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Cambridge City Council

Planning

Committee Members: Councillors Dryden (Chair), Blencowe (Vice-Chair), Gawthrope, Hart, Hipkin, Pippas, C. Smart and Tunnacliffe

Alternates: Councillors Bird, Holt and Holland

Published & Despatched: Tuesday, 24 November 2015

Date: Wednesday, 2 December 2015
Time: 12.30 pm
Venue: Committee Room 1 & 2 - Guildhall
Contact: Toni Birkin

AGENDA

18b Amendment Sheet *(Pages 7 - 50)*

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PLANNING COMMITTEE MEETING –2nd December 2015

Amendment/De-brief Sheet

MINOR PLANNING APPLICATIONS

CIRCULATION: First

ITEM: 1 APPLICATION REF: 15/1653/FUL

Location: Department Of Chemistry

Target Date: 13.11.2015

To Note:

1. In paragraph 8.7 of the Committee report, I indicate that I expect to receive formal advice from the environmental health team on the 17th November submission of acoustic information relating to the original proposal. I received the formal advice on 20th November 2015, and it is attached to this sheet as Appendix A.

2. Following completion of the Committee report, the applicants have submitted a significant amendment to the proposal. The details of this amendment are attached to the amendment sheet as Appendix B. The amendment is summarised and assessed in the amended paragraphs detailed below.

3. Following submission of the amendment, the applicants notified neighbours of the amended proposal, and arranged a meeting for neighbours, to explain the amendment, at the Department of Chemistry at 1430 on Monday 30th November 2015.

Amendments To Text:

Delete summary box and replace with:

SUMMARY	The development complies with the Development Plan for the following reasons: Because the delivery fill point is to be retained in its present position, there would be no adverse noise impact on neighbours from deliveries of liquid nitrogen to the relocated tank. Evaporators have been positioned and new walls designed in such a way as to ensure no adverse visual impact on the

	conservation area. The loss of trees would be mitigated to a degree by replacement planting, and would be outweighed by the overall public benefit of the scheme which these works would enable.
RECOMMENDATION	APPROVAL

Add after Para 2.2

2.2A In response to the concerns about noise expressed by the environmental health team, the applicants have now amended the proposal. In the amended scheme, no direct deliveries to the new nitrogen tank would take place. Instead, the exiting fill point to the south of the Chemistry building would be retained, and all deliveries would be made at that point, and the nitrogen piped to the tank.

Add after Para 6.8

Third comment (26th November 2015, following amended proposal)

6.8A Amendment likely to allay environmental health concerns about noise, subject to appropriate conditions.

Delete paragraphs 8.6 and 8.7. Substitute:

8.6 The applicants have now proposed an amendment to the application, in which the nitrogen tank is still relocated to the position originally proposed, but the fill point where deliveries are made is retained in its present position south of the main Chemistry block. The effect of this amendment is that the noise generated from deliveries (gas release from valves, compressor noise, pipe connection and disconnection, vehicle engine noise) would take place only in the existing location. The applicants have also indicated that they would accept conditions restricting delivery hours, duration of deliveries and quantum of deliveries per week (none of which apply at present). This means that, subject to condition, a significant reduction of the noise impact of the tank would be secured, relative to the existing situation, and there would not be an adverse impact on amenity through noise pollution.

Delete paragraph 8.10 and substitute:

8.10 The environmental health team has advised me that the issue of noise from cycle racks could be addressed by condition. I am of the view that the amendment now submitted to the application (in the letter attached to this amendment sheet as Appendix B) to retain the fill point in its present location means that there would be no adverse noise impact on the amenity of neighbours from the nitrogen delivery process, and that the conditions I have

recommended would secure an improvement in the noise impact relative to the present situation. Subject to the conditions I recommend on this amendment sheet, I consider that the proposal is in accordance with policies 3/4 and 4/13 of the Cambridge Local Plan 2006, and with government guidance in paragraphs 109, 120 and 123 of the Framework.

Pre-Committee Amendments to 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. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

   Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Within 56 days of the installation of the liquid nitrogen tank hereby permitted, the screening enclosure around the tank and alongside Panton Street shall be completed in accordance with the application drawings.

   Reason: To ensure there is no harmful visual impact on the conservation area. (Cambridge Local Plan 2006 policies 3/4 and 4/11)

4. Before completion of the brick walls hereby permitted, the detailed design of the coping shall be submitted to, and approved in writing by the local planning authority. Copings shall be constructed only in accordance with the agreed details.

   Reason: To ensure the preservation of the character of the conservation area. (Cambridge Local Plan 2006 policies 3/4 and 4/11)

5. No gates or other metalwork shall be installed around the approved nitrogen tank until the details of those components have been submitted to, and approved in writing by, the local planning authority. Installation of metalwork shall be carried out only in accordance with the approved details.

   Reason: To ensure the preservation of the character of the conservation area. (Cambridge Local Plan 2006 policies 3/4 and 4/11)

6. No nitrogen shall be put into the relocated tank hereby approved until acoustic attenuation measures, as detailed in the Sandy Brown technical note reference M005-C dated 17th November 2015, have been installed within the new tank enclosure. The attenuation measures shall be maintained in that condition thereafter.

   Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

7. Deliveries of nitrogen shall be made only to the existing fill point south of the Chemistry building. No filling activities shall take place at the new tank location hereby permitted, and, for the avoidance of doubt, and notwithstanding the references in submitted drawing CQN 2021 rev02 to bollards and a delivery lorry position, no permission is hereby given for delivery vehicles to be positioned alongside the proposed relocated nitrogen tank at any time.

   Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

8. Deliveries to the fill point for the nitrogen tank shall take place only between the hours of 0900 and 1700 on Mondays to Fridays. There shall be no deliveries of nitrogen on Saturdays, Sundays, or Bank Holidays.

   Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

9. No more than three deliveries of nitrogen to the fill point shall take place in any Monday to Friday week.

   Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

10. When a nitrogen delivery is made to the fill point, filling activities (including opening gates, vehicle entry, pressure release and pipe connection, disconnection and stowage shall be completed within 40 minutes. If the delivery vehicle remains on site beyond this time period, the engine shall be switched off. Nitrogen delivery vehicles shall leave the site within one hour of the start of any delivery slot.

    Reason: To protect the amenity of neighbouring residents. (Cambridge Local Plan 2006 policies 3/4 and 4/13)

11. No new two-tier or ‘double-stacker’ cycle storage racks shall be installed until full details, including measures to minimise noise, have been submitted in writing to, and approved by, the local planning authority. Racks shall be installed only in accordance with the agreed details, and shall be maintained thereafter to remain in accordance with those details.

