Council has confirmed that the proposed amendment to the routing agreement has not altered its previous recommendation. Additionally, it notes that the route through Six Mile Bottom is a rat run.

8. *Balsham Parish Council* – Recommends refusal, stating:

“The removal of the restriction of daily HGV movements will result in increased traffic through Balsham which will increase noise pollution, vibration and disruption in the village.”

9. *Weston Colville Parish Council* – Recommends approval, although states it is generally not happy to see planning conditions relaxed as it rather negates some of them.

In response to the amended details, Weston Colville Parish Council has commented that:

“The green colouring on the map (ie the exclusion zone proposed by Camgrain) should be extended to the other parish boundaries of Carlton, West Wickham, West Wrating, Balsham and Weston Colville. If the green delineation as it stands on the map remains in place then the grain lorries can go to and through most of the villages.”

10. *The Highways Agency* – Raises no objections.

11. *The Local Highways Authority* – Raises no objections, stating that no significant adverse effect upon the public highway should result from this proposal should consent be granted. The removal of the movements restriction and the removal of the need to supply an Annual Monitoring report does not affect the Routing Agreement that stipulates the routes that HGV’s must take to the site, as the prohibited routes shown within the Unilateral Undertaking will remain in place and are fully supported and monitored by Camgrain.

Representations

12. District Councillor Turner has confirmed his support for the application on the basis of the amendment to the routing agreement.

13. Approximately 56 letters of objection have been received, the majority of these from residents within West Wrating. The main concerns raised are:

- The A11 access junction for the Camgrain site is inadequate for its current use as the on/off slip roads are too short. Any increase in HGV movements will make this junction more dangerous.

- The 210,000 tonne extension has not yet been built. The number of movements associated with the extended store, and the impact of those movements, is not therefore known.
- Any application to increase the number of daily movements is premature until the store has been operating at full capacity for a number of harvest periods and a full safety investigation has been conducted for the site and surrounding villages.
- When the A11 is fully dualled to Norwich, this will increase vehicle numbers and more traffic using this junction.
- Minimal improvement to the junction was undertaken for the original scheme. SCDC employed an independent consultant to undertake a Safety Audit and advise on requirements for the A11 junction. The Consultant advised there should be longer slip roads but these improvements were not imposed.
- The weighbridge restriction is meant to prevent platooning onto the A11. However, HGV's have been observed parking on the exit side of the weighbridge and leaving in convoys, hence leading to platooning.
- Villages to the south (West Wratting, Weston Colville and Balsham) are used as a rat run by Camgrain's HGV's. Six Mile Bottom is also used to access the A14. The removal of restrictions would increase traffic movements through these villages.
- Restrictions are in place for Fulbourn and Great Wilbraham but no such restrictions exist for the above villages to the south. The extent of prohibited roads should therefore be increased to protect the parishes adjacent to the site, particularly those to the south (Weston Colville, West Wratting and Balsham).
- HGV's travelling through surrounding villages are resulting in damage to property and verges, causing a safety risk to other road users and pedestrians and cyclists, and disrupting the quality of life of residents in surrounding villages as a result of noise and vibration. The proposal would exacerbate these problems, particularly during harvest time.
- Noise and vibration caused by HGV's are resulting in damage to listed buildings, and causing potholes etc in local roads. If this application is approved, it is likely nearby villages will seek weight restrictions on traffic travelling through the villages.
- Environmental and sustainability impact studies should be undertaken, and the impact of the current level of traffic reviewed, before any increase is allowed. Such a review would identify any amelioration required to address any damage that would be caused by increased HGV volumes.
- Camgrain should have to continue to report the volume of vehicle movements to SCDC. This provides the only tool for SCDC to protect road users and residents if problems arise. There is no justification to relax this restriction.
- In response to the proposed amendment to the routing agreement, it is stressed the village of Six Mile Bottom suffers greatly from HGV traffic routing through it and must be included in the proposed extension to the routing agreement.

