

LAND NORTH OF CAMBRIDGE NORTH STATION, CAMBRIDGE

APPEAL REF: APP/W0530/W/23/3315611

NOTE FOR INSPECTOR

1. Introduction

This Note provides a chronology of the application documents and plans submitted in support of the application that address the potential interactions between the application site, in particular the proposed 'Wild Park' (amenity of users and the ecological habitat), and the adjoining Rail Aggregates Depot. Reference is made to the assessment of potential impacts in terms of air quality and dust, noise and vibration and odour and the existing measures in place at the Rail Aggregates Depot, namely an 'environmental screen' and an acoustic barrier.

2. Rail Aggregates Depot

A description of the operations conducted at the Rail Aggregates Depot is included in the Statement in response to the comments of the Minerals and Waste Authority (MWA) (CD2.09A – 2.09E). This confirms that there is no processing of materials on site and measures are taken to control dust from the handling and movement of aggregates. All plant and machinery working on site is maintained regularly in accordance with manufacturer's instructions and is fitted with appropriate silencers and 'white noise' reversing alarms.

Furthermore, the operations at the aggregate's railhead have scaled down considerably following the closure of the Tarmac asphalt plant. Great British Rail Freight currently uses the depot on a very limited basis for freight traffic, with one train per week accessing the site, while Tarmac have vacated the site and relocated their asphalt operations to Higham.

The Statement in response to the comments of the Minerals and Waste Authority (MWA) (CD2.09A – 2.09E) refers to the extant planning permission at the site (Ref: S/0467/13/CM) and a copy of the decision notice is included at Appendix A of the Statement. For ease of reference, the description of development is also stated below;

"Proposed reconfiguration and consolidation of the existing minerals processing and transfer operation including the installation of covered mineral storage bays, alterations and extensions to existing feeder unit. New office, welfare and workshop buildings, reconfiguration of site circulation and parking area, new boundary fencing and other works associated with relocating rail sidings to serve the mineral processing site"

Brookgate Land Limited were the Applicant as the promoter of the development but for and on behalf of Lafarge Tarmac Limited, Freightliner Group Ltd, DB Schenker Rail (UK) Ltd and Network Rail.

The development proposal included for a 180 metre long free standing "environmental screen" to be installed along the southern boundary of the site, intended to act as a visual screen as well as mitigating noise from the site (see plan extract below). Furthermore, a noise barrier was to be installed along the eastern side of the rail siding to enable noise emissions from the unloading of the train to be controlled so as

not to cause a significant adverse noise impact on the nearest local residents, at Fen Road on the eastern side of the main railway line.



Both the “environmental screen” and the noise barrier have been installed since 2015 and the relevant conditions of planning permission S/0467/13/CM relating to their installation are listed below;

- **Condition 8:** No deliveries of rail-borne aggregate to the unloading area within the eastern boundary of the site shall take place until the layout of the site has been re-configured and the **environmental screen along the southern site boundary** constructed in accordance with the submitted drawing no. MMD-318305-C-DR-00-XX-1011 Rev. P4 – Planning Drawing (Proposed Site Layout) (dated 30.10.13) received by the Mineral Planning Authority on 1 November 2013. The materials and colour of the environmental screen shall match those of the existing cold feeder canopy at the site and shall be maintained as such for the duration of operations on the site. (emphasis added)

- **Condition 9:** No deliveries of rail-borne aggregate to the unloading area within the eastern boundary of the site shall take place until the **noise attenuation barrier described in Section 8.1 of the Mott MacDonald Noise Impact Assessment – Addendum II (dated December 2014)** has been constructed in accordance with the submitted specification in the location shown on drawing no. MMD-318305-C-DR-00-XX-1013 Rev. P3. The noise attenuation barrier shall thereafter be maintained in accordance with the submitted specification for the duration of operations on the site. (emphasis added)

In addition to the above, there are conditions of planning permission S/0467/13/CM that limit the operating hours of the Tarmac operation.

The purpose of the reconfiguration and consolidation of the minerals processing and transfer operation was to free up development of the appeal site and protect amenity for future users of the site. The compatibility of the appeal site with the Rail Aggregates Depot was also assessed as part of the documentation submitted in support of the application, including the Environmental Statement and a subsequent Statement in response to the comments of the Minerals and Waste Authority (MWA). This is detailed further below.