12. Results of the archaeological investigation on this site shall be submitted to Cambridgeshire County Council within twelve months of the date of this permission.

    Reason: To ensure proper recording, archiving and display of important archaeological remains. (Cambridge Local Plan 20006 policy 4/9)

13. The area in which archaeological investigation is hereby permitted shall be re-landscaped in accordance with a scheme previously agreed in writing by the local planning authority within six months of the date on which either of the following targets is not met.

    (a) Permission for an extension to the Department of Chemistry on that part of the application site which lies immediately to the south of the existing Chemistry building being granted within twelve months of the date of this permission

    (b) Construction of such an extension commencing within three years of such permission being granted

    Reason: To ensure no long-term harm to the character of the conservation area in the absence of development of the site. (Cambridge Local Plan 20006 policies 3/4, 3/7, 3/11 and 4/11)

14. The Denios unit whose relocation is hereby permitted shall be removed from the site within three years, or within six months of first occupation of an approved extension to the Department of Chemistry on this site, whichever is the sooner.

    Reason: To ensure no long-term harm to the character of the conservation area. (Cambridge Local Plan 20006 policies 3/4, 3/7, 3/11 and 4/11)

DECISION:

CIRCULATION: First

ITEM: 2 APPLICATION REF: 15/1704/FUL

Location: 49 Barrow Road

Target Date: 04.11.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 3 APPLICATION REF: 15/1194/FUL

Location: Jubilee House, 3 Hooper Street

Target Date: 17.08.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 4 APPLICATION REF: 15/1623/FUL

Location: 64 Glebe Road

Target Date: 22.10.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 5 APPLICATION REF: 15/1409/OUT

Location: 55 And 57 Alpha Terrace

Target Date: 15.09.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 6 APPLICATION REF: 15/1518/FUL

Location: R/O 16 Ferndale Rise

Target Date: 05.10.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 7 APPLICATION REF: 15/1245/FUL

Location: 75 Histon Road

Target Date: 04.12.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 8 APPLICATION REF: 15/1834/FUL

Location: 1 Nuffield Road

Target Date: 11.12.2015

To Note: Councillor Bird has commented on the application in objection to the proposals:

“The applicants do not require planning permission to convert the house to an HMO for six people but they do for 7 as it can be done under permitted development. However the limit of six is there for a reason and I believe that in this location exceeding it is wrong. Currently it is a four bedroomed residential property and it is on a busy heavily trafficked road with parking restrictions, close to a junction and also a primary school. Conversion of the garage will remove a parking space from this property and increase parking on that area of Nuffield Road.

The lounge for the HMO inhabitants appears to be a small room on the first floor which is unlikely to be able to provide a high quality amenity space for 7 sharers. A better arrangement would be to retain four bedrooms on the first floor and divide the current large through lounge into a bedroom at the front and a living area beside the kitchen which would also give the residents a better sized lounge and direct access out into the garden. The plans as shown divide this room into two bedrooms instead.

I acknowledge that this can be an HMO for up to six sharers but ask that plans to convert it to an HMO for 7 are rejected.”

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 9 APPLICATION REF: 15/1656/FUL

Location: Corner Of Histon Road And Huntingdon Road

Target Date: 09.12.2015

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 10 APPLICATION REF: 15/1580/FUL

Location: 5 Braybrooke Place

Target Date: 29.10.2015

To Note:

The applicant has submitted further photographs and a map detailing similar lean-to extensions and their locations within the Cherry Hinton Ward. These are available to view in appendix C and D.

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 11 APPLICATION REF: 15/1588/S73

Location: 184 Kendal Way

Target Date: 13.10.2015

To Note:

The applicant has submitted additional photographs of other roof extensions within Kendal Way and Ramsden Square. I have looked at them and made note of the comments by Mr Smyth.

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

CIRCULATION: First

ITEM: 12 APPLICATION REF: 15/1217/FUL

Location: Westcott House, Jesus Lane

Target Date: 14.10.2015

To Note:

The applicant has submitted a letter from surveyors undertaking a desk-top daylight assessment in respect of the north-facing rooms in the Malcolm Place behind the King Street building. This is undertaken against the Building Research Establishment report "Site Layout Planning for Daylight & Sunlight 2011" which forms the general guidance used in making such assessments.

This is available to view in Appendix E.

The applicant has also provided further details regarding the intended growth strategy for the two rows of pleached hornbeam trees within the car park.

This is available to view in Appendix F.

I have taken some photos from the rear / north-facing window of no. 18 Malcolm Place, the lower of the residential windows facing the development. These were taken on Monday 30th November at 3pm on an overcast day, to demonstrate existing light levels, using two different cameras for avoidance of doubt.

This is available to view in Appendix G.

Amendments To Text:

The Committee report currently lists the Churches Conservation Trust (owners of All Saints Church) as objectors. In fact their letter makes clear they are not objecting but did request clarification on the traffic impacts, noise and dust, all listed in the report.

Pre-Committee Amendments to Recommendation: None.

DECISION:

CIRCULATION: First

ITEM: 13 APPLICATION REF: 15/1218/LBC

Location: Westcott House, Jesus Lane

Target Date: 14.10.2015

To Note:

The Churches Conservation trust do not object to the application, they just sought further information described within the report.

Amendments To Text: None.

Pre-Committee Amendments to Recommendation: None.

DECISION:

GENERAL ITEMS

CIRCULATION: First

ITEM: 6 monthly planning enforcement update report

To Note: Nothing

Amendments To Text: None

Pre-Committee Amendments to Recommendation:

DECISION:

Appendix A

PLANNING CONSULTATION RESPONSE

Responding Officer:	**Greg Kearney**
Date:	**19th November 2015**
Planning Ref No:	**15/1653/FUL**
M3 Ref No:	**WK/201523236**
Description of Development:	**Chemistry Department, Lensfield Road, Cambridge, CB2 1EN** **Relocation of the existing liquid nitrogen (LN2) tank, Denios unit and cycle parking facilities, and scheme of archaeological investigative works additional noise assessment for LN tank**

Cross one:

☐ The development proposed is **acceptable** subject to the imposition of the condition(s)/informative(s) outlined below.

☒ The development proposed is **unacceptable** and should be refused for the reason(s) set out below.

☐ It is not possible to comment on the proposed development and the additional information set out below will be required in order to provide comments.

