

Town and Country Planning Act 1990

**To: SBRice Ltd
Treath
Trewartha Road
Praa Sands
Penzance
TR20 9ST**

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: Metal Recycling Facility for the storage, sorting, separation, grading, sheering, baling, compacting, crushing, granulating and cutting of ferrous metals or alloys and non-ferrous metals.

Informative: this application seeks to change the existing authorised waste site from plastics recovery facility and recycling of automotive shredder residue (ASR) to metal recycling.

At: Saxon Works, Peterborough Road, Whittlesey PE7 1PJ

In accordance with your application dated 1 May 2024 and the plans, drawings and documents which form part of the application.

Date: 17 February 2025

Signed:



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

Ref. No. CCC/24/048/FUL Metal Recycling Facility for the storage, sorting, separation, grading, sheering, baling, compacting, crushing, granulating and cutting of ferrous metals or alloys and non-ferrous metals.

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 10 (Building repairs), 11 (Construction of Interior walls), 14 (updated Noise Assessment), 15 (Noise management, monitoring and mitigation plan), 16 (Dust management, monitoring and mitigation) and 18 (location of outside storage) below require further information to be submitted and works carried out to before the site is operational which will ensure that the improvements to the building are made and dust and noise management schemes are approved and in place and these are therefore attached as a pre-commencement condition. The developer may not legally commence development on site until this condition has been satisfied.

Site area

1. This permission relates to the land outlined in red on the 'Site location plan 1-5-001, dated 05.03.2024, received 2 May 2024, referred to in these conditions as "the Site".

Reason: For the avoidance of doubt and to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Commencement

2. The development hereby permitted shall commence within three years from the date of this permission. Within 7 days of commencement of development, the developer shall notify the waste planning authority in writing of the date of commencement.

Reason: For the avoidance of doubt and to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved plans

3. The development permitted shall be carried out in accordance with the following drawings and documents, except as otherwise required by any of the conditions set out in this planning permission:

- Site location plan 1-5-001, dated 05.03.2024, received 2 May 2024;
- Proposed site plan 1-1-001 Rev B, dated 07.02.2024, received 2 May 2024;
- Existing Floor Plan and Elevations 1-2-001 Rev B (Planning Statement Appendix C), dated 25.04.2024, received 10 October 2024;
- Site Drainage Plan (Planning Statement Appendix E), Tag Industries FPP3, dated December 2016, received 2 May 2024;
- Noise Assessment, LFA Acoustics (Planning Statement Appendix G), dated June 2024, received 2 July 2024; and
- Planning Statement, by SBRice, dated March 2024, updated June 2024, received 3 July 2024.

Reason: To define the permission and protect the character and appearance of the locality in accordance with policies 17, 18, 22 and 23 of the Cambridgeshire and

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Peterborough Minerals and Waste Local Plan 2021 and policies LP1, LP2, LP14, LP16 and LP19 of the Fenland Local Plan 2014.

Hours of Operation

4. No operations shall take place at the site and no vehicles shall enter or leave the site outside the hours of 0700 - 1700 Monday to Friday.

No operations shall take place at the site and no vehicles shall enter or leave the site at any time on Saturdays, Sundays, Bank Holidays and Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Waste type

5. No waste other than clean and dry ferrous and non-ferrous metals shall be brought to the site for sorting, transfer, processing or storage.

Reason: To limit the use to that assessed in the interests of residential amenity and pollution control, in accordance with policies 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP14, and LP16 of the Fenland Local Plan 2014.

Waste source

6. No waste other than metal waste from the adjacent Johnsons Aggregates Recycling Limited site, or any subsequent operator conducting the recycling of IBA under planning permission reference CCC/21/024/FUL (and any subsequent amendments), shall be brought to the site for sorting, transfer, processing or storage.

Reason: To limit the use to that assessed in the interests of residential amenity and pollution control, in accordance with policies 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP14, and LP16 of the Fenland Local Plan 2014.

Waste limits

7. A maximum of 275-300 tonnes of waste metal shall be imported the site each day for recycling and no more than 75,000 tonnes of waste metal shall be processed and recycled at the site per annum.

