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8 July 2011

To: Chairman – Councillor Pippa Corney
Vice-Chairman – Councillor Robert Turner
All Members of the Planning Committee - Councillors Val Barrett, David Bard (sub. for Brian Burling), Trisha Bear (sub. for Lynda Harford), Sally Hatton, Tumi Hawkins, Caroline Hunt, Sebastian Kindersley, Mervyn Loynes, David McCraith, Charles Nightingale, Deborah Roberts and Hazel Smith, and to Councillor Peter Topping (Sustainability, Planning and Climate Change Portfolio Holder)

Quorum: 4

Dear Councillor

You are invited to attend the Special meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **MONDAY, 18 JULY 2011 at 11.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

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AGENDA

PAGES

PUBLIC SPEAKING

Those non-Committee members wishing to address the Planning Committee should first read the Public Speaking Protocol.

PROCEDURAL ITEMS

1. Apologies

Apologies have been received from Councillors Brian Burling and Lynda Harford. Substitutes will be Councillors Bard and Bear respectively.

2. General Declarations of Interest

1 - 2

PLANNING APPLICATION

3. **S/0506/09 - Great Wilbraham and West Wratting (Camgrain APC, London Road, Balsham)**

3 - 22

Appendices 1-4 are available on the Council's website by visiting www.scams.gov.uk/meetings and following the appropriate links.

OUR VISION

- We will make South Cambridgeshire a safe and healthy place where residents are proud to live and where there will be opportunities for employment, enterprise and world-leading innovation.
- We will be a listening Council, providing a voice for rural life and first-class services accessible to all.

OUR VALUES

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

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If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

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"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
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South Cambridgeshire District Council

Planning Committee – 18 July 2011 – Declaration of Interests

Councillor

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Reason:

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Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

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SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

18 July 2011

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0506/09/F – GREAT WILBRAHAM & WEST WRATTING
Extension to Camgrain APC Comprising Additional Grain Storage Facilities and
Ancillary Works Including Drainage Proposals and Landscaping and Highway
Improvements – Camgrain APC Site, London Road, Balsham for Camgrain Stores
Limited**

Recommendation: Delegated Approval

Date for Determination: 9th July 2009

Notes:

This Application has been reported to the Planning Committee for determination as the recommendation is contrary to the responses received from West Wrattling and Great Wilbraham Parish Councils.

Members of Committee will visit the site on Monday 18 July 2011.

Major Application**Site and Proposal**

1. Camgrain occupies an approximately 11.3 hectare area of land situated in the countryside on the south-east side of the A11 trunk road, some 600 metres away from the A11 Wilbraham interchange. The site comprises an approved 90,000 tonne grain store facility, for which planning permission was granted in 2006 under application reference S/2494/04/F. Along the northern boundary of the site is a public byway beyond which lies a chalk pit that has consent for inert landfill use, as well as for the erection and operation of a waste recycling and transfer station (S/0540/09/CM). The land rises to the east and south of the site and, on the higher land to the south and south-east, planning permission was granted in November 2009, following a public inquiry, for the erection of a wind farm comprising 13 wind turbines (S/1018/06/F). The approved construction compound for the wind farm lies directly to the east of the site. Some 400 metres to the west is a residential property, West Wrattling Valley Farm. Approximately 3 kilometres to the north, beyond the A11, is the village of Great Wilbraham, whilst the villages of Balsham and West Wrattling village lie approximately 3.2 and 4 kilometres respectively to the south-east.
2. The full application proposes an expansion of the existing site in order to increase the capacity for grain storage from 90,000 tonnes to 300,000 tonnes. The proposal comprises the following together with associated landscaping, drainage and highway works, notably including the widening of Mill Road between the A11 junction and site access.
 - A 3,000 square metre extension to the east side of the flat store building.
 - Four extra bulk bins.

- Sixty additional storage silos.
- Six extra holding bins.
- Plant house.
- Four driers.

Background and Planning History

3. Under planning application reference S/249404/F, planning permission was granted for a 90,000 tonne grain storage facility. The approved development consisted of a grain store, office building, weighbridge and 12 silos. This permission was conditional upon improvements being carried out to the slip lanes on and off the A11 trunk road and 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 put in place a routing agreement to ensure lorries delivering grain do not use roads through nearby villages.
4. Members may recall that a later application proposing to extend the approved facility with an additional 210,000 tonnes of storage (reference S/0506/09/F), was considered at Planning Committee on 1st July 2009. A copy of the Committee report and the subsequent update reported verbally to Members at the meeting are attached as Appendix 1 to this report.
5. Prior to the submission of the planning application for the extension, the Council was asked to give a screening opinion as to whether the development was development requiring the submission of an Environmental Impact Assessment and, on 17 April 2009, a formal opinion was issued that confirmed the Council believed there would be no significant effects on the environment and that an EIA was not required.
6. The Committee gave officers delegated powers to approve the application, as amended, subject to a deed of variation to the legal agreement that formed part of application reference S/2494/04/F in order to restrict development generated traffic to 500 two-way movements each day, to the conditions outlined in the report, and to additional conditions including the requirement for road markings and the widening of Mill Road between the site entrance and the A11 bridge. The legal agreement was then signed and the planning decision issued on 9th July 2009. A copy of the decision notice and deed of variation to the legal agreement are attached as Appendix 2.
7. The pre-commencement details required by the conditions of the planning permission were subsequently submitted to and agreed in writing by this Authority, and development commenced on site.
8. Members may be aware that, in February of this year, following a Judicial Review, the planning permission was quashed by the Court of Appeal, who concluded that the Council had provided insufficient reasoning for its decision not to require an Environmental Impact Assessment (EIA). The outcome of this ruling by the Court is that the Council needs to re-determine the application. The proposal has been re-screened, in order to determine whether an EIA is required, as a result of which it has been concluded, with a greater amount of reasoning for the decision, that an Environmental Impact Assessment is not required. A copy of the revised screening opinion dated 10th June 2011 is attached as Appendix 3.
9. A consultation letter has been sent to all parties that commented in respect of the original application, advising them of the above situation, and inviting the submission of any additional comments over and above those previously made, particularly in response to the additional details now available, namely details approved in

connection with conditions of the now quashed consent and the revised EIA screening opinion. In addition, wider publicity has been achieved through the placing of a site notice and newspaper advertisement.

