

Town and Country Planning Act 1990

**To: Mr Ben Parkins
Wardell Armstrong LLP
City Quadrant
11 Waterloo Square
Newcastle upon Tyne
NE1 4DP**

Cambridgeshire County Council, in pursuance of powers under the above Act; hereby **GRANT** planning permission subject to compliance with the conditions set out below:

For: Removal of aggregate storage bays and existing coated stone plant, installation of replacement coated stone plant, erection of dry aggregate bays, weighbridge, the continued storage and distribution of aggregates, associated works and facilities, and biodiversity enhancements.

At: Tillicoultry Quarries' Coated Stone Plant, Queen Adelaide Way, Ely, CB7 4UB

In accordance with your application dated 16 December 2022 along with the plans, drawings and documents which form part of the application.

Commencement of Development

1. The development hereby permitted must be begun not later than 3 years beginning with the date of this decision.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans and Documents

2. The development hereby permitted shall only be carried out in accordance with the application dated 22 September 2022 and the following plans, amended plans and documents (received 13 October 2022, 5 December 2022, 1 March 2023 and 25 July 2023 unless otherwise stated); and as amended by the information approved in accordance with the following conditions: -

- Planning Application Form dated 22 September 2022;
- Site Location Plan ref. ED13486/003 Rev A dated 09-11-2021;
- Proposed Site Layout Plan ref. ED13486-004 Rev B dated 22 February 2022;
- Context Location Plan ref. ED13486/003 Rev A dated October 2021;
- Indicative Surface Water Management Plan (includes revised layout)

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Signed:



Tim Watkins, Head of Service, Planning and Sustainable Growth
Cambridgeshire County Council, New Shire Hall, Emery Crescent, Alconbury Weald PE28 4YE

- ref. ED13486/025 Rev C dated 19/05/2022;
- Weighbridge Office Floor Plan ref. ED13486/022 dated 19-04-2022;
- Weighbridge Office Elevation Plan ref. ED13486-023 dated 19-04-2022;
- Covered Storage Bay Elevation Plan ref. ED13486/021 dated 09/03/2022;
- Coated Roadstone Plant Elevation Plan ref. A6793632 Rev 03 dated 09/09/2021;
- Air Quality Assessment version 3.0 dated 1 February 2023;
- Preliminary Ecological Appraisal Report dated March 2022;
- Cambridgeshire Biodiversity Checklist;
- Dust and Odour Assessment version 2.0 dated August 2022;
- Phase 1 Land Contamination Assessment version 3.0 dated August 2022;
- Biodiversity Net Gain – Baseline Conditions Plan ref. ED13486/028 Rev A dated 02/09/2022;
- Biodiversity Net Gain – Habitat Retention Plan ref. ED13486/030 Rev A dated 02/09/2022;
- Biodiversity Net Gain – Habitat Creation Plan ref. ED13486/029 Rev A dated 02/09/2022;
- Biodiversity Net Gain Matrix 3.1;
- Noise Assessment prepared by Wardle Armstrong dated September 2022;
- Provisional Biodiversity Offsetting Assessment Technical Note dated 02/09/2022;
- Construction Environmental Management Plan including Piling Works Method Statement and Risk Assessment prepared by Wardle Armstrong dated April 2023;
- Planning Design & Access Statement prepared by Wardle Armstrong v1.2 dated September 2022;
- Transport Statement prepared by Milestone Transport Planning Ltd ref. 22-021/Transport Statement dated January 2022;
- Flood Risk Assessment & Drainage Strategy prepared by Wardle Armstrong v1.0 dated September 2022;
- Indicative Surface Water Management Plan ref. ED13486/025 Rev C dated 19/05/2022;
- Landscape & Visual Impact Assessment v1.0 prepared by Wardle Armstrong dated September 2022;
- Biodiversity Management Plan v1.0 prepared by Wardell Armstrong dated February 2023;
- Letter ref. OS/ED13486/001 from Wardell Armstrong dated 20 February 2023 providing an update to the Preliminary Ecologic Appraisal;
- Letter ref. EK/BP/BG/ED13486/Rep008 from Wardell Armstrong dated 22 February 2023 providing a response to the Lead Local Flood Authority's comments;
- Detention Basins 1 and 2 FINAL Design Settings Calculation document prepared by Wardell Armstrong and dated 12/07/2023;
- Detention Basin 3 FINAL Design Settings Calculation document prepared by Wardell Armstrong and dated 12/07/2023;
- Simple Index Approach: Tool SUDs document prepared by HR Wallingford.