3. Original Application Documents and Plans (June 2022)

Air Quality and Dust

Chapter 6 of the Environmental Statement (ES) assesses the effects of the development proposal in terms of air quality (CD1.17). The Air Quality Assessment concludes that, currently, annual mean concentrations of nitrogen dioxide (NO₂) and particulate matter (suspended solid and liquids in the air) are below the air quality objectives in the local area. As such, local air quality is suitable for the proposed uses. Furthermore, Appendix 6.1 to the Chapter is a Construction Phase Assessment including Dust Risk Assessment (CD1.21). Table A-2 within the Assessment presents indicative examples of classification groups for the varying sensitivities of people to dust soiling effects and to the health effects of PM₁₀ (Particulate matter of size fraction approximating to <10mm diameter) and the sensitivities of receptors to ecological effects. It confirms that parks are considered a medium to low sensitivity receptor.

In terms of ecology, the only vegetation affected by dust is directly on the verge on the road to the aggregates plant – and this falls outside of the area of the proposed Wild Park – so there is a clear buffer. Furthermore, there are no signs of chronic dust on the existing vegetation on site which is rich botanically and for the invertebrate assemblage. There is no reason why it would be any different in the future given it is not getting closer to the Rail Aggregates Depot.

Noise and Vibration

Chapter 14 of the Environmental Statement (ES) assesses the effects of the proposals in terms of noise and vibration (CD1.17). Noise from the Rail Aggregates Depot was not obvious when the noise survey was undertaken in support of the planning application.

Odour

The application is supported by the Cambridge North Odour Statement (CD1.66, dated 20 April 2022) prepared by Arup. Odour had been scoped out of the Environmental Impact Assessment (EIA) as there are no sources of odour associated with the Proposed Development. However, as the application site lies within 400 metres of the Cambridge Water Recycling Centre (CWRC) an Odour Statement was prepared to accompany the application.

The use of the Wild Park for recreational purposes is considered a medium to low sensitivity receptor which would be suitable for the level of odour exposure and is therefore acceptable. However, the Odour Statement confirms that the majority of the Wild Park falls outside the odour contours associated with the CWRC in any event, with the exception of a small area in the northwest corner that falls within the 3 ouE/m³ contour.

4. Original Response from the Minerals and Waste Authority (MWA) (26 July 2022)

The Minerals and Waste Authority (MWA) provided their original response on 26 July 2022 (CD3.18A). This letter advised that the MWA raised an objection to the proposal owing to a lack of information demonstrating the compatibility of the development with the safeguarded aggregates railhead and the Cowley Road Waste Management Area. To determine whether their objection could be overcome, the MWA requested the Appellant to prepare a statement in response which directly addresses the requirements of both Policy 16 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the 'agent of change' as set out in paragraph 187 of the NPPF.

5. Revised Application Documents and Plans (October 2022)

An amendment pack was submitted to the LPA in October 2022 in response to issues raised by consultees. This included a Statement in response to the comments of the Minerals and Waste Authority (MWA) (CD2.09A – 2.09E).

The Statement confirms that no adverse odour, noise or traffic impacts are anticipated to arise from the operation of the Rail Aggregates Depot and as such no further mitigation is considered necessary. The measures currently in place at the Depot are considered appropriate to minimise the risk of fugitive dust emissions arising from the development. In terms of the requirement under paragraph 187 of the NPPF and the 'agent of change' principle, the appeal proposal can therefore be integrated effectively with the existing operation of the Rail Aggregates Depot.

The Statement included the following appendices;

- A. Decision Notice Reference S/0467/13/CM;
- B. Wild Park and Aggregates Yard Interface Plan (Ref: 630_01(MP)021 Rev P1)
- C. Proximity to Mineral Safeguarded Areas Plan (Ref: 630.01(MP)020 Rev P1)
- D. Industrial and Commercial Noise Desktop Assessment, dated 5 October 2022 by Temple Group
- E. Qualitative Dust Risk Assessment, dated 21 September 2022 by Temple Group
- F. Post Submission Odour Response, dated 5 September 2022 by Arup

A summary of the relevant plans and reports included at Appendices B, D and E is included below.

Appendix B : Wild Park and Aggregates Yard Interface Plan (Ref: 630_01(MP)021 Rev P1)

This confirms that a 2.2m high acoustic woven willow fence will be installed to the north and eastern edge of site, together with network rail approved fencing to the remainder of the north-eastern edge.

Appendix D : Industrial and Commercial Noise Desktop Assessment, dated 5 October 2022 by Temple Group (CD2.09a : see Appendix D).

