

<b>Application Number</b>	09/1092/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	25th November 2009	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	20th January 2010		
<b>Ward</b>	Trumpington		
<b>Site</b>	47 St Marys School Bateman Street Cambridge Cambridgeshire CB2 1LY		
<b>Proposal</b>	Demolition of a rear extension (1980s) to an existing building (47 Bateman Street) and the erection of a four storey D1 educational building comprising a main entrance, assembly hall, small library/study area, eight classrooms with associated wc's and service areas. Included within the development is associated landscape works, works to existing access road and a new gate and cycle parking to the adjoining St Mary's School.		
<b>Applicant</b>	Mr Duncan Askew St Marys School Bateman Street Cambridge Cambridgeshire CB2 1LY		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site is within the existing St Mary's School campus, the majority of which is situated on the southern side of Bateman Street. The development is to the rear of number 47 Bateman Street on a broadly square shaped plot which is currently used for car parking. To the western boundary of the site is an accessway, over which the University of Cambridge Botanic Gardens has a right of way.
- 1.2 To the north of the site is number 47 Bateman Street. This detached building accommodates the St Mary's infants school, and is a late Victorian 2 storey building, with 2 projecting front gables which was extended to the rear at single storey level only, in the 1980's. East of the site is Bateman Mews, a terrace of residential properties that stand at approximately

7.5m to eaves level, and with a ridge height of about 11m. To west is a large teaching block, at approximately 12m tall, that is part of the main campus. To the south of the site is the University of Cambridge Botanic Garden (with associated glasshouse structures), which is a Grade 2\* Registered Park and Garden, a Protected Open Space and which is also designated as a Local Nature Reserve.

- 1.3 The site falls within the City of Cambridge Conservation Area 1 (Central). The site is within a Controlled Parking Zone (CPZ). There is a line of substantial conifers to the south of the site, although there are no trees protected by Tree Preservation Order.

## **2.0 THE PROPOSAL**

- 2.1 This application seeks consent for the demolition of the 1980's rear extension to number 47 Bateman Street, and the erection of a 4 storey Class D1 (non-residential institution) educational building, totalling some 990 sq m gross floor area, which will accommodate the Junior School. The building will have a square shaped footprint and would rise to approximately 11m in height. The upper floor is to be slightly recessed from the main body of the building, with floor to ceiling glazing. The building is to be constructed in a buff brick with aluminium windows casements to the glazed areas.
- 2.2 Internally, the ground floor will accommodate an entrance lobby, reception and a hall covering some 145 sq m. The upper floors provide classroom space, arranged symmetrically around the inner stairway and circulation spaces.
- 2.3 Externally, the development will provide associated hard and soft landscaping to the external circulation areas, with some new tree planting to the front of number 47 Bateman Street. The application proposes a pedestrian crossing across the existing access road to the Botanical garden and a new gate and cycle parking for the adjoining St Mary's School.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
  2. Planning Statement

3. Transport Statement
4. Services Report
5. Daylight and Sunlight Report
6. Arboricultural Report

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/0086/FUL	Erection of a new four storey D1 educational building including associated landscape works following demolition of a rear extension.	Withdrawn
C/01/1360	Erection of new Sixth Form Centre and provision of associated new access.	Approved

### 4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes
	Public Meeting/Exhibition (meeting of):	No
	<i>(The school have undertaken their own consultation exercise)</i>	
	DC Forum:	No

### 5.0 POLICY

#### 5.1 Central Government Advice

**5.2 PPS1 Delivering Sustainable Development (2005):**  
 Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 **PPG13 Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.4 **PPG15 Planning and the Historic Environment (1994):** This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

5.5 **PPG16: Archaeology and Planning (1990):** Provides policy advice with regard to archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.

5.6 **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.7 **Circular 05/2005 - Planning Obligations:** Advises that planning obligations must be relevant to planning, necessary, directly related to the proposed development, fairly and reasonably related in scale and kind and reasonable in all other respect.