Consultations

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

“Council unanimously agreed they could not consider this application without being able to consider a detailed Environmental Impact report as previously stated. Council are also concerned at the cumulative affect of further industrialisation of the immediate vicinity.”

11. **Great Wilbraham Parish Council** – Recommends refusal, stating:

“Great Wilbraham Parish Council met on 29th June 2011 and discussed the re-submission of this application, members of the public also attended the meeting, as did a representative from Camgrain.

Members have considerable concerns about the proposal:

- Firstly on the overdevelopment of the site. The tonnage of storage would more than triple and the resultant number of silos would be six times the original application made in 2006. Members feel that the reasons behind this vast expansion have not been fully justified or indeed are necessary at this stage, or on this particular site. The capacity stated and additional numbers of silo's do not seem to correlate. It is felt that this expansion could potentially set a precedent for additional industrialisation of this area, which has already increased since the 2009 submission, with the approval of the Wadlow Wind Farm and adjacent Recycling Plant. From a small green site with a chalk extraction and infilling operation, the area has changed dramatically over the past few years. The small changes to the junction and traffic lights seem to be justification for a huge increase in vehicular movements, which have not been properly assessed recently.
- Members feel that there is insufficient screening of the silos, the measures detailed in the application concentrate on only one viewpoint direction. It will take many years for the planted trees to grow and still be visible in winter months.
- Members feel that there is insufficient information of the noise pollution. A council member with knowledge of this issue has experience that the impact of noise cannot be assessed on a site which has not yet been constructed.
- Members are concerned about the light pollution caused by the proposed lights reflecting off the highly reflective surface of the silos and the increased lighting needed for security on the site. There have already been many comments about lighting at night on the site. This can only be intensified by the proposed additional lighting.
- Members and indeed many members of the public are very concerned by SCDC's explanation for the lack of an Environmental Impact Assessment. Given the scale of this development it is astounding that it is felt that there is no need to provide a full EIA. We feel that this is totally wrong and would urge that this is a requirement that should not be side-lined.
- Finally, there are major concerns about the transport issues raised by the application and whether the figures given are realistic. The vast increase in vehicle movement per day gives concern to the validity of any previous study done on this junction, particularly in the summer when traffic on the A11 can be

very busy. The Annual comparison of APC movements from 2008-2010 shows a steady increase over the years, peaking in July to October. These numbers have already exceeded the agreed maximum level and as such we have no confidence that the lorry numbers will be as suggested in the submission, particularly if the suggested capacity is attained. Members and the public are seriously concerned about the impact of very large heavy lorries, potentially queuing, on the bridge over the A11 which was initially constructed for light farm vehicle and village traffic use only. And despite the minor improvements resulting from the previous application members believe that the slip roads are inadequate for where the traffic joins the A11. Members feel that the risk of serious accidents will be greatly increased with the additional traffic generated. The Section 106 Agreement was meant to prevent all but a very small number of HGV's (with a local need) accessing the site through our village. This has proven to be both unenforceable and not adhered to with many examples of flouting conditions - despite Camgrain's assurance that this does not and will not occur. Mill Road (from the A11 into our village) has suffered considerable damage from HGV use which includes vehicles accessing Camgrain. Members also echo the concern of Little Wilbraham and Six Mile Bottom residents who experience considerably increased numbers of HGV vehicles accessing and departing Camgrain who ignore the suggested traffic routing.

Conclusion:

Members of Great Wilbraham Parish Council feel that if this proposal went ahead it would be to the detriment of local road safety and would have a severe impact on the environment of the village and locality. They therefore strongly recommend **REFUSAL**.

Appendix:

Members have real concerns about the lack of time to respond to the application and haste of this application being put before the full planning committee. We were given the usual 21 days to respond by, which ends on Tuesday 5th July, with the application being decided upon by the FPC on Wednesday 6th July. This allows no time for any responses received later than the week ending 1st July to be included in the committee's paperwork, which prejudices later responses even if received within the stated time. To fulfil the need for public meetings in our parishes, we do not feel that this has given enough time to process the application fairly and properly."

12. ***Weston Colville Parish Council*** - No recommendation.
13. ***Balsham Parish Council*** - No recommendation.
14. ***Little Wilbraham and Six Mile Bottom Parish Council*** – Recommends approval, but raises the following concern:

" No objections to expansion of Camgrain however the Parish Council would like to see the following condition placed on the planning application due to the number of heavy goods vehicles currently using the 'C' road from Little Wilbraham to Six Mile Bottom as the road is narrow and has a current speed limit of 60mph:

Condition: A Route Map Agreement to be put in place enforcing a traffic routing system to and from the Camgrain site which ensures that their vehicles do not go through the local villages, including Six Mile Bottom and Little Wilbraham. It is understood that in 2005, a S106 Agreement did stipulate this requirement but currently, is not necessarily being adhered to."