This desk-based acoustic assessment calculates the rating noise level of noise emissions from the Rail Aggregates Depot, and the potential effects on future residents of the Proposed Development in line with the

relevant guidance and national standards. The assessment confirms, at paragraph 5.4.3, that the proposed Wild Park is likely to be exposed to the noise levels below the guideline levels of 50dB in the majority of the area, with a small area in the northeast and northwest corner falling below the upper guideline value of 55dB. However, it should be noted that these levels are only expected when the Rail Aggregates Depot is operational; otherwise, the guideline level of 50dB LAeq,16hr would be achieved in the majority of the park.

Appendix E : Qualitative Dust Risk Assessment, dated 21 September 2022 by Temple Group (CD2.09b : see Appendix E)

This assessment was prepared to specifically assess the effects of dust from the Roadstone Coatings facility (Tarmac Plant), Rail Aggregates Depot and the Cowley Road Waste Management Area. The Qualitative Dust Risk Assessment concludes that the measures currently in place at the Roadstone Coatings Facility and Rail Aggregates Depot are sufficient to reduce the risk of fugitive dust emissions affecting future site users to a not significant level when considered alongside local meteorological conditions and in the absence of sensitive receptors within the vicinity of the boundaries of the Site. Furthermore, the risk of dust blowing from these stockpiles has been assessed as having a 'negligible' effect of causing nuisance dust problems or human health impacts at proposed sensitive receptors within the Cambridge North development once operational.

6. Consultation responses from Environmental Health Officers (July and December 2022)

Cambridge City Council Environmental Health dated 26 July 2022 (CD3.15A)

This confirms that Cambridge City Council Environmental Health do not object to the proposed development, subject to conditions.

Cambridge City Council Environmental Health dated 21 November 2022 (CD3.15B)

This confirms that, having looked through the additional details submitted in October and November 2022, they do not adversely affect / impact on the original comments dated 26 July 2022.

South Cambridgeshire District Council Climate Environment and Waste dated 26 July 2022 (CD3.16A)

This confirms that South Cambridgeshire District Council Climate Environment and Waste do not object to the proposed development, subject to conditions.

South Cambridgeshire District Council Climate Environment and Waste dated 8 December 2022 (CD3.16C)

This confirms that South Cambridgeshire District Council Climate Environment and Waste have no further comments to the comments previously given on 27 July 2022.

7. Updated Response from the Minerals and Waste Authority (MWA) (14 December 2023)

The Minerals and Waste Authority (MWA) provided their updated response on 14 December 2022 (CD3.18B).

This confirmed that the MWA were broadly content with the conclusions of the dust and odour reports, but the noise report does not appear to address the interaction between the proposed Use Class E uses and the Aggregates Railhead. Furthermore, it is based on current activity at the railhead rather than permitted

activity. The MWA therefore requested further information to establish whether it could remove its objection or not.

8. Further information submitted in relation to Safeguarded Sites (April 2023)

Further information to respond to the comments of the MWA was provided by the Appellant in the form of a Technical Note (Ref: T6118) by Temple Group Ltd, dated 20 April 2023. This is enclosed at Appendix 2 of the Statement of Common Ground (SoCG) between the Appellant and the LPA dated 25 April 2023 (CD6.06).

Paragraph 8.62 of the SoCG between the Appellant and the LPA dated 25 April 2023 (CD6.06) confirms that sufficient information has now been submitted to demonstrate that the interaction between the proposed commercial use and the aggregates railhead will not prejudice the existing or future uses of the transport infrastructure area.

9. Temporary Leases

There is land between the appeal site and the Rail Aggregates Depot which falls within the control of the Appellant but outside the red line. It has had a number of temporary uses subject to very short terms.

10. Conclusion

The Rail Aggregates Depot benefits from an existing planning permission (Ref: S/0467/13/CM) with conditions that control the activities that can take place at the site. Existing measures in place include an 'environmental screen' and an acoustic barrier.

No objection has been raised by Environmental Health Officers at South Cambridgeshire District Council or Cambridge City Council and the Minerals and Waste Authority have confirmed that their previous concerns have been addressed.

Furthermore, a detailed suite of technical reports have been submitted in support of the appeal proposal that have specifically addressed the potential interactions between the application site, in particular the proposed 'Wild Park' (amenity of users and the ecological habitat), and the adjoining Rail Aggregates Depot. These reports have confirmed that the Rail Aggregates Depot will have a negligible effect upon the proposed Wild Park in terms of air quality and dust, noise and vibration and odour and as such no further mitigation is considered necessary.

Date: 20 June 2023