## 5.8 **East of England Plan 2008**

ENV6 The historic environment

ENV7 Quality in the built environment

## 5.9 **Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

3/11 The design of external spaces

3/12 The design of new buildings

4/4 Trees

4/11 Conservation Areas  
4/13 Pollution and amenity  
4/15 Lighting  
4/16 Development and flooding  
5/12 New Community Facilities  
8/2 Transport impact  
8/4 Walking and Cycling accessibility  
8/6 Cycle parking  
8/10 Off-street car parking

## 5.10 **Supplementary Planning Documents**

**Cambridge City Council (May 2007) – Sustainable Design and Construction:** Sets out essential and recommended design considerations of relevance to sustainable design and construction. Applicants for major developments are required to submit a sustainability checklist along with a corresponding sustainability statement that should set out information indicated in the checklist. Essential design considerations relate directly to specific policies in the Cambridge Local Plan 2006. Recommended considerations are ones that the council would like to see in major developments. Essential design considerations are urban design, transport, movement and accessibility, sustainable drainage (urban extensions), energy, recycling and waste facilities, biodiversity and pollution. Recommended design considerations are climate change adaptation, water, materials and construction waste and historic environment.

## 5.11 **Material Considerations**

**Cambridge City Nature Conservation Strategy – Enhancing Biodiversity (2006): and Cambridge City Wildlife Sites Register (2005):** Give guidance on which habitats should be conserved and enhanced, how this should be carried out and how it relates to Biodiversity Action Plans.

**Cambridge Historic Core – Conservation Area Appraisal (2005):** Provides an appraisal of the Historic Core of Cambridge.

**Cambridgeshire Design Guide For Streets and Public Realm (2007):** The purpose of the Design Guide is to set out the key principles and aspirations that should underpin the

detailed discussions about the design of streets and public spaces that will be taking place on a site-by-site basis.

## **6.0 CONSULTATIONS**

### **English Heritage**

6.1 English Heritage is broadly supportive of the revised plans.

- English Heritage had concerns regarding the bulk and massing of the building previously proposed and its impact on the Botanic Gardens and wider Conservation Area.
- The current application has been revised to address some of the concerns of the previous application.
- The changes significantly alter the appearance of the building from long views from the Botanic Gardens and Bateman Street.
- Improved relationship to the teaching block to the west
- The building will be visible from only limited parts of the Botanic Gardens.
- The building will no longer dominate number 47 as a result of revised roof treatment.
- Some concerns raised regarding a possible handrail on the roof top.

### **Historic Environment Manager (Cambridge City Council)**

6.2 Support, subject to conditions.

- This proposal will not be detrimental to the character and appearance of the conservation area and may enhance the area directly behind 47 Bateman Street.
- There are limited views of the site from the Grade II\* Botanic Garden. Where views can be seen, the glazing of the top floor of the building will be read alongside the glasshouses of the gardens themselves. Therefore it will not impact unduly on the setting of this important Garden.

### **Design and Conservation Panel (Meeting of 29<sup>th</sup> July 2009)**

6.3 The relevant section of the minutes of this panel meeting are set out below:

A pre- application response to the comments made by the Panel at the February 09 meeting (verdict RED). Presentation by Andy Thompson of Beacon Planning with James Dixon leading the design team from John McAslan & Partners.

Tony Nix declared an interest and did not comment upon this proposal.

The previous comments of the panel related to **1) Detailed design 2) Relationship to adjoining buildings and 3) Density of development of the site.**

The Panel's comments are summarised as follows:

### **Detailed design**

- The design of the top storey has been changed following the panel's previous comments to create a darker, more recessive band, glazed and clad in a contrasting colour to the brickwork below. This was welcomed by some, although others felt that the clarity of the original was being compromised.
- The dropping of the overall height was welcomed, although some expressed concern regarding the highly reflective and visible top storey. Reducing the height of the building is likely to impair the floor to ceiling heights of some of the principal rooms, notably the ground floor assembly room.

### **Relationship to adjoining buildings:**

- Impact on 47 Bateman Street. Some improvements made but Panel still called for greater synergy between the new and existing building. The loss of southern light will tend to create gloomy outdoor spaces and restrict natural light to the back rooms of no.47.
- The success of the 'canyon space' 12m high by 5m wide created immediately behind No47 was again questioned.
- Impact on the Botanic Garden. Some significant improvements made. Panel were pleased by the drop in height.
- At the rear, the Botanic Garden have proposed the installation of a boundary hedge and Panel supports the architects' intention to fit in with this proposal.