The Parish Council further adds that the meeting was well attended and that the main complaint of local people that attended was the number of large lorries and cars driving very fast on the Little Wilbraham to Six Mile Bottom Road. It also adds that the police have agreed to carry out a speed check in the next two months.

15. **Linton Parish Council** – No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
16. **The Landscape Design Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
17. **The Ecology Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
18. **The Environmental Health Officer** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
19. **The Local Highways Authority** – Raises no objections, subject to the receipt of confirmation from the applicant that they will maintain the unilateral agreement in relation to the routing of heavy commercial vehicles that are associated with the existing development and extend the same to the proposed development. The works requested under condition 13 of the permission (widening of Mill Road) have been completed to the satisfaction of the Highway Authority. Therefore, this condition is no longer required. A condition should be added to any consent requiring that a method statement relating to the construction phase of the proposed development be agreed in writing by the Highways Authority before any works commence on site. The Method Statement approved in connection with condition 15 is based on the premise that the widening has not been undertaken. Clearly, this is not the case and the Method Statement will need to be reviewed in light of this. The drawing showing the give way marking and signage (1122/101 Rev A) is also considered to be acceptable and this condition would no longer be required.
20. **The Highways Agency** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
21. **The Environment Agency** - States that it has no further comment to add to that previously made under reference S/0506/09/F.
22. **East of England Development Agency (EEDA)** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
23. **The Ramblers Association** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.
24. **The County Council Countryside Access Team** - Has no further comments over and above those made in response to the application previously made under reference S/0506/09/F.
25. **The County Archaeologist** - No response received to date. Any comments received will be reported to Members in an update prior to the Committee meeting.

Representations

Letters of Objection

26. To date, 35 letters of objection have been received.
27. The owners of Valley Farm Cottage, the nearest dwelling to the site, object on the following grounds:
 - Valley Farm Cottage is accessed via the road serving Camgrain and the chalk pit so is directly affected by increased traffic movement along the road and increased danger at the A11 junction.
 - The number of new silos is 5 times greater than existing so it seems surprising that storage capacity is only increasing by a factor of 2.3. The capacity of the new silos is not stated anywhere in the supporting documentation. Each of the silos would hold 4,486 tonnes of wheat or 4,007 tonnes of rapeseed and, even discounting the holding bins and smaller silos, the extra capacity is between 240,000 and 270,000 tonnes. This exceeds the claimed capacity. The flatstore extension would hold a further 8,000 tonnes of wheat. SCDC should employ an independent engineer to calculate and verify the capacity of the site. The number of silos should be reduced to bring the application in line with the requested capacity.
 - SCDC has again not required an EIA to be carried out. The original permission was quashed by the courts due to the muddled reasoning for the EIA screening opinion and, although the new opinion is longer, is just as muddled, self-contradictory and missing important considerations. Given the scale of the development and its cumulation with the wind farm and waste transfer site, an EIA should be required.
 - The extension would generate 25,000+ extra HGV trips per year. According to the 2009 Annual Monitoring Report, there were 5,552 two-way HGV movements, equating to 11,104 HGV trips during the year. If these figures are scaled up using the current 90,000 tonne capacity to the extra 210,000 tonnes in this application, 25,909 extra HGV journeys will be generated, giving a total of 37,000 HGV trips in total per year. Based on the 2009 report, 43% of this traffic was generated in August. This volume of traffic is far in excess of what the A11 junction is designed to cope with. During harvest time, with 600-800 HGV journeys in and out on peak days, there will be an average of 1 HGV every 2.5 minutes. Traffic flows in a clumpy way and there will be times when many lorries enter or leave the junction within the same minute, giving rise to platooning. In 2006, the Highways Agency wrote to SCDC stating that the junction was substandard but that a Departure from Standard had been agreed and raising no objections. The Highways Agency and SCDC are endorsing a plan that was substandard for the original 90,000 tonne application, yet is still considered suitable for the 300,000 tonne development. A parallel merge/diverge junction layout would be a much safer alternative.
 - Use of a weighbridge to ameliorate the effects of platooning will not always work. Lorries park outside the site, wait for lorries from the same company and leave in groups.

- While waiting for a gap in traffic on the A11 southbound, has been undertaken by lorries driving straight into the traffic flow and is extremely dangerous.
 - Great Wilbraham villagers suffer from the dangers, damage and noise disturbance of HGVs travelling through the village, in breach of the S106 agreement. HGV traffic also causes a hazard for residents in Wilbraham Road, Six Mile Bottom, which is inadequate for the total level of traffic. The S106 agreement should also stop Camgrain HGV's using this road to cut across to the A14, instead using the A505 to go across. Camgrain is sole supplier to Sainsburys, who mill their wheat in Northampton, and Warburtons in Preston. All these deliveries will go via the A14 and are often using the Six Mile Bottom route.
 - Noise from the grain dryers has keep the residents of Valley Farm Cottage awake at night, even with the windows closed, and on one occasion, a complaint was received from Lark Hall Farm, 1 mile away from the site. Camgrain are known for the noise nuisance they cause in Linton. The operation of the site should not be allowed to be 24 hours for delivery of grain and noisy equipment such as dryers and conveyors should not be used at night.
 - Camgrain are not considerate neighbours. During the dry spell, their 30m borehole dried up when they tried to irrigate new planting. They ran bowsers past Valley Farm Cottage to collect water from the borehole at Valley Farm. This started at 6am on a bank holiday weekend, and continued despite requests to stop and despite a direct complaint to Camgrain. The company will not protect residents' amenities and it is essential that the council is strict with any planning conditions and enforces them.
 - Recently, a large dust cloud obscured the site and blew over Valley Farm Cottage. This was caused by screenings being loaded on a truck. The Council should take steps to protect residents from this kind of incident happening again with suitable planning conditions.
 - The area is suffering from creeping industrialisation. 4 years ago it was a greenfield site and is now a large expanse of concrete and oversized buildings. The adjacent chalk pit site has permission to create a waste recycling centre which will lead to further traffic and noise. The area should be looked at as a whole.
28. The additional 34 responses objecting to the proposal have been received from residents within the villages of Great Wilbraham, West Wratting, Six Mile Bottom and West Wickham, and can be summarised as follows:
- The environmental impact in the locality will be huge, and a full Environmental Impact Assessment should be required.
 - The existing site has a harmful impact on the character of the countryside.
 - The proposed extension to a capacity of 300,000 tonnes would make this site one of the largest in Europe, and would result in an enormous number of HGV movements.
 - The road junction off the A11 is not equipped to deal with the amount of traffic the expansion will create (500+ lorries per day). The slip roads are too short, so lorries are unable to accelerate to join the carriageway, and to decelerate to