Planning Comments

Site and Proposal

14. Camgrain occupies a site extending to approximately 11.3 hectares on the south-east side of the A11 trunk road. Along the northern boundary is a public byway beyond which lies a landfill site. To the east and south is higher land upon which a wind farm has been erected. Approximately 400m to the west is a residential property, West Wrattling Valley Farm. Around 3km to the north, beyond the A11, is the village of Great Wilbraham, whilst the villages of Balsham and West Wrattling lie to the south-east.
15. The site comprises an approved 90,000 tonne grain storage facility, for which planning permission was granted in 2006 under planning reference S/2494/04/F. In 2011, planning permission was granted for a 210,000 tonne extension to the original facility (S/0506/09/F). This extension has not been constructed to date.
16. The original application for the 90,000 tonne facility was subject to a planning obligation restricting HGV movements to 150 two-way movements per day and that put in place a routing agreement to ensure lorries delivering grain do not use roads through nearby villages.
17. The later application to extend the facility to a total of 300,000 tonnes was subject to a deed of variation to the original legal agreement to restrict development generated traffic to 500 two-way movements each day.
18. The current application seeks to modify the legal agreement and deed of variation in order to remove the restriction on the number of daily HGV movements and to remove the associated obligation to supply an annual monitoring report to the County Council.
19. The accompanying Planning Statement explains that Camgrain is a major grain storage facility playing a vital role in the UK food supply chain. Food security issues are a key element of the business. The British weather affects supply and demand, and food security is increasingly difficult to manage during harvest. Climate change means crops need to be harvested from the field with increasing urgency. Crops are harvested in often narrow timeframes, and grain movement needs to be equally adaptive. Camgrain has to adapt to changeable weather conditions especially during the busiest months of harvest time and also guarantee the highest levels of food security to its customers.
20. The supporting information explains that the imposition on the number of permissible HGV movements affects the Company's ability to be adaptive and responsive to demand whilst dealing with the uncertainty of the British weather. The site has to be capable of meeting demands by having the ability to accept grain as it comes off the fields. The constraint is having a significant impact on the potential of the facility to fulfil its function.
21. The statement also explains that, if the restriction on the number of HGV movements is lifted, this raises a question regarding the relevance of any requirement for an Annual Monitoring Report, which have recorded the number of HGV movements across the year.
22. The application has been amended, in response to concerns raised, to extend the routing agreement. This proposes to introduce new prohibited routes through West

Wratting and Balsham, and to ensure that the Camgrain HGV vehicles travelling through these villages are those that are collecting grain from the local area. The 'local area' is proposed to cover the parishes of Carlton, Weston Colville, West Wratting, Balsham and West Wratting, as well as the stretch of the B1052 between Linton and Balsham.

Comments

23. Under planning application reference S/2494/04/F, permission was granted for the erection of a 90,000 tonne grain storage facility. The consent was conditional upon improvements being carried out to the slip lanes on and off the A11 trunk road and to traffic lights being installed on the bridge over the A11. In addition, a planning obligation restricted HGV movements to 150 two-way movements per day, and also put in place a routing agreement to ensure lorries delivering grain do not use roads through the villages of Fulbourn and Great Wilbraham.
24. The Highways Agency raised no objections to this application subject to the amount of grain being restricted to 90,000 tonnes and to the aforementioned restriction on the number of HGV movements. The application was deferred by Members at Committee so that independent highways advice could be obtained. The appointed consultants concluded that a different layout/slip road length would be preferable, but could not substantiate an objection to the proposal given the highways improvements proposed in the application. In the absence of a demonstrable highway safety issue, the original scheme was approved.
25. Under application reference S/0506/09/F, a 210,000 tonne capacity extension to the original premises was proposed. This proposal incorporated a number of highways improvements including the widening of Mill Road between the A11 junction and site access. The application also sought to increase the number of permitted two-way movements to 250 per day (500 in total). The Highways Agency raised concerns regarding this application on the basis that the potential platooning of heavy vehicles leaving the site could lead to short but significant interruptions in flow on the A11. To address this, it required any consent to be subject to a condition requiring all haulage vehicles to exit the site through a single weighbridge. This permission was also subject to a deed of variation to the Section 106 Agreement to restrict the number of vehicle movements to those specified in the application.
26. The Highways Agency has commented in relation to the current proposal that, if the restriction on the number of HGVs is lifted, maintaining the 'metering' effect of the weighbridge would continue to mitigate the problems of vehicles queuing onto the A11.
27. The weighbridge effectively limits movements to 1 grain lorry per minute which provides a built-in controlling mechanism. It is the maximum rate at which HGV's join the A11 that is the relevant factor to the Highways Agency in terms of highway safety and capacity, in particular the effect of platooning vehicles joining the A11. The weighbridge constrains these movements and the restriction on the total number of movements is not therefore relevant.
28. It is notable that the restriction on the number of HGV movements was controlled within the previous application in order to tie the number of movements to those requested at the time by Camgrain, rather than because it was specifically requested by the Highways Agency.