Summary Comments

The main environmental health related material consideration is the noise impacts and effects of the proposals and in particular noise associated with:

- Refuelling of the relocated liquid nitrogen tank (LN2 tank)
  - tank noise - opening of vaporizers valves to release pressure
  - refuelling vehicle noise - arrival / departure, engine, pump / compressor
- Liquid nitrogen tank operational noise: ancillary pumps, pressure regulators and pressure release valves
- Use of 2 tier racking system in cycle parking areas 1 and 2

- of steel construction and potential impact noises associated with use, raising and lowering or similar

It is concluded that the application does not demonstrate with a reasonable degree of certainly that noise associated with the proposals will not give rise to a significant or other adverse impact on the quality of life / amenity of existing neighbouring noise sensitive residential premises at 17 to 23 Panton Street.

The proposals would in our view be contrary to Cambridge Local Plan policy 4/13 Pollution and Amenity and the National Planning Policy Framework (NPPF, 2012) paragraphs 109, 120 and 123.

We have no concerns about the relocation of the Denios chemical waste store unit.

Background information/additional comments:

The following noise impact assessment reports / memos have been submitted:

- R H Partnership Architects Design, Access & Heritage Statement, dated August 2015 with Appendix F: '*Noise Measurement of liquid nitrogen tank refuelling'* prepared by Sandy Brown Associates LLP (SBA) (Memo: M003-C / Date: 18 August 2015 / Project: 15214).

- SBA report titled '*Chemistry of Health, Assessment of LN2 nitrogen tank relocation (Ref: 15214-R03-C, 12 October 2015)*'

- SBA memo '*M005-B, Date: 16 November 2015 - Chemistry of Health Nitrogen tank relocation (supplementary evidence)'*

- SBA memo *'M005-C, Date: 17 November 2015 - Chemistry of Health Nitrogen tank relocation (supplementary evidence)'*.

The SBA memo *'M005-C, Date: 17 November 2015 - Chemistry of Health Nitrogen tank relocation (supplementary evidence)'* is considered by this service to be the most robust assessment.

SBA Noise Assessment: delivery / refuelling of the liquid nitrogen tank

The various Sandy Brown Associates LLP (SBA) reports / memos provide an assessment of the noise impact of relocating the LN2 nitrogen tank from the University Union Road car park to the car park of Panton Street.

The operational impacts and effects of the proposals on neighbouring noise sensitive receptors are assessed. The closest residential premises are at 17, 19, 19a, 21 and 23 Panton Street to the South and 16 Panton Street on the other side of Panton Street to the West. 17 Panton Street shares a boundary wall with the application site and nitrogen tank enclosure.

SBA - Summary of noise impact from refuelling

SBA state that in normal day-to-day operation the nitrogen tank itself makes no noise and generally refuelling of the LN2 tank takes place no more than two to three times per week and lasts approximately 30 minutes. Refuelling is currently restricted to the following hours Monday-Friday 07:30 -19:00 and Saturday 07:30-14:00.

It is reported that the main noise source during refuelling of the LN2 tank is caused by the opening of the vaporizer valves to release pressure in the tank and the delivery vehicle operation itself.

Resultant noise levels

The SBA assessments state that the resultant noise levels within the external gardens / yards and rear windows of No.17-21 Panton Street are expected to exceed the background noise level during refuelling.

Table 1 below provides a summary of the Sandy Brown Associates BS4142 impact assessments at various receptor locations:

Noise Sensitive Receptor Location		**Sandy Brown Noise Impact Assessment**	
		BS 4142 Impact rating level above background dB	BS 4142 Impact Indication / Advice
17 Panton Street	Rear Garden (centre)	(54-46) = **+7**	"adverse impact"
	Rear 1st / 2nd floor windows	(59-46) = **+13** (60-46) = **+14**	"significant adverse impact"
19 and 19a Panton Street	Rear Garden (centre)	(49-46) = **+3**	"possible adverse impact"
	Rear 1st and 2nd floor windows	(52-46) = **+6** (55-46) = **+9**	"adverse impact"
21 Panton Street	Rear Garden (centre)	Not undertaken	N/A
	Rear 1st and 2nd floor windows	(51-46) = **+5**	"adverse impact"

16 Panton Street & Boundary of Application Site with Panton St to West		52-49 = **+3**	"possible adverse impact"

However, SBA conclude that the noise impact is still considered to be low due to:

- Hours of operation limited to normal weekday working hours (Mon-Fri 09:00-17:00)
- Refuelling takes place no more than 3 times per week for a continuous 30 minute period **(please note applicant states that actual refuelling duration may be up to approximately 40 minutes three times a week?).**
- The area the tank is to be located in is a University carpark adjacent to the existing bin store. The impact of noise from refuelling is expected to be comparable to the noise during refuse collection.
- Every effort has been taken to screen the properties at No.17-21 Panton Street from the refuelling activities.
- No.17 is a University owned property, the lower floor apartments are used by visiting academics for short periods and therefore the rear garden is not used as an amenity space.
- Every effort has been taken to minimise any increase in noise levels due to reflections within the enclosure.
- The pressure-release valve will be located close to the sound absorbent finish proposed and fitted with an appropriate attenuation package.

Mitigation measures

In reaching the above conclusion, SBA confirm that the following mitigation measures are to be implemented in relation to the LN2 tank (to be secured by planning condition as necessary):

- Refuelling will be limited to no more than 3 times per week.
- Refuelling will only take place Monday-Friday between 09:00-17:00
- No refuelling will take place on weekends or bank holidays
- The vehicle route for the delivery vehicle means it can drive into and out of the site without needing to use reversing bleepers to manoeuvre into position next to the tank area.
- A solid barrier at least 2 m high shall be provided between the delivery vehicle and tank enclosure.
- A sound absorbent finish will be fixed to the two solid faces of the tank enclosure to minimise the effect of reflections during refuelling.
- The sound absorbent finish will also attenuate any high frequency sound that occurs from the pressure releasing valves.
- The pressure releasing valves shall be fitted with appropriate acoustic enclosures such that any noise from them is equal to or less than the background noise level at the site boundaries.

Environmental Health review of noise impact assessment reports / memos

The closest noise sensitive receptors have been correctly identified and the methodology used in undertaking the noise assessments is generally acceptable and in accordance with national and industry standards, codes of practice and best practice technical guidance.

In addition to the closest residential premises at 17, 19, 19a, 21 and 23 Panton Street to the south it is noted that there appears to potential office type uses at the Stephen Perse Foundation at 1a Union Street.