### **Density of Development**

- The density of the proposals are little different from those previously submitted and so the concerns relating to this persist

(“Too much accommodation is being shoe-horned onto the site”  
D&C Minutes 11 Feb'09)

- External play-space/hard & soft landscaping. Not addressed, although the views of the Panel this time were more mixed. Some Panel members felt that the spaces around the building were too small and cramped as before whilst other saw this as something which might have to be accepted.
- It was observed that the only way to rectify the density issues would be for the existing villa to be replaced and a new building to be constructed on the street frontage where the buildings up and down the street are larger in scale. Some elements of the existing building could possibly be re-used eg the corner entrance and some of the terracotta work. This strategy would leave some amenity space for children to play, bring the proposals into a better relationship with the neighbouring buildings and create less of an impact on the botanical gardens
- Planning Officer John Evans supported the Panel’s view that the scale of the building is still problematic, although he believed it now better reflected the context of Bateman Mews (The existing planning consent for a sixth form centre on the site was of a more domestic scale, and has now lapsed.)

### **Conclusion.**

**The architects have made a serious attempt to address the detailed design of the building to ameliorate its impact on the surrounding buildings and site. Opinion upon how successful these measures would be was not unanimous. Some felt that the detailing of the building was moving in the right direction whilst others felt that the changes did not fundamentally improve the proposal. The density of the proposal has not changed from the previous submission and the associated problems with that aspect of the design therefore remain.**

**VERDICT – GREEN (2), AMBER (1), RED (2) with 2 abstentions.**

### **Disability Consultative Panel (Meeting of 6<sup>th</sup> January 2010)**

- 6.4 Awaiting new comments. However, previous comments from the Council’s access officer remain relevant:



- The reception desk needs a dropped height section and hearing loops.
- Hall and classrooms need hearing loop systems.
- Wheelchair accessible toilets need to vary between adult and child heights.
- There should be wheelchair access to the hall

### **Cambridgeshire County Council (Transport)**

- 6.5 No objections. The proposed building works restrict the visibility on the bend of the private access road to the Botanic Gardens. The school is working on an effective and comprehensive travel plan aimed at reducing the use of motor vehicles in the vicinity of and within the school. This approach is supported by the Highway Authority.

### **Head of Environmental Services**

- 6.6 No objections. There are previous uses for a boiler and laboratory, therefore the contaminated land condition is required.

### **Environment Agency**

- 6.7 No comments.

### **Cambridgeshire County Council Archaeology**

- 6.8 Site investigations required.
- 6.9 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## **7.0 REPRESENTATIONS**

- 7.1 Councillor Sheila Stuart has commented on this application. The representation is set out below:

*Dear Mr Evans,*

*Thank you for your e-mail.*

*I confirm I would wish this application to be determined at Committee so that the issue of the proposed development's impact on residential amenity of neighbouring properties may be debated in committee.*

*Kind regards*

*Sheila*

7.2 The owners/occupiers of the following addresses have made representations: 14, 16 and 17 Bateman Mews. 33, 34 Bateman Street.

7.3 The representations can be summarised as follows:

- The proposal is substantially the same as the one withdrawn earlier in 2009.
- The building and use for 160 pupils cannot be built in the small space available, without materially affecting the homes adjacent.
- Noise and disturbance, particular from the front area to be used as playspace.
- Overlooking of adjoining properties.
- Additional traffic on adjoining roads.
- Loss of light, particularly to number 17 Bateman Mews.
- Disturbance of construction works.

7.4 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. The Character and Appearance of the Conservation Area
3. Residential amenity
4. Highway safety
5. Car and cycle parking
6. Refuse arrangements
7. Disabled access

8. Third party representations
9. Planning Obligation Strategy

The previous scheme 09/0086/FUL was withdrawn to address the following concerns:

- Following consultation with the Council's Conservation Officers, the Design and Conservation Panel, and the representations received, there were concerns with the scale, bulk, massing and detailing of the building within its context. In particular its relationship with number 47 Bateman Street and number 17 Bateman Mews.
- Officers were concerned with the scale of the building and its visual impact to the Botanical Gardens to the south.
- To consider further how the relationship of the new building with the adjacent residential property at number 17 Bateman Mews might be improved.
- Clarification of playspace and arrangements and site selection.
- There was insufficient detail regarding the provision of cycle parking.

### **Principle of Development**

- 8.2 Development which consists of new community facilities or an extension to an existing community facility is generally supported in sustainable locations of the city, as detailed within Cambridge Local Plan policy 5/12. This scheme which develops an existing centrally located, accessible school campus and which aims to relocate and improve the existing Junior school facilities accords with this policy.
- 8.3 At present, the Junior school is detached from the main campus, to the north west at 2 Brookside. The school wishes to provide small classroom facilities and high quality, flexible learning spaces that will bring together students on the single site. The need for development is in part due to the surrendering of the lease on 1 Brookside back to the University of Cambridge, which meant that the Junior School had to be

relocated to 2 Brookside, a building that does not offer a satisfactory long term accommodation solution.