negotiate the tight turn when leaving the A11, resulting in traffic braking on the A11. The development would increase the risk of accidents at the junction.

- The busiest time for the grainstore (July-August) also coincides with the busiest time on the A11. At this time of year, the main road flow exceeds the guidance for a compact junction by some 10,000 vehicles per day.
- The Council's appointed consultant, Atkins, stated that slip roads with parallel lane merge/diverge would be better able to handle the proposed number of HGV movements. This is essential with the trebling of HGV movements at this location. The Highways Agency incorrectly advised that use of parallel lanes may lead to vehicles entering bends at the junction too fast, but with parallel lanes and signing of the tight bend, vehicles have more opportunity to brake safely in the parallel area off the main A11.
- The development would result in lorries wishing to enter the site queuing over the A11 bridge which was initially constructed for light farm vehicles and village traffic only.
- If approved, a more suitable slip road should be provided on and off the A11 and the bridge widened and strengthened. In addition, a new junction should be constructed to connect the A11 Eastbound with the A14 Westbound.
- Since 2009, Great Wilbraham has experienced a significant increase in the number of HGV's through the village, contrary to the Section 106 Agreement. This has resulted in damage to local minor roads, noise from empty trailers and vibration. The impact on the village would be exacerbated if the extension is allowed to go ahead.
- Wilbraham Road in Six Mile Bottom experiences a lot of heavy vehicles, whilst there has also been an increase in grain lorries passing through West Wrattling to two nearby farms. The development would result in a huge increase in lorries passing through these villages, to the detriment of highway and pedestrian safety and amenities of local residents.
- The noise and vibration caused by the existing dryers is creating problems to the surrounding area, including as far away as the villages of West Wrattling and Great Wilbraham, and keeps residents awake when used at night. The proposed extension would exacerbate these problems.
- The present site results in light pollution, and can be seen from the Quy roundabout six miles away.
- The proposed screening is inadequate.
- The development would result in a considerable increase in carbon emissions from the increase in HGV's.
- The development is not sustainable as the local demand for this size of facility does not exist. A larger number of smaller, local facilities should be provided instead.
- The combination of the proposed development, waste transfer site and wind farm is transforming the area (previously a greenfield site) beyond recognition. The

combined affects of these developments upon the character of the area, highway safety and noise generation should be considered further.

- A large food handling installation should not be sited adjacent to a waste transfer centre, where material that is potentially dangerous to health is handled.
- The area is of historic importance, near the Fleam Dyke and old Roman Cambridge Road.
- Will the road repair budget for Mill Road, Great Wilbraham be increased?
- If approved, the proposal would set a precedent for further expansion.
- Insufficient consultation has been undertaken for a development of this size.

Letters of Support

29. Seven letters of support have been received. The main points raised are:

- Half the cereal production at Horningsea Manor is processed at Camgrain. The alternative would be to upgrade the on-farm facilities, creating more noise and traffic problems in the parish.
- Growers rely on Camgrain to market combinable crops. The company must be able to expand and provide employment in the area.
- Camgrain is a means of ensuring the highest possible standards of food cleanliness and hygiene. Its members require the technical expertise that Camgrain can provide.
- The nature of the operation enables the amount of tractor and trailer movements at farms to be reduced, and a reduced need to dry and store crops in old farm stores that are often located in villages.
- The store is located in an ideal position, remote from any significant population (who may be affected by noise and vehicle movements) and near to an A grade road. The remote location enables 24 hour operation, if required, during peak times, thereby improving efficiency for the group.
- The improved A11 junction has been effective and the widened approach road constructed to a very high standard, thereby further improving access and a safer flow to all vehicles accessing the site. The road improvements have also resulted in quicker turnaround times for HGV's and improved harvest efficiency.
- The screening of the site is very extensive and has established well.
- At the meeting of Great Wilbraham Parish Council, objectors gave lorry movement figures which were based on all the storage capacity being used to the full. This will never happen as efficient running of a facility such as Camgrain can only be achieved when the silos are run at well below full capacity.