When determining the acceptability of the liquid nitrogen tank refuelling operation / activity in terms of any noise impacts, the following key assessment criteria / standards are relevant:

- Cambridge City Council, Environmental Health operational noise criteria

- BS4142: 2014 *'Methods for rating and assessing industrial and commercial sound'*

BS4142 describes methods for rating and assessing sound to assess the likely impacts and effects of sound on people who might be inside or outside a dwelling or premises used for residential purposes upon which it is incident.

The assessment provides an indication of the likely significance of the noise impact by subtracting the measured background noise level from the rating level (this is the specific sound level of the source with any corrections or penalties for distinctive acoustic characteristics). Typically, the greater the difference, the greater the magnitude of the impact.

- A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context.
- A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.
- The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or significant adverse impact.

Cambridge City Council, Environmental Health operational noise criteria

The SBA report Ref: 15214-R03-C, 12 October 2015 concludes that:

"*Taking into account corrections under BS4142:2014 and attenuation due to distance and screening of the tank, during refuelling the resultant level at the boundary of the site has been calculated to be LAeq 52 dB. Although this exceeds the CCC criterion by 3 dB it is worth noting that this level would only be expected to occur for a relatively short period time once or twice a week. For the majority of the time (ie when refuelling is not taking place) the CCC criterion will be met."*

This is noted but it is our view that the application boundary location selected at the boundary of the site to Panton Street (distance of 17 meters) is incorrect. The main noise source, the refuelling operation / activity is approximately 8m from the closest application site boundary.

It is considered that the noise rating levels are approximately 65 to 70 dB at the closet application site boundary which exceeds our criterion by about 16 to 21 dB.

BS4142: 2014 'Methods for rating and assessing industrial and commercial sound'

SBA state that the resultant noise levels within the external yard and rear windows of No.17-21 Panton Street are expected to exceed the background noise level during refuelling. They conclude that the noise impact is still considered to be low due to a number of factors including implementation of the noise mitigation measures as detailed above.

We disagree with this conclusion for a number of reasons and it is our view that noise associated with the proposals will result in a significant adverse impact on the quality of life / amenity of neighbouring residential premises.

We disagree with the SBA assessment and their justification for concluding that the noise impacts are low, for the following reasons:

<u>BS4142:2014 assessment assumptions and sound / noise parameters used</u>

- Representative daytime background noise levels assumed to be 46 dB have been obtained from a monitoring location that is not considered wholly representative.

Monitoring location A used appears to be on or close to the boundary of the site immediately adjacent to Patton Street. The rear facades and gardens of 17 to 21 Panton Street are shielded from Paton Street traffic noise by the physical presence of their terrace frontage. In these areas the background noise levels are likely to be lower than the noise levels at monitoring location A reported and used in the assessment. The impact therefore is likely to be understated.

It is considered that background noise levels are likely to be 1 to 3 dB lower at the rear facades and external gardens which are used for rest and relaxation.

- Refuelling activity and specific noise level of 87 dB in new location.

A correction of -6dB has been applied to account for reflective noise in existing refuelling location which has been used to ascertain vehicle refuelling operational

specific sound levels.

We disagree with this assumption and the specific sound level used is likely to be underestimated. It is considered that noise levels are likely to be at least 3 dB higher, yielding a specific sound level of at least 90 dB.

- On time correction of -3 dB assumed due to sound duration of 30 mins in any 1 hour (assessment standard 1 hour period)

This assumption does not appear to be correct. The applicant states that actual refuelling duration may be up to approximately 40 minutes, three times a week. If this is the case the correction should only be -2 dB.

- Corrections or penalties for distinctive acoustic characteristics

A tonality correction of +6dB for tonal characteristics is agreed but it is also considered that the delivery operation / activity will also include inherent impulsive sounds associated with delivery and refuelling e.g. the opening of doors / screens / gates, metal on metal impacts with associated clangs, clatters as refuelling vehicles manoeuvres and pipes / hoses are attached and or detached etc.

It is considered that an additional minimum +3 dB correction should have been included for such impulsive sounds.

Having regard to the above concerns it is considered that the actual SBA BS4142 assessment understates the noise impacts. It is our view that the actual impact assessment rating levels are likely to be higher than those reported, in the order of 5 to 8 dB as a minimum.

Table 2 below provides a summary and comparison of the Sandy Brown Associates and Environmental Health BS4142 assessments at various receptors:

Noise Sensitive Receptor Location		**Sandy Brown Noise Impact Assessment**			**Environmental Health Noise Impact Assessment (min 5 to 8 dB higher)**	
		BS 4142 Impact rating level above background dB	BS 4142 Impact Indication		BS 4142 Impact rating level above background dB	BS 4142 Impact Indication
17 Panton	Rear	(54-46) = **+7**	“adverse		**+12 to +15**	“significant

Street	Garden (centre)		impact"			adverse impact"
	Rear 1st / 2nd floor windows	(59-46) = **+13** (60-46) = **+14**	"significant adverse impact"		**+18 to +21** **+19 to +22**	"significant adverse impact"
19 and 19a Panton Street	Rear Garden (centre)	(49-46) = **+3**	"possible adverse impact"		**+8 to +11**	"adverse impact" to "significant adverse impact"
	Rear 1st and 2nd floor windows	(52-46) = **+6** (55-46) = **+9**	"adverse impact"		**+11 to +14** **+14 to +17**	"significant adverse impact"
21 Panton Street	Rear Garden (centre)	Not undertaken	N/A		N/A	N/A
	Rear 1st and 2nd floor windows	(51-46) = **+5**	"adverse impact"		**+10 to 13**	"significant adverse impact"
16 Panton Street & Boundary of Application Site with Panton St to West		52-49 = **+3**	"possible adverse impact"		**+8 to +11**	"adverse impact" to "significant adverse impact

At the majority of the nearest receptors 17 to 21 Panton Street it is our view that the BS4142 assessments are indicating that 'adverse to significant adverse impact' is likely.

Others factors assumed in SBA noise report

- Hours of operation limited to normal weekday working hours (Mon-Fri 09:00-17:00)
- Refuelling takes place no more than 3 times per week for a continuous 30 to 40 minute period

Noted but external residential amenity areas and habitable rooms can still be in use at these times. It is considered that due to the magnitude and very high tonal character / nature of the noise, a significant adverse impact on

residential amenity is likely to arise, may result in noise complaints and may give rise to a statutory noise nuisance.