- 8.4 The development is within the existing school campus and will not involve building on any playing field or other area of protected open space. The site, currently used for informal car parking, does not make a positive contribution to the character and appearance of the Conservation Area and represents the most logical location within the campus for a new academic building.
- 8.5 Furthermore, planning permission has been granted previously (2002) for a new sixth form building on this site (C/01/1360). In my opinion, the principle of the development is therefore acceptable and in accordance with policy 5/12.

### **The character and appearance of the Conservation Area**

- 8.6 The key issue relates to the detailed design and appearance of the proposed new building within its setting, and the impact upon views into and out of the Conservation Area and adjacent Botanic Gardens to the south.
- 8.7 Local Plan policy 3/12 states that new buildings should have a positive impact on their setting in terms of location on the site, height, scale, form, materials, detailing and wider townscape views. In addition, development within a Conservation Area should preserve or enhance its setting, or provide a successful contrast within it, in accordance with policy 4/11. The proposed new building is broadly similar to the previously withdrawn scheme (09/0086/FUL) in terms of its overall footprint and dimensions. However, the detailing and overall height has been altered, which in my view significantly changes how this development will read in its context. I discuss the 2 main changes below.
- 8.8 Firstly, the overall height of the building has been reduced by approximately 1m. Whilst this might be considered a relatively modest reduction, it will mean that the building will sit more in harmony with surrounding buildings, in terms of the height. The height is now subservient to the adjacent block to the west and is level with the ridge height of the residential properties to the east at Bateman Mews. From a wider perspective, it is similar in height to the 'Sainsbury's Laboratory' that has been

constructed to the south of Bateman Mews. The roof top plant facilities are set well into the rooftop and will not be readily visible from ground level. As such the overall presence of the building is now much reduced, and will not be overly obtrusive in relation to neighbouring buildings or from Bateman Street.

- 8.9 Secondly, the building has incorporated more subtle articulation and detailing, drawing positive inspiration from the eaves level of number 47 Bateman Street and the adjacent terrace at Bateman Mews. The top floor has now been recessed and will be constructed with full height glazing. As such the presence of the building will be greatly reduced and in my view, in combination with the reduction in height, will no longer dominate the existing number 47 to which it will be closely related.
- 8.10 Some concerns have been raised from English Heritage regarding a potential safety railing on the roof top. However, whilst clarification is being sought with the applicant on this point, from the plans provided, this safety feature is a low level safety line which will not be visible from ground level.
- 8.11 With regard to details of materials, the brick type is intended to be a buff brick to reflect the existing number 47 Bateman Street. Clearly an exact match is problematic because of the age of the existing building, but the palate of materials will complement number 47 and the overall character and appearance of this section of the Conservation Area. The Council can retain control of the final materials of construction, including the glazed, recessed upper floor, through the imposition of a suitable planning condition. (Condition 2).
- 8.12 In terms of external spaces, the landscaping proposals will in my view positively enhance this area of the school campus, which includes some new tree planting to the front of number 47 Bateman Street. The Design and Conservation Panel have made some criticisms of the amount of amenity space which will be provided for the new Junior school accommodation. However, the outside space immediately surrounding the new building is for circulation only, and is not intended to serve as formal play space. The pupils already have suitable existing play space within the wider school, which will remain unchanged. The overall improvement for the pupils will be the much closer proximity they will enjoy to these facilities.

## Visual impact from the Botanic Gardens

- 8.13 The applicant has undertaken a detailed study into the appearance and prominence the building will have from within the Botanic Gardens. The areas within the Botanic Gardens where the building can be seen are actually very limited. The Council's Conservation Officers and English Heritage have also closely considered the potential visual impact, and are satisfied the building will not be unduly intrusive. Where the building can be seen, it will read against the existing glasshouses, and will not be detrimental to the Garden's character, or outward views.
- 8.14 In my opinion the revised proposal has been sensitively designed and detailed, and will make a positive impact on the character and appearance of this section of the Conservation Area. The character, appearance and special interest of the Botanic Gardens will not be degraded by the development. The proposal is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/12, 4/2 and 4/11.