Reason: To define the permission and protect the character and appearance of the locality in accordance with Policies, 1 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) and Policies Growth 5, ENV 1, ENV 2 of the East Cambridgeshire Local Plan (April 2015).

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External Materials

3. The roofs and upper wall cladding of the covered storage bays building and the coated stone plant and associated infrastructure shall be finished and retained for the life of the development in a light grey (RAL 7035) external finish.

Reason: In the interest of visual amenity in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan (2015) and Policy 17 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

Construction Phase

4. All operations associated with the construction phase of the development hereby permitted including any piling works shall take place only in accordance with the Final Construction and Environmental Management Plan dated April 2023.

Reason: To minimise the impact on the environment in accordance with the NPPF 2021 para 174, Policy ENV 7 of the East Cambridgeshire Local Plan 2015, Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and the East Cambridgeshire District Council Natural Environment SPD (Sept 2020).

Lighting

5. No security or floodlighting shall be erected or installed within or around the application site edged red on drawing number ELL/MC/PW/007 revision D dated 22/12/2022 except in accordance with a scheme submitted to and approved in writing by the Mineral Planning Authority. The details of the scheme shall include the height of floodlighting, intensity of the lights (specified in LUX levels), spread of light including approximate light spillage to the rear of any floodlighting posts (in metres), any measures proposed to minimise the impact of the floodlighting or disturbance through glare (such as shrouding), and the times when such lights will be illuminated. All lighting shall be retained only in accordance with the approved details.

Reason: In the interest of neighbour amenity and to protect the character of the surrounding countryside in accordance with Policy ENV 2 and ENV 1 of the East Cambridgeshire Local Plan (2015) and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

Construction hours

6. No operations or works in connection with the construction of the new building, including the arrival, departure, loading or unloading of vehicles, shall take place outside of the following hours:

07:00 hours and 19:00 hours daily on Mondays to Fridays,

07:30 hours to 13:00 hours on Saturday

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and at no time on Sundays, Bank or Public Holidays.

Notwithstanding the above, piling operations shall only take place between 09:00 – 17:00 Monday – Friday with piling operations permitted on Saturdays, Sundays or Bank Holidays.

Reason: In order to protect the amenity of the surrounding neighbours and environment in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan (2015) and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

Surface Water Management

7. No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Mineral Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Technical Note prepared by Wardell Armstrong LLP (ref: ED13486/TECHNICAL NOTE 1) dated 19 June 2023 and shall also include:
- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
 - c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
 - d) CCTV survey of the receiving watercourse and pipe network;
 - e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; g) Full details of the maintenance/adoption of the surface water drainage system; and
 - h) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts in accordance with Policy ENV 8 of the East

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8. The development, including preparatory works, shall not be undertaken except in accordance with the surface water management principles set out within the approved CEMP. This includes ensuring that there is no run-off from the site during construction works, and could include the use of collection, balancing and/or settlement systems for these flows, as necessary. These measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Prior to the first use of the coated roadstone plant approved by this permission the detention basins shall be drained and dredged, with any oils or visible contaminants being isolated and removed from the site prior to the detention basins draining off site.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with Policy ENV 8 of the East Cambridgeshire Local Plan 2015 and Policy 22 the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

Fuel Oil Storage

9. Any fuel oil storage at the site shall be located within the existing bunded fuel storage area as detailed on drawing ELL/MC/PW/007 revision D, dated 22/12/2022.

Reason: In the interests of pollution prevention and safety in accordance with Policy ENV 2, ENV 8 and ENV 9 of the East Cambridgeshire Local Plan (2015) and Policy 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

Operation of Plant and Machinery

10. All plant and machinery shall be fitted with silencers and such systems shall be maintained in accordance with the manufacturers' recommendations.