- The area the tank is to be located in is a University carpark adjacent to the existing bin store. The impact of noise from refuelling is expected to be comparable to the noise during refuse collection.

It is agreed that the character of the area is mixed educational / academic and residential. Refuse / bin collections occur with all land uses. However, the location of the existing bin store / collection point is well established and the duration of any refuse collection is relatively short for approximately 5 minutes or less. We disagree that the refuelling noise is comparable to the noise during refuse collections and does not justify additional adverse noise impacts.

- Every effort has been taken to screen the properties at No.17-21 Panton Street from the refuelling activities.
- Every effort has been taken to minimise any increase in noise levels due to reflections within the enclosure.

These mitigation measures are noted but even with their implementation adverse to significant adverse impact is still likely to arise.

- The pressure-release valve will be located close to the sound absorbent finish proposed and fitted with an appropriate attenuation package.

The constant noise associated with liquid nitrogen tank ancillary pumps, pressure regulators and pressure release valves may be capable of mitigation. However, the impact of this noise has not been assessed during the day and more importantly at night. It has not been confirmed that any acoustic attenuation / enclosure is actually deliverable and fully compliant with health and safety requirements.

- No.17 is a University owned property, the lower floor apartments are used by visiting academics for short periods and therefore the rear garden is not used as an amenity space.

This is noted but occupiers can still complain to the Council about noise and we have a duty to investigate. Although no.17 is University owned it could be sold at a future date and in any case occupiers should be afforded the same protection as any residential property.

<u>Noise: use of 2 tier cycle racking system in cycle parking areas 1 and 2</u>

Existing cycle areas 1 and 2 will be altered to have a 2 tier racking system with unrestricted use. These will be of steel construction and the upper tier racks have various forms of mechanisms to raise and lower the tier to accommodate the

bicycles.

Locating these at a higher level will reduce the acoustic / noise screening that is currently provided to the existing single tier system and properties at 17 to 21 Patton Street. The existing cycle areas have boundary walls that are a height of approximately 2 metres which provide a reasonable degree of acoustic screening.

The use of a 2 tier racking system therefore has the potential to generate additional noise impact such as banging and crashing impacts when they are used, raised and lowered or similar. We are aware that some propriety 2 tier systems are marketed as having significant sound reduction from the upper tier therefore removing a large amount of noise pollution.

The noise consultant SBA / applicant states that consideration will be given when selecting the cycle rack to ensure that the effect of noise from metal-on-metal is minimised. Details of the proposed system will be submitted to the Local Authority for approval prior to installation.

The noise impact associated with these 2 tier cycle racking systems is difficult to quantify and no specific acceptability standard exists.

The mitigation proposals to minimise noise are welcomed but even with the quietest 2 tier cycle rack system, due to the location of cycle park area 2 immediately adjacent to 19 / 19a Panton Street impact noises are still likely to occur and is likely to result in an adverse noise impact.

Conclusions

The Sandy Brown Associates LLP (SBA) noise impact report states that the noise levels associated with the proposals within the external gardens / yards and at the rear windows of No.17-21 Panton Street are expected to exceed the existing background noise levels during refuelling. They conclude that the noise impact is still considered to be low due to a number of factors and following implementation of noise mitigation measures as proposed.

We disagree with the conclusion that the impact is low.

The magnitude and very high tonal character / nature of the noise associated with the liquid nitrogen tank refuelling operation / activity will be clearly distinguishable and noticeably different to the existing acoustic environment, is likely to result in noise complaints and may give rise to a statutory noise nuisance.

It is concluded that even with the noise mitigation measures proposed and restricting the hours of delivery to Monday-Friday between 09:00-17:00, noise from the liquid nitrogen tank refuelling operation / activity and to a lesser degree the use of the 2 tier cycle rack system cycle park area 2 is likely to give rise to a significant adverse impact and or adverse impact on the health and quality of life / amenity of neighbouring residential premises at 17 to 23 Panton Street.

Office type uses at the Stephen Perse Foundation at 1a Union Street are also likely to be experience significant adverse impact.

Taking into account the cumulative effects of the noise sources, general amenity and the sensitivity of the area it is considered that the noise pollution that will arise is unacceptable and the proposals are not appropriate in this location.

The proposals would in our view be contrary to Cambridge Local Plan policy 4/13 Pollution and Amenity and the National Planning Policy Framework (NPPF, 2012) paragraphs 109, 120 and 123.

It is therefore recommended that that application is refused.

Members minded to grant approval

If members were minded to grant approval consideration should be given to the imposition of the following conditions, with final detailed wording to be agreed with this service:

- Liquid nitrogen tank refuelling limited to no more than 3 times per week for a maximum duration of 30 minutes.
- Liquid nitrogen tank refuelling only permitted Monday-Friday between 09:00-17:00hrs
- No refuelling will take place on weekends or bank holidays
- A routing / parking and noise management plan for the liquid nitrogen delivery vehicle shall be submitted to and approved in writing by the LPA
- The details and specifications (acoustic performance, height, length and location) of a solid noise barrier between the delivery vehicle and LN2 tank enclosure shall be submitted to and approved in writing by the LPA, implemented prior to commencement of use and retained thereafter
- The details and specifications of a sound absorbent finish fixed to the solid faces of the tank enclosure to minimise the effect of reflections during refuelling shall be submitted to and approved in writing by the LPA, implemented prior to commencement of use and retained thereafter
- A noise insulation scheme for the liquid nitrogen tank ancillary equipment including pumps, pressure regulators and pressure release valves shall be submitted to and approved in writing by the LPA, implemented prior to commencement of use and retained thereafter.
- Details of the proposed 2 tier cycle rack system including noise mitigation measures shall be submitted to and approved in writing by the LPA, implemented prior to commencement of use and retained thereafter
- Installation / construction hours to be limited
- Artificial light assessment and details to be submitted for approval

UNIVERSITY OF CAMBRIDGE
Estate Management

Roger Taylor FRICS
Director of Estate Strategy and
Project Director, North West Cambridge

Tony Collins - Planning Services
Environment Department
PO Box 700
Cambridge
CB1 0JH

27th November 2015 mjo/L104

Dear Tony,

Application for the relocation of the existing liquid nitrogen (LN2) tank, Denios unit and cycle parking facilities, and scheme of archaeological investigative works, Department of Chemistry, Panton Street, Cambridge (Your ref. 15/1653/FUL).

Further to the submission of the planning application for the above proposals, and the ongoing dialogue with Environmental Health Officers, the University has been working with the tank supplier with a view to overcoming the outstanding matters of concern.