Reason: In the interests of residential amenity and pollution control, in accordance with policies 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP14, and LP16 of the Fenland Local Plan 2014.

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8. Records of the source and amount of all waste metal brought to the site shall be kept for a minimum of 12 months and shall be submitted to the Waste Planning Authority within 10 working days of any written request.

Reason: To limit the use to that assessed in the interests of residential amenity and pollution control, in accordance with policies 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP14, and LP16 of the Fenland Local Plan 2014.

Non metal brought on to site

9. Any non-metal material removed during processing of the metal shall be returned to the adjacent Johnsons Aggregates Recycling Ltd facility, or any subsequent operator conducting the recycling of IBA under planning permission reference CCC/21/024/FUL (and any subsequent amendments), on its return journey following the delivery of the metal.

Reason: In the interests of residential amenity and pollution control, in accordance with policies 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP14, and LP16 of the Fenland Local Plan 2014.

Building repairs

10. Prior to the commencement of the development hereby permitted, a scheme detailing the repairs and improvements to the building that will take place prior to any recycling of metal taking place site shall be submitted to the waste planning authority for approval. The scheme shall include details of:

- the material which will be used for recladding of the exterior of the building and the level of noise insulation it will provide,
- the material which will be used to repair to the roof;
- the proposed hours during which the repairs will take place;
- the frequency of monitoring of the condition of the exterior of the building and roof and,
- steps that will be taken to ensure that the building, once repaired and reclad will be maintained in a good state of repair.

The approved scheme shall be implemented in full.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Construction of concrete interior walls

11. Prior to the commencement of the development hereby permitted, the concrete 'lego' block interior walls shown on plan reference Existing Floor Plan and Elevations 1-2-001 Rev B (Planning Statement Appendix C), dated 25.04.2024, received 10 October 2024 shall be constructed for the storage of processed metal and these shall remain in place for the duration of the development.

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Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Noise

12. All mobile mechanical handling equipment operated within the site that requires the use of reversing alarms shall be fitted with broadband reversing alarms or similar.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

13. Noise emission levels from the site shall not exceed 39 dB LAeq (1 hour) when measured at the boundary of any noise sensitive property on Priors Road, and 37dB LAeq (1 hour) when measured at the boundary of any noise sensitive property on Snoots Road or the rear of the properties at 193 to 203 Peterborough Road, Whittlesey.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

14. Prior to the commencement of development, a revised and updated Noise Assessment will be submitted for approval by the Waste Planning Authority. The assessment will detail the noise impact from the processing of metal, based on the machinery that will be used and taking into account level of noise insulation that the materials used in the repair of the building and the roof would provide.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

15. Following the approval of the Noise Assessment (NA) referred to in condition 14, and prior to the commencement of development hereby permitted, a noise management, monitoring and mitigation plan for ongoing operations will be submitted to the waste planning authority for approval. The plan should detail:

- the frequency of and methodology for the monitoring of operational noise levels;
- that the results of the noise monitoring will be made public and the mechanism for this;
- what steps will to be taken to ensure that the site operations achieve the levels as specified in the NA;
- that if the noise levels in the NA are exceeded, mitigation measures will be designed for approval by the waste planning authority;
- the procedure for the recording, investigation and response to complaints;
- a schedule for reviewing and updating the plan and sending proposed updates to the waste planning authority for approval.

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Once the noise management, monitoring and mitigation plan, and the updates that take place to it, have been approved, the site will operate in full compliance with it.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Dust management, monitoring and mitigation

16. Prior to the commencement of the development hereby permitted, a Dust management, monitoring and mitigation scheme shall be submitted to the waste planning authority for approval. The scheme shall be based on the 'Metal Recycling Facility – Dust Emissions Plan', dated January 2025 and shall include, but not be limited to:

- details of where and how all materials will be stored on site prior to transportation;
- confirmation that all materials transported will be assessed and leave the site in vehicles suitably covered to ensure dust does not occur during transit;
- details of how the operator will ensure that the access road to the site is kept clean and material is not tracked out from the site;
- details of the maintenance and operation of the air quality monitoring device that is installed at Saxon Pit and confirmation that it will be both operational and in good working order;
- details of the frequency of air quality monitoring both generally and also specifically for materials 10 micrometers or less;
- details of how the data obtained from air quality monitoring will be made public;
- details of how the air quality information will be assessed and confirmation that if the results indicate a reduction in air quality, mitigation measures will be designed for approval by the waste planning authority; and,
- that the agreed mitigation measures will be maintained and monitored.