## **Residential Amenity**

### Impact on amenity of neighbouring occupiers

- 8.15 The residential property most affected by this development will be the northerly outlook of the adjacent number 17 Bateman Mews, from which strong objections have been received.
- 8.16 The applicant has submitted a daylight and sunlight study which demonstrates that the development accords with guidance from the Building Research Establishment (*'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 1991'*). I recognise that this is not an adopted policy of this Council and that the methodology utilised ('Vertical Sky Component Method') can only be used as a guide. It does however give some comfort that the flank wall of the building will not unduly detract from neighbouring amenity.
- 8.17 The occupants of number 17 have submitted their own series of photographs which show the evening sunlight during the summer months, which currently reaches the northerly outlook of Bateman Mews. Whilst I acknowledge that the windows of 17 facing onto Bateman Mews receive some limited late evening summer sun, in my view, the greatest impact of the

new building is the sense of enclosure that will be created, rather than the loss of daylight and sunlight.

- 8.18 This revised scheme now has an improved relationship with this neighbouring residential property. Given the overall reduction in height of the building by 1m, the recessed upper floor, and its siting of some 5m from the flank wall of number 17, the presence of the building will be markedly reduced compared to that proposed in the withdrawn scheme. In my view the presence, and loss of daylight and evening sunlight is not so harmful as to justify refusal of the application.
- 8.19 In terms of overlooking, the second and third floor rear classroom windows have some potential to overlook the rear garden of number 17, albeit at a very oblique angle. However, this issue can be remedied with the imposition of a suitable planning condition requiring the use of obscured glass for those corner windows. (Condition 3). The applicant also proposes obscured glass for the windows in the eastern flank elevation fronting Bateman Mews, although the siting of the building itself will prevent overlooking.
- 8.20 Some concern has also been raised regarding the use of the building and associated noise and disturbance from pupils during the day. However, noise from children congregating and playing during the daytime is to be expected on this established school site, and in the view of Environmental Health colleagues 'forms a part of the normal acoustic environment of a residential area'. As rehearsed above, the location of the existing play space is unchanged, and is located some distance from the closest residential properties at Bateman Mews.
- 8.21 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/12.

#### Amenity for future occupiers of the site

- 8.22 The new school building will provide a stimulating, high quality, flexible learning environment for pupils of the Junior School. The elevated position of the classrooms, particularly those which enjoy views over the Botanic Gardens, will provide a

good level of amenity. The building would also lend itself for adaptation in the future for other uses.

8.23 Comments from the Design and Conservation Panel are noted regarding the visual impact of the new building in relation to the rear outlook of the existing number 47. However, light and outlook are already curtailed to some extent by thick conifer screening to the south of the site. In addition, the main rear classroom on the ground floor is also served by a window opening in the western flank elevation, therefore an adequate level of amenity will be retained.

8.24 In my opinion the proposal provides a high-quality environment and an appropriate standard of amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/12.

### **Highway Safety**

8.25 The site is in a central location, and traffic generation and congestion is sensitive for neighbouring residential properties. However, the new Junior School will result in only a very marginal increase in pupil numbers (an increase of 15 pupils is suggested), which split between different modes of transport is considered insignificant. The applicant has submitted a transport statement, within which is a robust travel plan, which has the full support of the County Highways Authority.

8.26 The proposal will remove car parking from the rear of number 47, and measures have been taken to reduce unnecessary car journeys. The school has already introduced a park and ride mini bus service from Trumpington which has been successful.

8.27 In terms of technical Highways comments, the building itself will reduce the visibility on the bend of the internal accessway. However, this is not considered to result in a significant adverse impact on highway safety. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

8.28 The development will result in the loss of car parking, which is supported, in light of the robust travel plan.



- 8.29 Cycle parking will be positioned behind an enclosed wall, which is currently used for car parking. This area is screened from the public domain and subject to details, this provision, in combination with other cycle parking facilities at the school, is acceptable.
- 8.30 In my opinion the proposal is compliant Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Refuse Arrangements**

- 8.31 Refuse storage for the new element of the “greater school” will be directly to the south of the new building. The space provided is adequate and will be unobtrusive. Subject to full details of screening for this area, (condition 6), the arrangements are acceptable and compliant with Cambridge Local Plan 2006 policy 3/12.