Principally, we understand that the Council Environmental Health Officer's main concern relates to noise associated with the delivery of liquid nitrogen to the proposed location of the LN2 tank, adjacent to 17 Panton Street.

From discussions, we are acutely aware that not all findings presented by our acoustic consultant are accepted. Whilst the University is disappointed in this position, we have continued to work with our tank supplier to find a solution which resolves the matter.

Following an extensive review process the University now proposes the following measures:

- Relocation of the tank and other ancillary structures, as previously proposed.
- Retention of the delivery fill location in its current position to the immediate south of the main building (as indicated on the plan below). The existing filling point will be modified to connect to the new tank position. All previous references in the application material relative to the proposed delivery location, including the illustration on Plan Ref. 2021 Rev 02 should be disregarded.
- Acoustic attenuation measures within the new tank enclosure, as described in the Sandy Brown technical note (ref. M005-C, 17/11/15)
- Restrictions to hours of deliveries to between 9am and 5pm Monday to Friday only (no weekends or Bank Holidays)
- Restrict deliver to no more than 3 instances in any given week
- Each delivery to last no more than 40 minutes for filling activities (engines/compressors etc to be turned off when filling is not occurring)

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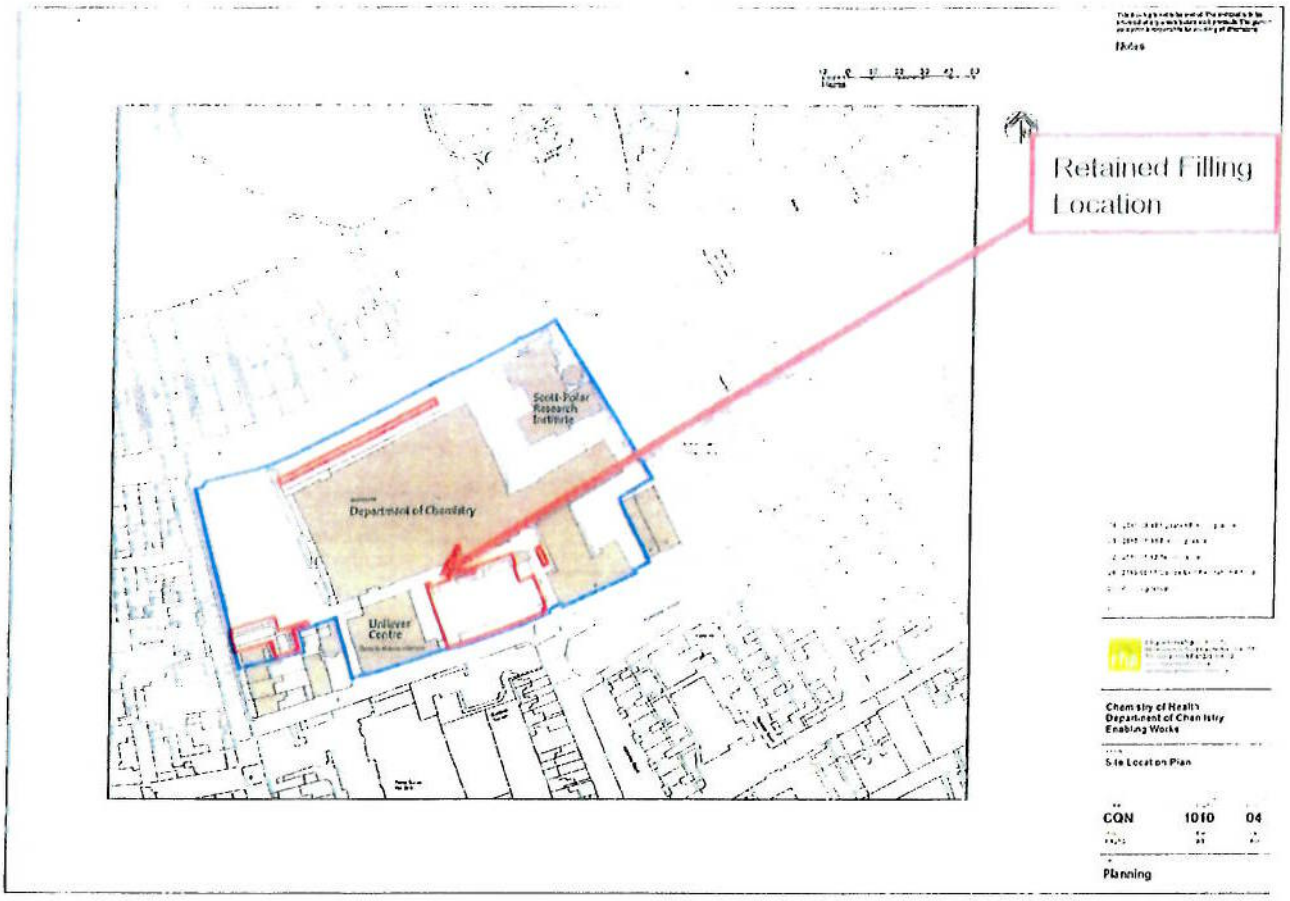
Cambridge CB2 1RW

Tel: 01223 337806
Fax: 01223 766486
Email: Roger.Taylor@admin.cam.ac.uk
www.admin.cam.ac.uk/offices/em