Reason: To protect the amenities of occupiers of nearby properties in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan (2015) and Policy 17 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

11. All vehicles and mobile mechanical handling equipment that require the use of reversing alarms shall be fitted with smart or broadband reversing alarms.

Reason: To protect the amenities of occupiers of nearby properties in accordance with Policy ENV 2 of the East Cambridgeshire Local Plan (2015) and Policy 17 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

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Landscaping and Biodiversity

12. The development hereby approved shall take place only in accordance with the Biodiversity Management Plan v1.0 prepared by Wardell Armstrong dated February 2023.

Reason: To ensure that the development secures the on-site biodiversity benefits which are listed and mapped in the Biodiversity Net Gain (BNG) assessment documents submitted in support of this planning application in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, Policy ENV 7 of the East Cambridgeshire Local Plan 2015 and the East Cambridgeshire District Council Natural Environment SPD (Sept 2020).

13. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the Mineral Planning Authority prior to the first use of the replacement coated roadstone plant approved by this permission. The LEMP should be based on the Biodiversity Management Plan (Wardell Armstrong, 2022). The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives (including biodiversity net gain).
- e) Prescriptions for management actions.
- f) Preparation of the work schedule (including an annual work plan capable of being rolled forward over a 30 year period and BNG audit).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the development with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

A 5 yearly report shall be submitted to the LPA confirming the progress of the LEMP and results of any monitoring work.

The approved plan shall be implemented for a minimum of 30 years from the date of this permission, or until habitat target conditions have been reached, in accordance with the approved details.

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Reason: To ensure that the development secures suitable landscaping benefits in the interests of local amenity and on-site biodiversity benefits which are listed and mapped in the Biodiversity Net Gain (BNG) assessment documents submitted in support of this planning application in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, Policy ENV 7 of the East Cambridgeshire Local Plan 2015 and the East Cambridgeshire District Council Natural Environment SPD (Sept 2020).

14. Prior to the first use of the replacement coated roadstone plant approved by this permission, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Mineral Planning Authority and these works shall subsequently be carried out as approved and in full.

(a) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

(b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

(c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of British Standard BS5837: 2005,

Reason: in the interests of local amenity in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, Policy ENV 7 of the East Cambridgeshire Local Plan 2015 and the East Cambridgeshire District Council Natural Environment SPD (Sept 2020).

15. Prior to the first use of the replacement coated roadstone plant approved by this permission, a "lighting design strategy for biodiversity" shall be submitted to and approved in writing by the Mineral Planning Authority. The strategy shall:

a) identify those areas /features on site that are particularly sensitive for bats / birds and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Mineral planning authority.

Reason: To minimise the impact of artificial lighting on important ecological assets and to reduce the visual impact of the development hereby permitted in accordance with Policies

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17, 18 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, Policies ENV1 and ENV 7 of the East Cambridgeshire Local Plan 2015 and the East Cambridgeshire District Council Natural Environment SPD (Sept 2020).

Informatives

1. Informatives OW Consent Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance: <https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

2. Pollution Control Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Compliance with Paragraph 38 of the National Planning Policy Framework

The applicant did not seek pre-application advice. The County Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. The applicant has responded positively to the advice and recommendations provided and amendments have been made (where required) to satisfy concerns raised. For example, the applicant has made amendments to submitted plans to ensure their consistency. All land use planning matters have been given full consideration, which resulted in overall support for the development proposal from statutory consultees.

Source Documents

[Link to East Cambridgeshire Local Plan Local Plan April 2015](#)

[Link to Minerals and Waste Local Plan Adopted July 2021](#)

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Notes

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for Levelling Up, Housing and Communities in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of this notice. Appeals must be made on a form which is available from The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Appeals can also be submitted on line by visiting www.gov.uk and searching for "Appeal a Planning Decision". The Secretary of State has power to allow a longer period for a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the development order.
2. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for Levelling Up, Housing and Communities and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County/District Council in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990

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