### **Disabled access**

- 8.32 The Council’s Access Officer is broadly content with the proposals subject to internal details which have been referred to the applicant. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Third Party Representations**

- 8.33 The representations received have been adequately considered in the above report.

### **Planning Obligation Strategy**

- 8.34 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The County Council Highways Authority have been consulted on this scheme and are satisfied that the development will not significantly increase the number of trip rates which might trigger developer contributions. There are no other contributions required under the Planning Obligation Strategy.

## **9.0 CONCLUSION**

- 9.1 This revised application has in my view successfully addressed the previous concerns relating to the earlier submission in 2009. The new school building now has a reduced prominence in its setting, and the detailing would have an improved relationship with neighbouring buildings, some of which are residential. The development including the landscaped external spaces, will, in the round, make a positive improvement to this site, which is currently utilised for car parking. The visual impact and harm to neighbouring residential amenity is not considered so great as to recommend refusal and the building will not detract from the wider character and appearance of the Conservation Area or Botanic Gardens. APPROVAL is therefore recommended.

## **10.0 RECOMMENDATION**

### **APPROVE subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted, including roof covering materials and eaves details, have been submitted to and approved in writing by the local planning authority. In addition, no brickwork is to be erected until the choice of brick, bond, mortar mix design and pointing technique have been submitted to and approved in writing by the local planning authority by means of sample panels prepared on site. The approved panels are to be retained on site for the duration of the works for comparative purposes, and development must take place only in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

3. The proposed third and fourth level window openings on the eastern flank elevation and south eastern corner shall be fitted with obscured glass and permanently retained in that condition unless otherwise first agreed in writing by the Local Planning Authority. This is as indicated on plan number 1282-B1-200-E-301.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 3/4.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. 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/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

6. Prior to the commencement of the development, details of the screening to the refuse storage area shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, Cambridge Local Plan policy 3/11.

7. Full details of the colours to be used on the new building are to be submitted to and approved in writing by the Local Planning Authority. Colours should be specified by means of the RAL or British Standard (BS 4800: 1989) systems and not by means of manufacturer's trade names.

Reason: In the interests of the character and appearance of the Conservation Area, Cambridge Local Plan 2006 policy 4/11.

8. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday - Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: Due to the proximity of residential properties to this premises and that extensive refurbishment will be required, the above conditions are recommended to protect the amenity of these residential properties throughout the redevelopment in accordance with policies 4/13 and 6/10 of the Cambridge Local Plan (2006)

9. Except with the prior written agreement of the local planning authority in writing no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

10. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

11. No development shall commence until a programme of measures to minimise the spread of airborne dust from the site during the demolition / construction period has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

12. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to the LPA for approval.

(a)The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b)The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: In the interests of amenity of future users of the site, Cambridge Local Plan 2006 policy 4/13.

13. Before the development/use hereby permitted is commenced, a scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the local planning authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

Reason: In the interests of amenity of future users of the building, Cambridge Local Plan 2006 policy 4/13.

14. Before the development hereby permitted is commenced details of the following matters shall be submitted to and approved by the local planning authority in writing.

i) contractors access arrangements for vehicles, plant and personnel,

ii) contractors site storage area/compound,

iii) the means of moving, storing and stacking all building materials, plant and equipment around and adjacent to the site,

iv) the arrangements for parking of contractors vehicles and contractors personnel vehicles.

Thereafter the development shall be undertaken in accordance with the approved details.

Reason: In the interests of neighbouring amenity, Cambridge Local Plan 2006 policy 4/13.

15. Before the development hereby permitted is commenced, including any works if demolition, details of proposed wheel washing and other mitigation measures in relation to dust suppression shall be submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details,

Reason: In the interest of residential amenity. (Cambridge Local Plan 2006 policy 3/4 and 4/13)

**INFORMATIVE:** To satisfy standard condition C62 (Noise Insulation), the noise level from all plant and equipment, vents etc (collectively) associated with this application should not raise the existing background level (L90) by more than 3 dB(A) (i.e. the rating level of the plant needs to match the existing background level). This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 5 minute period), at the boundary of the premises subject to this application and having regard to noise sensitive premises. Tonal/impulsive noise frequencies should be eliminated or at least considered in any assessment and should carry an additional 5 dB(A) correction. This is to guard against any creeping background noise in the area and prevent unreasonable noise disturbance to other premises.