29. The legal agreements currently include a requirement for the number of vehicle movements to be monitored. This is to ensure a mechanism is in place for measuring the number of movements and ensuring compliance with the restrictions in the agreement. If this restriction is removed, it automatically follows that there should be no continuing requirement for an Annual Monitoring Report. The Local Highways Authority has raised no objections to the consequent removal of this requirement.
30. West Wrating Parish Council has requested that an independent highways assessment be carried out prior to any decision being made. However, neither the Highways Agency nor the Local Highways Authority has objected to the application. As such, Officers consider there can be no justification for requiring independent highways advice. Whilst Members have previously requested an independent highways assessment on the site, this did not result in any changes to the original recommendation. Additionally, further road improvements have been carried out and the site is also now subject to an additional restriction relating to the weighbridge (as set out above), both of which represent material changes since the previous deferral for highways advice.
31. The previous applications were subject to a lorry routing agreement preventing HGV's associated with the development from travelling through the villages of Great and Little Wilbraham and Fulbourn (unless collecting grain within these villages). Much concern has been raised on the grounds that Camgrain's lorries are rat-running through nearby villages on the south side of the A11 (notably West Wrating and Balsham) and that the routing agreement should be extended to include these villages.
32. Camgrain has strongly refuted these allegations, stating that it cannot be held responsible for all HGV movements observed in the area. It is estimated that around just 5% of current arable crops grown in the local area are destined for a Camgrain store, and that less than 2.5% of bulk vehicle movements in these villages will be serving Camgrain. Additionally, it is stressed that lorry movements associated with Thurlow Estates are not related, in any way, to Camgrain. The two are entirely separate operations and it is stressed that Camgrain does not store grain at Thurlow as has been suggested by West Wrating Parish Council.
33. Camgrain has stressed that its lorries will have to use routes through these villages when accessing farms in the area given the need to take the most direct route. However, there is no need for its lorries to use roads through these villages unless specifically serving farms in the area. In response to the concerns raised, Camgrain has offered to amend the routing agreement in order to extend the prohibited routes to include the villages of West Wrating and Balsham in order to provide comfort that the only Camgrain HGV's travelling through these villages will be those serving the local area (as described in paragraph 22 above).
34. It has been suggested in third party responses received that the routing agreement should be extended to include the village of Six Mile Bottom. The road that runs through this village is an A road (the A1304) and the most direct route for all vehicles (not just those associated with Camgrain) travelling to and from the Newmarket area as well as for vehicles accessing the A14 westbound via the Wilbraham Road. Including this route would significantly impact on Camgrain's operation and is not considered to be justified by the proposal.
35. Concerns have been raised that any increase in lorries travelling through nearby villages would result in an associated increase in noise disturbance to local residents, as well as having a potentially adverse impact on historic/listed buildings within those

villages. The previous restrictions on vehicle numbers were imposed for highway safety reasons, rather than for reasons of minimising disturbance to residents or protecting heritage assets within villages through which vehicles may travel. Given that Camgrain's vehicles would represent a very small proportion of all vehicles travelling through these villages (particularly with the extended routing agreement in place), the proposal is not considered to give rise to significant adverse issues in respect of either of these matters.

Recommendation

36. Approve the requested variations to the Section 106 Agreement and Deed of Variation

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Development Framework Core Strategy DPD 2007
- South Cambridgeshire Local Development Framework Development Control Policies DPD 2007
- South Cambridgeshire Local Development Framework Supplementary Planning Documents
- Draft Local Plan 2013
- National Planning Policy Framework 2012
- Planning File Refs: S/2268/14/PO, S/0506/09/F, S/2494/04/F

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