

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Notification of the refusal of planning permission

**To: GP Planning Ltd
iCon Innovation Centre
Eastern Way
Daventry
NN11 0QB**

Cambridgeshire County Council, in pursuance of powers under the above Act and Order; hereby **REFUSE** planning permission for the following development:

For: Demolition of in-vessel compost buildings/tunnels and ancillary development; construction of a dry anaerobic digestion (AD) facility, pellet fertiliser facility, healthcare waste energy recovery facility, waste transfer station, vehicle re-fuelling station, biomass storage building, surface water storage lagoons, extension to concrete pad and ancillary development including car park

At: Envar Composting Ltd, St Ives Road, Somersham, PE28 3BS

as shown in your application submitted on 22 June 2021 (amended form dated 29 June 2021) and received in full on 19 July 2021, the plans, drawings and documents which form part of the application and the accompanying Environmental Statement submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and additional environmental information submitted on 1 March 2022, 6 May 2022, 17 August 2022, 30 August 2022, 21 October 2022, 29 November 2022 and 30 November 2022 for the following two reasons:

1. Landscape

The scale of the proposed chimney, in relation to the landscape (being local character and visual impact) and harm to the visual amenity of local businesses and residents (particularly those living and working nearest the development), are considered to have significant adverse effects which cannot be resolved through the proposed mitigation and consequently the development is contrary to NPPF Paragraph 174(b); Policy 17 (Design) including Appendix 3 (The Location and Design of Waste Management Facilities) of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021); and Policies LP2 (Strategy for Development) and LP10 (The Countryside) of the Huntingdonshire Local Plan (May 2019).

Date: 24 April 2023

Signed:



Emma Fitch, Assistant Director, Planning, Growth & Environment
Cambridgeshire County Council, New Shire Hall, Emery Crescent, Alconbury Weald, PE28 4YE

Ref. No. CCC/21/088/FUL Demolition of in-vessel compost buildings/tunnels and ancillary development; construction of a dry anaerobic digestion (AD) facility, pellet fertiliser facility, healthcare waste energy recovery facility, waste transfer station, vehicle re-fuelling station, biomass storage building, surface water storage lagoons, extension to concrete pad and ancillary development including car park.

2. Perceived health and well-being risks to local businesses and residents

The introduction of a healthcare waste energy recovery facility to this rural location would introduce significant perceived health and well-being harm to local businesses and residents that, when the proposal is considered as a whole, would not outweigh the benefits required to allow Policy 4 (Providing for Waste Management) to weigh in favour of the proposal and consequently the development is contrary to Policies 4 (Providing for Waste Management) and 18 (Amenity Considerations) of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021); and Policy LP19 (Rural Economy) of the Huntingdonshire Local Plan (May 2019).

Compliance with paragraph 38 of the National Planning Policy Framework (July 2021)

The applicant sought pre-application advice and an environmental impact assessment scoping opinion from the waste planning authority (WPA). The WPA worked proactively with the applicant to secure a development that was acceptable in land use planning terms and that took account of the wider economic, social and environmental factors by seeking solutions to matters arising during the consideration of the planning application; albeit it is acknowledged that the final outcome was that members did not find elements of the proposed development and therefore the application as a whole to be acceptable. The applicant responded positively to the advice and recommendations made by the WPA and additional environmental information and clarifications were provided as requested. The application has been the subject of four rounds of consultation with local councils, statutory consultees, statutory bodies and local residents and all land use planning matters were given full consideration ahead of determining this planning application.

Informative for the applicant

For the avoidance of doubt, this refusal relates to the following drawings received 22 June 2021 unless otherwise stated:

- GPP/E/CWH/21/03 Rev 015 Proposed Site Layout Plan dated 08/12/21 (received 1 March 2022);
- GPP/E/CWH/21/04 Rev 01 Elevation of Healthcare Waste ERF dated 26/04/21;
- GPP/E/CWH/21/05 Rev 03 Elevation of Waste Transfer Building dated 26/04/21;
- GPP/E/CWH/21/06 Rev 03 Elevation of Biomass Storage Building dated 26/04/21;
- GPP/E/CWH/21/07 Rev 01 Elevation of Pellet Fertiliser Production Facility Building dated 26/04/21; and
- GPP/E/CWH/21/08 Rev 01 Cross Sections dated 01.04.2021.

Date: 24 April 2023

Signed:



Emma Fitch, Assistant Director, Planning, Growth & Environment
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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 online 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.

Date: 24 April 2023

Signed: 