Representation from Richard Buxton

30. Richard Buxton, the lawyer representing Dr & Mrs Bateman of Valley Farm Cottage has submitted a judicial review preaction protocol letter. This contends that the revised screening opinion carried out by the Council was unlawful, and should therefore be reconsidered, as well as the lawfulness of referring the application to Committee prior to the receipt of consultation responses. A copy of this letter is enclosed as Appendix 4.
31. The above letter includes a copy of a representation submitted to the Council prior to the issuing of the revised EIA screening opinion. The main points, namely arguing that an EIA should be required, are summarised below. A full copy of the letter is included in Appendix 4.
- Unacceptable level of noise from fans, conveyor belts and grain dryers to occupants of Valley Farm Cottage and Lark Hall Farm.
 - The safety of the A11 junction and unsuitability for the type of use proposed.
 - The widened access road would have significant impacts.
 - The extension would significantly increase traffic movements.
 - Lighting is already highly visible and would be even more intrusive.
 - The development has a significant effect on the landscape especially in the short to medium term until the landscaping establishes.
 - The Council should consider revocation of the original permission S/2494/04/F and the requirement for an EIA for that planning permission.
 - The screening must take into account the accumulation of other developments, including the wind farm and chalk pit waste disposal facility.

Representation from Camgrain

32. In response to issues raised within the letters of objection, Camgrain comments as follows:
- The site comprises a sophisticated grain handling facility. It is impossible to have all of the silos full at any one time as they are continually being switched having regard to the need to clean, grade and dry the grain to transfer to different silos. At any one time, there will be at least two dozen silos in states of transfer.
 - The Council has re-screened the proposal and concluded, with a greater amount of reasoning for its decision, that an EIA is not required.
 - The additional HGV traffic that would be generated by the proposal has previously been considered by the County Council and Highways Agency and the required highway improvement works have already been carried out.
 - There is a routing agreement in place that forms part of the unilateral undertaking. Camgrain rigorously enforces this agreement, with anyone breaking the restriction being given a six month ban. Camgrain has been given no evidence to confirm that its lorries have been stopped in Great Wilbraham. If details can be provided, this would be investigated and any necessary action taken.
 - Wilbraham Road has been used by Camgrain for 28 years and issues along this road are not solely caused by Camgrain traffic but the speed and amount of cars

using it. Including this road within the Routing Agreement would be unreasonable and discriminating.

- Noise controls were imposed on the planning permission. There have been no breaches of this condition.

Planning Comments – Key Issues

33. As stated within the Background section of this report, planning permission reference S/0506/09/F was quashed by the Court of Appeal. It must be stressed that, rather than concluding that an EIA would be necessary, the Court found against the Council by a majority of 2-1, as it considered the reasons given in the original screening opinion did not make it sufficiently clear why an EIA was not required. As the screening opinion forms the foundation upon which a planning permission is based, it was also necessary for the Court to quash the planning consent as well.
34. The Council has now carried out a revised screening opinion, making reference to the documentation submitted with the application as well as responses received from consultees at the time of the consideration of the original application, and has arrived at the same conclusion that an Environmental Impact Assessment is not required. Rather than replicating the entire assessment here, this is attached as Appendix 3.
35. The now quashed consent was subject to a number of pre-commencement conditions that have subsequently been discharged and these can be summarised as follows:
 - a. Surface water drainage and pollution control – details were submitted in November 2009 and, following confirmation from the Environment Agency that the details were acceptable, the relevant conditions of the consent (4 & 5) were discharged in December 2009.
 - b. Details required by conditions 2 (landscaping), 6 (ecology measures), 10 (noise barrier) and 11 (external lighting) were submitted in January 2010, and following responses received from the Environmental Health, Landscape Design and Ecology Officers that the submitted details were acceptable, were subsequently discharged in February 2010.
 - c. Details required by conditions 14 (give way marking and signage) and 15 (method statement) were submitted in February 2010, and following written agreement from the Local Highways Authority, were subsequently discharged in March 2010.
 - d. The decision was also subject to an archaeology condition. Some stripping of the topsoil did take place prior to the implementation of a programme of archaeological investigation. A scheme was subsequently submitted to the County Council's Archaeological unit and, following further investigation on site, this Authority was advised that the requirements of the condition had been satisfied.
36. As stated in paragraph 7, above, development has commenced on site in respect of the works proposed within application reference S/0506/09/F, with the 3,000m² extension to the east side of the flat store building having been constructed. However, no part of the development approved under that consent (and now being re-determined) has been brought into use, with this being the trigger point for implementation of the conditions attached to that decision.

Landscape and visual impact

37. In its consideration of the original application, an assessment of the visual impact of the development within the landscape was carried out on this Authority's behalf by David Brown Landscape Consultants. This assessment concluded that the impact on the immediate landscape, when viewed from Mill Road bridge and from the footpath/byway that runs along the northern edge of the site, would be severe, but considered that these impacts could be ameliorated by the proposed landscaping and soil bunding. Due to the lie of the land and the fact that the site sits in a valley, the report also concluded that there would be no material harm to the longer distance views of the site. The proposals seek to extend the flat shed on its eastern side (already constructed) and to site the additional silos behind the existing silos on a level site that cuts into the gradually rising topography. As such, whilst the proposal represents a significant extension to the existing facility, the vast majority of the additional bulk would be concealed by the already permitted development.
38. The landscaping measures approved in connection with the original consent have been fully implemented, whilst the additional measures consented in connection with the condition of the now quashed permission for the extension have largely been carried out – approximately 70% of tree planting has been completed and all the trees on the bund that formed part of the original application have been transplanted to the new bund on the west side of the development, which is 5 metres higher than the originally approved bund and now around 50% complete. Since the application was previously considered at Planning Committee, the landscaping that was in existence at that time has been significantly enhanced. These landscaping measures have already helped to minimise the visual intrusion of the development, and as the landscaping establishes and matures over time, this impact will be further ameliorated. To the south, the development is cut into the landscape, with the rising topography helping to screen views from this side. The landscaping details are therefore more minimal on this side, showing the provision of scrub planting and meadow (wild bird and bumble bee mix).