No recycling works shall take place on site until the scheme has been approved and fully implemented.

The site operations will comply with the details set out in the approved scheme.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Outside storage

17. All processing and recycling of metal shall take place inside the buildings shown on the plan named 'Existing floor plan and elevations', plan reference 1-2-001 Rev B, dated 25.04.2024, received on 10 October 2024 and all the processed metals that have been recycled shall be contained within the internal storage bays shown on that plan.

Reason: to limit the use applied for and the operational area, in the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

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18. Prior to commencement of the development hereby permitted, details shall be submitted to the waste planning authority for approval of the exact location of the proposed outside storage of non ferrous metal in the yard area to the south and east of the building and the stockpile heights. The operations at the site shall be in compliance with the details submitted.

Reason: to limit the use applied for and the operational area, in the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Vehicle movements

19. There shall be no more than 36 (18 in and 18 out) HGV movements associated with site operation per day, with a maximum of 18 articulated HGV movements per day. There should be no more than 3750 HGV movements associated with the site per year.

Reason: in the interests of residential amenity and highway safety in accordance with policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP15, and LP16 of the Fenland Local Plan 2014.

Internal routing plan

20. All vehicles associated with the metal recycling shall follow the routes shown on the 'Internal vehicles site movements plan', reference 1-1-002 dated 23.05.2024 and received on 4 June 2024.

Reason: in the interests of residential amenity and highway safety in accordance with policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP15, and LP16 of the Fenland Local Plan 2014.

Site access direction of travel

21. Any heavy commercial vehicles collecting processed metal from the site shall turn right when accessing the site from the public highway and turn left when egressing from the site onto the public highway.

Reason: in the interests of residential amenity and highway safety in accordance with policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and policies LP2, LP15, and LP16 of the Fenland Local Plan 2014.

Lighting

22. No additional external lighting shall be erected or installed within or around the site unless full details have been submitted to and approved in writing by the Waste Planning Authority. Any such lighting shall and thereafter maintained in accordance with the approved details for the duration of the development hereby permitted.

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Reason: In the interests of residential amenity, highway safety, energy use and to minimise light pollution in accordance with policies 1,17, 18, 20 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and policies LP2 and LP16 of the Fenland Local Plan 2014.

Surface Water Drainage

23. The development hereby permitted shall not take place except in accordance with the existing surface water scheme outlined in the SLR Flood Risk Assessment dated 22 April 2024 and no changes shall be made to any impermeable areas or alterations to the existing site drainage infrastructure.

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 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021, and Policy LP14 of the Fenland Local Plan 2014.

Site liaison group

24. Within 3 months of the commencement of development a scheme for the inauguration, implementation and regular convening of a Site liaison group shall be submitted to and approved by the waste planning authority. Once approved, the agreed scheme shall be implemented from the date of approval and for the duration of the development hereby permitted.

Reason: To provide a forum in which the operator and representatives of the local community and regulatory bodies can share information relating to the site in accordance with the Cambridgeshire Statement of Community Involvement (adopted January 2019).

Informative

Membership of the liaison group referred to in condition 24 should include: the applicant and/or operator, the local County Councillor and District Councillor, representatives from Whittlesey Town Council and any other relevant local parish councils, representatives from local residents groups, the waste planning authority and the Environment Agency. All administration for the group will be undertaken by the applicant or operator.

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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, they may appeal to the Secretary of State for Housing, Communities and Local Government 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 Housing, Communities and Local Government 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, they 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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