It is recommended that the agent/applicant submits a noise prediction survey/report in accordance with the principles of BS4142: 1997 "Method for rating industrial noise affecting mixed residential and industrial areas" or similar. Noise levels shall be predicted at the boundary having regard to neighbouring residential premises.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.



**INFORMATIVE:** New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

### **Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: ENV6, ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 3/11, 3/12, 4/4, 4/11, 4/13, 4/15, 4/16, 8/2, 8/4, 8/6, 8/10.

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

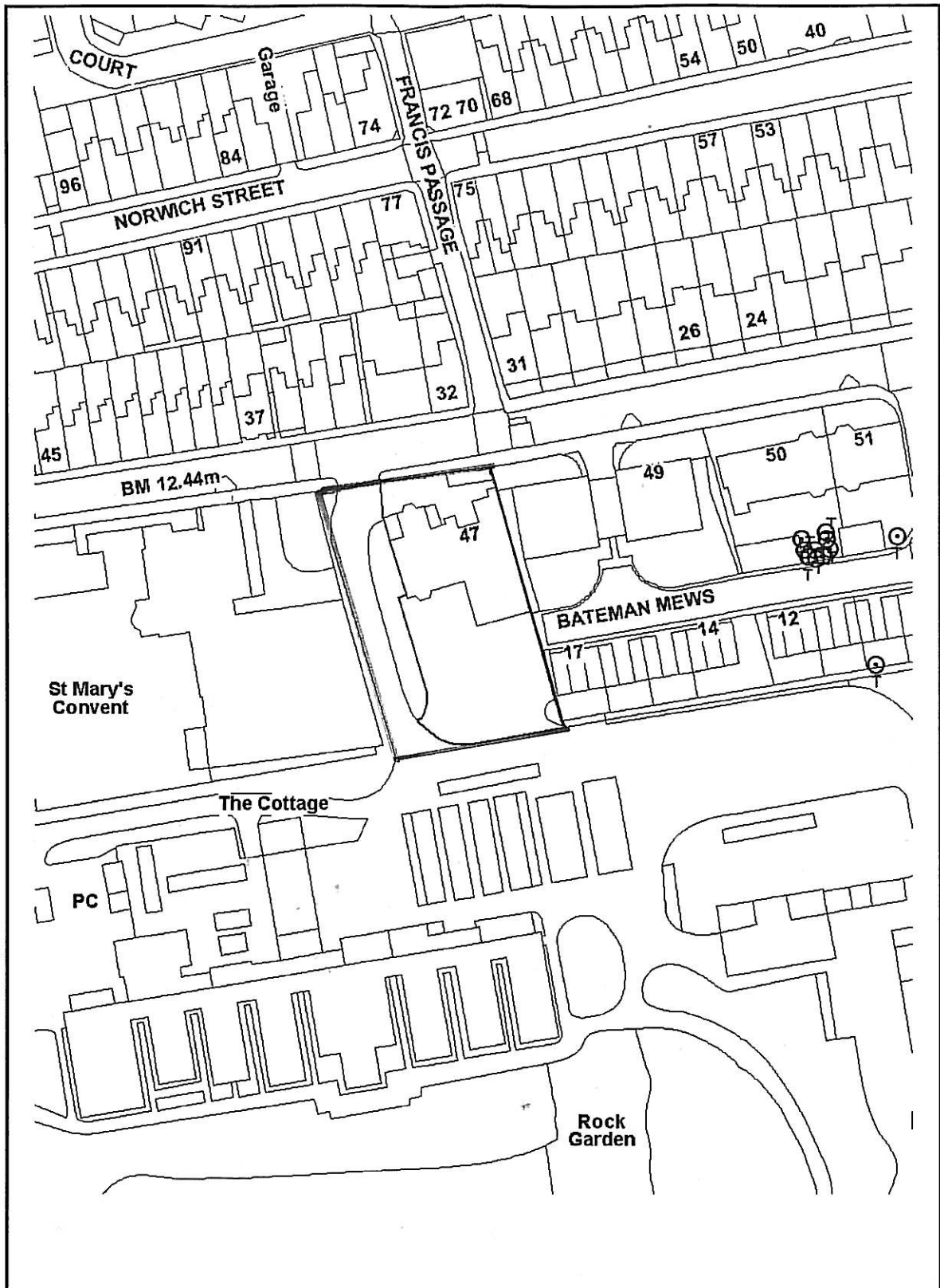
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



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47 St Marys School Bateman Street Cambridge Cambridgeshire