Highway safety

39. Significant concerns have been raised regarding the traffic implications of the proposal and the capacity of the A11 junction to cope with the increase in HGV movements that would be generated by the development. The original planning permission (S/2494/04/F) was subject to a planning obligation restricting HGV movements to 150 two-way movements per day, and a requirement to upgrade the existing A11 junction by increasing the length of the northbound slip road from 77m to 130m and the southbound slip road from 95m to 130m, and to provide traffic signals at the A11 overbridge. The Highways Agency raised no objections at the time, subject to the tonnage of grain being restricted to 90,000 and to the restriction on HGV movements. However, the application was deferred at Committee to enable independent highways advice to be sought. The appointed consultants, Atkins, raised concerns about the proposal and advised a parallel diverge/merge layout would be preferable. However, it stated such a layout would be above the standards and that it could not specifically substantiate an objection to the application at appeal, bearing in mind the junction improvements proposed within the application, whilst the Highways Agency concurred such an arrangement could not be insisted upon on highway safety grounds.
40. The highway safety implications of the current proposal were fully explored the last time the application was considered at Committee in July 2009. In summary, the Transport Assessment submitted with the application state that the development

would result in a projected maximum of 500 two-way daily HGV movements and also show the widening of Mill Road between the A11 junction and site entrance. The works to Mill Road were required by a condition of the quashed consent and have recently been completed to the satisfaction of the Local Highways Authority. Whilst the Council is still awaiting a response from the Highways Agency, it initially raised a holding objection the last time this application was considered, but subsequently withdrew this objection following the receipt of the additional information contained within Technical Notes 1, 2 and 3. At the time, the Highways Agency stated that any consent should be subject to a condition requiring vehicles to egress the site through a single weighbridge, and to a deed of variation to the previous legal agreement to limit the number of two-way daily HGV movements to 500. The objections received don't appear to raise any new issues, insofar as they relate to the A11 junction, over and above those considered previously, but the expert comments of the Highways Agency are awaited on this matter.

41. The original application S/2494/04/F, and subsequent now quashed consent, were subject to a routing agreement that prevented HGV's associated with the development from travelling through the villages of Great and Little Wilbraham and Fulbourn (unless collecting grain within those villages). This accorded with an agreement attached to previous permissions relating to the chalk pit site. Within a number of responses received, concerns are raised that the requirements of this agreement are regularly being breached by Camgrain's drivers, with grain lorries regularly travelling through the village of Great Wilbraham resulting in noise and disturbance to residents, as well as damage to the rural roads. To date, no complaints regarding these breaches have been reported directly to this Authority, to enable the matter to be investigated further. Camgrain has also made it clear that such incidents are treated very seriously with offending drivers suffering a six month ban for breaking the terms of the agreement. The prohibited routes are clearly shown within the map attached to the routing agreement and local residents should be urged to contact the Council direct regarding any future transgressions (with dates, times and vehicle registration numbers) to ensure the matter can be pursued further. The Local Highways Authority has been advised of this issue and asked whether any additional measures (such as signage on the site or on the approach to the village) could be justified.
42. In a number of responses, including that received from Little Wilbraham Parish Council, reference is made to the fact that similar issues exist in relation to the Wilbraham Road at Six Mile Bottom, and that this route should also be included in the prohibited routes specified in the legal agreement. This road skirts the east side of the village of Little Wilbraham and provides a connection point between the A14 and A11 (via the A1303 and Six Mile Bottom). The Local Highways Authority (LHA) has been asked to comment on this issue and whether such a measure can be justified in highway safety terms. In initial discussions, the LHA has indicated that it would be unlikely to justify such a requirement. Whilst this route does pass a number of residential properties, it does not include minor roads directly through the heart of villages. Additionally, it has indicated that there is no viable alternative to this route if travelling from the site to the A14 westbound. The alternative route would involve travelling via the A11 southwards and M11 northwards which would add significantly to the length of such journeys. The formal comments of the LHA on this issue will be reported to Members in an update prior to the meeting.
43. Any permission would need to be subject to the prior signing of a deed of variation to the original S106 Agreement to restrict the number of two-way HGV movements to 500 in any day.

Capacity of the site

44. The occupiers of Valley Farm Cottage have submitted calculations that purport to demonstrate the proposed extension would have a capacity of up to 270,000 tonnes. The Director of Camgrain has commented that this is not the case as it is impossible for all the silos to be full at any one time. Additionally, it must be stressed that, when consent was previously granted for this scheme, it was subject to a condition restricting the tonnage of grain stored on the site at any one time to 210,000 tonnes. In this condition 'the site' means the extended facility so the total tonnage of grain across the whole site would amount to 300,000 tonnes. Such a restriction would need to be applied again should planning permission be granted for the proposal.