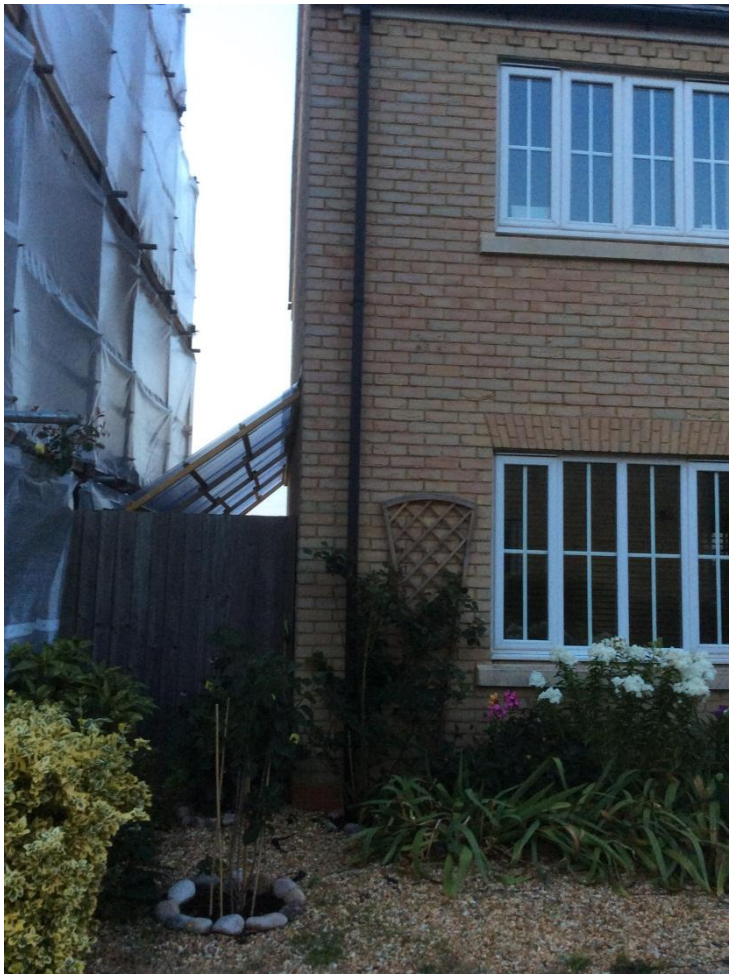


As discussed with officers, the University would be willing to accept planning conditions to secure the above measures. We trust this is now sufficient to overcome your concerns and enable officers to move forward with a positive recommendation.

Should you require any further information or have any queries regarding this application then please do not hesitate to contact Mike Osbourn on 01223 760448 or via e-mail at Michael.osbourn@admin.cam.ac.uk.

15/1580/FUL – Photographs of examples of other lean-to structures in Cherry Hinton