Residential amenity issues including noise and light pollution

45. The nearest residential property, Valley Farm Cottage, is situated approximately 500 metres to the west. The nearest settlements are Great Wilbraham, sited around 3 kilometres to the north beyond the A11, Balsham (approx 3.2 kilometres to the south-east) and West Wrating (around 4 kilometres to the south-east).
46. The application has been accompanied by a Noise Assessment that proposes a noise mitigation scheme including: increasing the height of the previously approved western boundary bund by 4 metres; the storage silo aeration units and grain dryer aeration fan units directed towards the east; all plant building roof fans and dust filters located on the eastern façade plant building so that they are acoustically screened by the plant building; all grain intake filter exhausts located on eastern façade of grain intake building and directed east; and air outlets for three diesel generators to face east. The comments of the Environmental Health Officer (EHO) are presently awaited. However, the previous time this application was considered, the EHO raised concern that the initial assessment only considered the impact on the nearest dwelling, West Wrating Valley Farmhouse [Note: this dwelling is located to the west of the site, to the south of Valley Farm Cottage and has since been purchased by Camgrain], and advised that the impact upon ten other properties in the vicinity of the site needed to be considered further:
- Valley Farm Cottage (to the west)
 - Dungate Farm (south-west)
 - Dotterell Hall (south-west)
 - Great Wilbraham Hall Farm (on the opposite side of the A11 to the north-west)
 - Heath Farms (on the opposite side of the A11 to the north)
 - Lark Hall Heath Farm (north-east)
 - Lark Hall (east)
 - Wadlow Farm (south-east)
 - GreenEnd Farm (south-east).
47. An additional noise assessment was undertaken. This included predictions at the specified locations for noise from fixed plant, as well as from HGV movements on the access road, and concluded that, with final mitigation measures in place, plant noise emissions/levels specified within the original noise assessment report would be achieved at all of these locations. The EHO subsequently recommended approval subject to conditions requiring: conformity with the predicted noise levels provided with the application; construction of a noise barrier; no lighting other than in accordance with an agreed scheme; restricted hours of operation of power machinery during the construction period; and details/locations of any further plant installed on the site. These conditions were attached to the (now quashed) consent and details of

the noise barrier and lighting subsequently submitted and approved. The original acoustic report advised that the western boundary bund would be increased by 4 metres in height but, following a site meeting, the EHO expressed concern that the bund might slump over time and the details now show a 5 metre increase in height of the bund approved in connection with application S/2494/04/F.

48. Concerns have been raised within a number of the responses that noise from the grain dryers can be heard within the villages of West Wrating and Great Wilbraham. These concerns have been forwarded to the Environmental Health Officer and Members will be updated prior to the meeting. However, it must be stressed that these settlements lie significantly further away from the site, and beyond, all the properties considered within the noise assessments. As such, if the noise levels specified within the submitted assessments are adhered to, residents within these villages should not suffer from noise disturbance. This matter should appropriately be controlled through enforcement of the submitted noise levels and, should such instances occur in the future, local residents should inform the Council so that the matter can be investigated further and appropriate action taken.
49. A number of local residents have also raised concerns regarding the lighting of the development. The lighting already approved in connection with the original development (S/2494/04/F) generally points downwards, with the only lighting above the horizontal being for safety reasons and maintenance access, and being on short timers. In June 2010, the EHO, in response to a complaint, visited the site at night and found the lighting to be in accordance with the approved details. Later that month, a further visit was arranged with the Director of Camgrain and Councillor Barrett. All available lights were turned on and viewed from the site and from a position half way towards Valley Farm Cottage, and no evidence of upward lighting was discerned. Bulkhead lights could be viewed for about 100m when looking across and travelling on the A11 but this was not considered to be of undue concern. The EHO has previously advised that the replication of the level of lighting approved in connection with S/2494/04/F would be acceptable.

Ecology Issues

50. The application has been accompanied by an Ecological Assessment. Whilst the comments of the Ecology Officer are presently awaited, no objections were previously raised subject to a condition requiring a scheme of ecological enhancement. A scheme showing the provision of two barn owl boxes was subsequently submitted and approved and the boxes subsequently provided on site. The Ecology Officer also advised, during the consideration of the conditions details, that the planting scheme would deliver significant biodiversity benefits in terms of nectar provision and nesting cover.

Flooding/drainage issues

51. The Environment Agency has advised that it has no further comments over and above those previously made, namely requiring the submission of surface water drainage and pollution control schemes prior to the commencement of any development. Details required by these conditions were subsequently submitted and considered by the Environment Agency to be acceptable.

Archaeology

52. Whilst no comments have been received from the County Archaeologist to date, it previously advised that the site lies in an area of high archaeological potential and

that a condition should be attached to any consent requiring a scheme of investigation to be carried out. This investigation has already been carried out to the satisfaction of the County Archaeology Team, and the condition attached to the previously issued permission discharged.

Cumulative impact

53. Significant concerns have been raised regarding the cumulative impact of the proposed development, the chalk pit and waste transfer station to the north and the approved wind farm to the south.
54. The land at the chalk pit to the north has planning permission for inert landfill activities until May 2019, after which the entire site will be restored to a Biodiversity Priority Habitat of chalk grass land. Consent has also been granted for the erection and operation of a waste recycling and transfer station for waste to be screened and sorted on site. The entire site is subject to the same lorry routing agreement as that attached to the consent for the Camgrain site, whilst the waste transfer station itself only resulted in an additional 5 HGV movements per day. The combined visual impact of the waste transfer station and Camgrain site was considered as part of that application and deemed to be acceptable, whilst the low number of additional HGV movements was considered to be acceptable from a highway safety point of view, albeit with a requirement for the section of Mill Road between the A11 and site entrance to be widened (in accordance with the consent for the extension to the Camgrain site that had been granted at the time).
55. Since the application was previously considered at Planning Committee in July 2009, consent has been granted at appeal for a wind farm, comprising 13 wind turbines, on agricultural land to the south. At the time of the inquiry, Camgrain's original permission had been implemented and the 2009 application to extend the premises granted. It is clear that the combined visual impact of the proposed wind turbines and Camgrain site was considered by the Inspector, who commented that a combination of the A11, chalk quarry, silos, telecommunications masts and pylons weakened the area's character. Access to the wind farm site for construction and maintenance vehicles is also via the A11, with the approved construction compound being located directly to the east of the Camgrain site. The construction period is due to last for 12 months but, beyond this, the number of estimated vehicle movements associated with the wind farm amounts to 4 maintenance visits per month. This represents an insignificant increase in traffic terms. Noise emissions were also thoroughly considered at the inquiry, with the decision being subject to a condition preventing noise emissions exceeding specified levels. Given that Camgrain's original permission had already been implemented and the application to extend the facility approved at the time the wind farm appeal was allowed, it would be perverse to take a different view in the re-determination of the current application, and suggest it is now unacceptable, either as a result of the wind farm consent or the aforementioned consent for the waste transfer station.
56. Officers recommendation is that the application be approved, with the wording of conditions being revised to reflect details that have already been submitted and deemed to be acceptable.

Recommendation

57. Subject to the prior signing of a Deed of Variation to the S106 Agreement, delegated powers are sought to approve the application, as amended by Highways Technical Notes 1, 2 and 3 dated 4th June 2009, and additional noise assessment information in

WSP's letters dated 3rd, 8th and 10th June 2009, letter dated 12th November 2009 and accompanying information (drawing numbers RFA/901/01, 02, 03 and 04 Rev B, infiltration basin calculation sheet and surface water drainage design figures), letter dated 23rd December 2009 and accompanying information (Schedule date stamped 23rd December 2009 and drawing numbers 3208/203 Rev P9 (sheet 1 of 2), 3208/203 Rev P9 (sheet 2 of 2) and 1:1000 scale landscaping drawing), and letter dated 2nd February 2010 and accompanying information (drawing numbers 1122/101/ Rev A, 3208/465/P1, and Method Statement):

1. All hard and soft landscape works shall be carried out in accordance with the details shown within the 1:1000 scale landscaping drawing and within drawing numbers 3208/203 Rev P9 Sheets 1 & 2. The works shall be carried out before any storage of grain within the flat store extension or within any of the additional storage silos and/or the bringing into use of any of the additional dryers, hereby permitted. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. (Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
2. The surface water drainage scheme shall be constructed and completed in accordance with letter dated 12th November 2009 and accompanying information (drawing numbers RFA/901/01, 02, 03 and 04 Rev B, infiltration basin calculation sheet and surface water drainage design figures) prior to any storage of grain within the flat store extension or within any of the additional storage silos and/or the bringing into use of any of the additional dryers, hereby permitted. (Reason - To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
3. The pollution control scheme shall be constructed and completed in accordance with letter dated 12th November 2009 and accompanying information (drawing numbers RFA/901/01, 02, 03 and 04 Rev B, infiltration basin calculation sheet and surface water drainage design figures) prior to any storage of grain within the flat store extension or within any of the additional storage silos and/or the bringing into use of any of the additional dryers, hereby permitted. (Reason - To reduce the risk of pollution to the water environment in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
4. The pole mounted barn owl nest box shown within the 1:1000 scale drawing shall be provided in accordance with the details and maintained in the approved position thereafter. (Reason – To achieve biodiversity enhancement on the site in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
5. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

6. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the building(s) but excluding office equipment and vehicles and the location of the outlet from the building(s) of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions. (Reason - To protect the occupiers of adjoining dwellings from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
7. The site shall not be constructed or operated other than in accordance with the predicted noise levels submitted with the planning application and prepared by WSP Environmental UK Reference 12103446 and dated 20th March 2009, as amended by letters from WSP dated 3/06/09, 8/06/09 and 10/06/09. (Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
8. The noise barrier shall be constructed in accordance with the details set out in accordance with the schedule date stamped 23rd December 2009 , 1:1000 scale landscaping drawing and drawing numbers 3208/203 Rev P9 Sheets 1 & 2 prior to any storage of grain within the flat store extension or within any of the additional storage silos and/or the bringing into use of any of the additional dryers, hereby permitted, and shall be maintained in accordance with the approved details thereafter. (Reason – To ensure that the noise barrier provides mitigating effects to reduce noise and dust emissions from the site in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
9. No external lighting shall be provided or installed within the site other than in accordance with the details set out within the schedule date stamped 23rd December 2009, or an alternative scheme that has previously been submitted to and approved in writing by the Local Planning Authority. (Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
10. All vehicles hauling grain shall egress the site through a single weighbridge, which shall be maintained in working order at all times. (Reason – To prevent haulage vehicles leaving the site in platoons, in order to ensure that the A11 Trunk Road continues to serve its purpose as part of the national system of routes for through traffic in accordance with Section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety on that road.)
11. The scheme for give way marking and signage shown within drawing number 1122/101 Rev A shall be permanently maintained on site, unless an alternative scheme has previously been submitted to and approved in writing by the Local Planning Authority. (Reason – In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
12. No more than 210,000 tonnes of grain shall be stored on the site at any one time. (Reason – The application has been assessed on the basis of the number of HGV movements associated with the storage of 210,000 tonnes of grain.)
13. For a period of 10 years from the date of first bringing into use the development, hereby permitted, if the site ceases to be used for the purposes described in the application for a continuous period of 12 months, all buildings, silos and

associated works (including hardstandings and boundary structures) shall be demolished and removed from the land, and the land restored in accordance with a scheme and timescale that shall previously have been submitted to and approved in writing by the Local Planning Authority. (Reason – To ensure the removal of the structures if no longer required for the purposes, hereby permitted, in order to protect the character and appearance of the countryside in accordance with Policies DP/2 and NE/4 of the adopted Local Development Framework 2007.)

Background Papers: the following background papers were used in the preparation of this report:

Planning Policy Statements 1 and 7

South Cambridgeshire Local Development Framework (LDF) 2007;

Circular 05/2005 – Planning Obligations

Circular 11/95 – The Use of Conditions in Planning Permissions

Planning application references: S/0506/09/F, S/2494/04/F, S/1018/06/F and S/0540/09/CM.

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