I. Applicant's lean-to structure (unfinished): 5 Braybrooke Place



II. Examples of other lean-to structures:

A. 151 Church End

B. 155 Perne Road

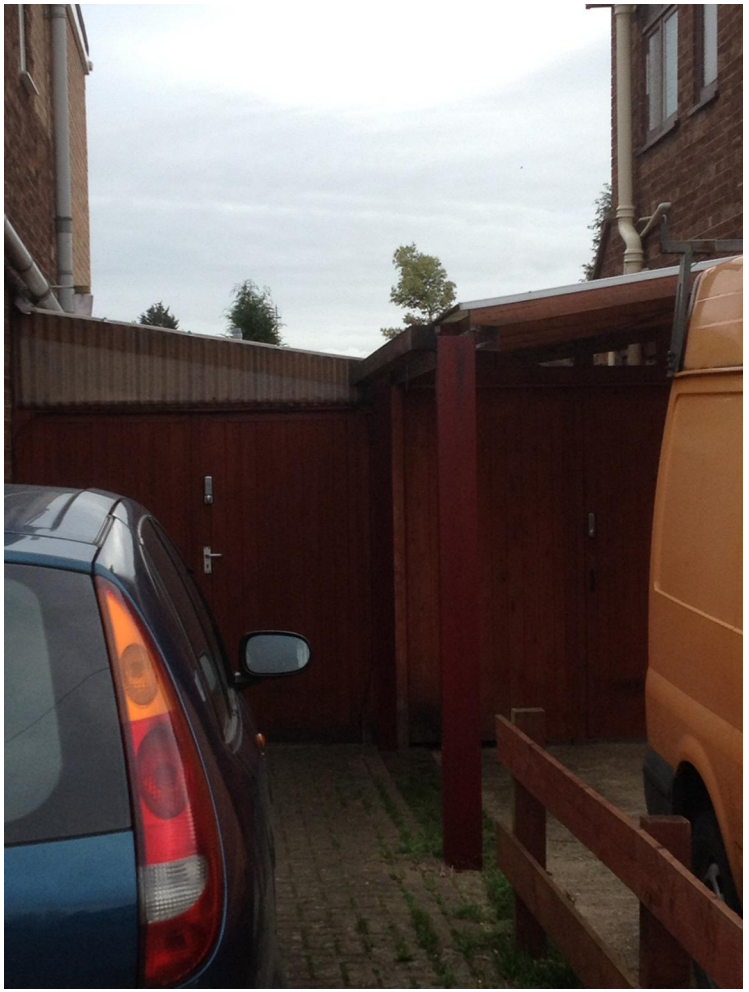
C. 153 Perne Road and D. 151 Perne Road

E. 112 Perne Road

F. 97 Perne Road

G. 87 Perne Road

H. 78 Perne Road and I. 76 Perne Road



J. 73 Perne Road

K. 56 Perne Road

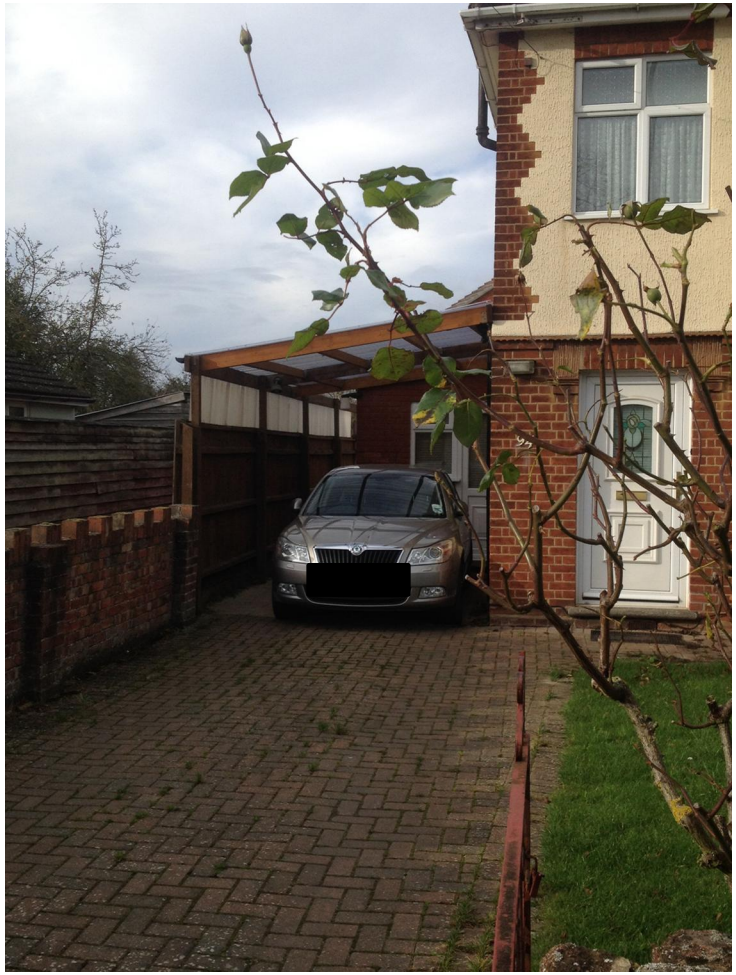
L. 35 Perne Road

M. 9 Perne Road

N. 5 Perne Road

O. 128 Mowbray Road

P. 94 Mowbray Road



Q. 92 Mowbray Road

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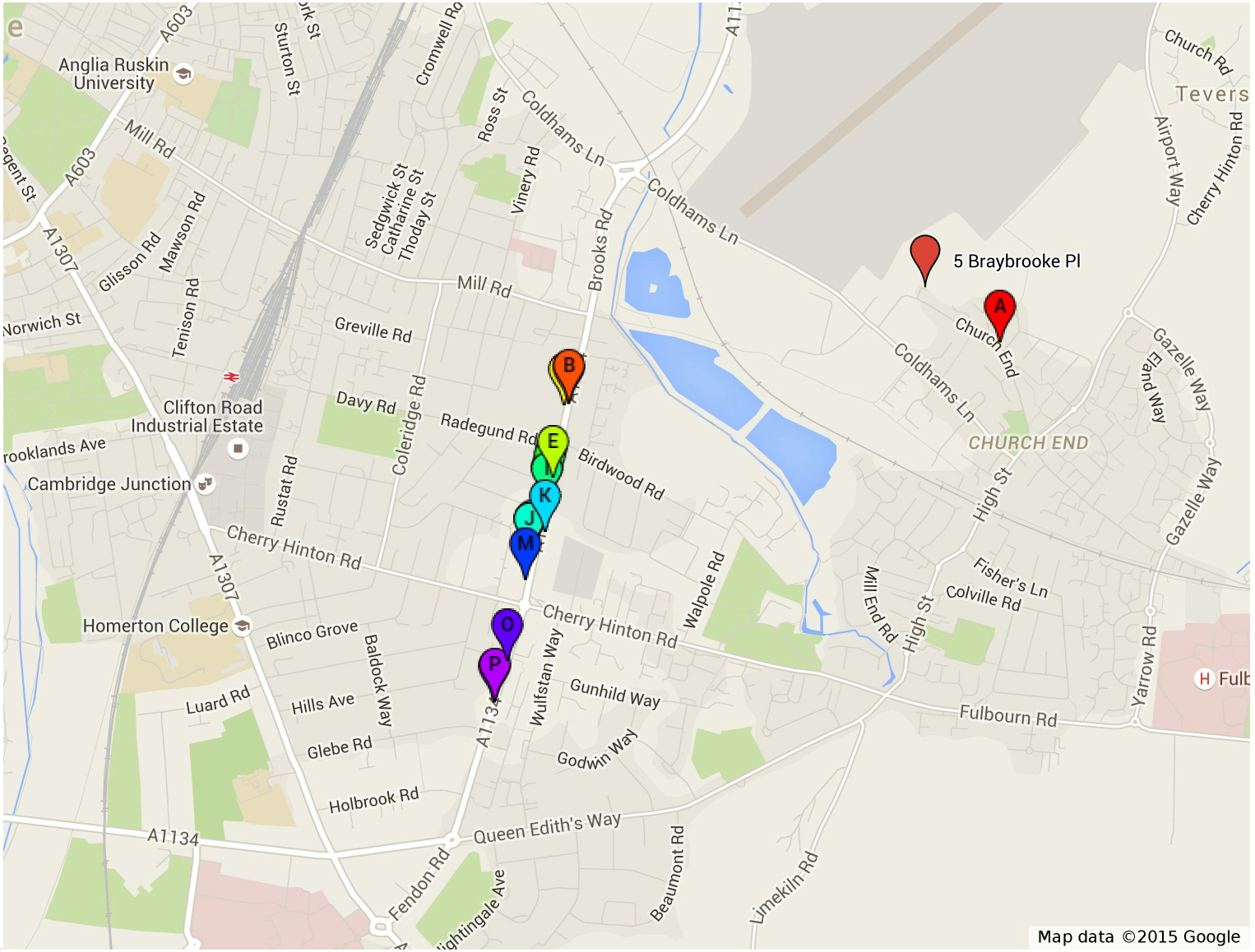
15/1580/FUL - Map of examples of other lean-to structures in Cherry Hinton

Applicant's lean-to structure (unfinished)

- 5 Braybrooke Pl

Examples of other lean-to structures

- 151 Church End
- 155 Perne Rd
- 153 Perne Rd
- 151 Perne Rd
- 112 Perne Rd
- 97 Perne Rd
- 87 Perne Rd
- 78 Perne Rd
- 76 Perne Rd
- 73 Perne Rd
- 56 Perne Rd
- 35 Perne Rd
- 9 Perne Rd
- 5 Perne Rd
- 128 Mowbray Road
- 94 Mowbray Road
- 92 Mowbray Road



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Our Ref: SG/sg/15555

24th November 2015

John Pearson
Senior Project Manager
Bidwells
Bidwell House
Trumpington Road
Cambridge CB2 9LD

Dear John,

Westcott House, Jesus Lane, Cambridge CB5 8BP – Daylight and Sunlight Analysis

We have been instructed to assess the likely impact of the proposed Learning Resource Centre at Westcott House on the neighbouring amenity adjacent to the site in daylight and sunlight terms. The site of the Learning Resource Centre is situated to the south of the Westcott House site in close proximity to the King Street buildings immediately adjacent to the south.

This letter is based on a desk top review of the drawings only at this point. No detailed technical assessment of the properties has been undertaken.

The Proposal

The proposals comprise a 2 storey building plus a lower ground floor and provides additional library, tutorial, office and ancillary spaces all under a pitched roof profile.

Policy / Guidelines

This study has been carried out in accordance with the recommendations of the Building Research Establishment report "Site Layout Planning for Daylight & Sunlight 2011" (BRE209). This is the standard referred to in the City of Cambridge Planning Policy against which daylight and sunlight should be assessed.

The BRE guide is intended for building designers and their clients, consultants and planning officials. The advice given is not mandatory and the report should not be seen as a part of planning policy. Its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design. In certain circumstances the developer or planning authority may wish to use alternative target values.

Whilst technical analysis can be carried out in accordance with numerical guidelines and reported factually by comparison with those guidelines, the final assessment as to whether affected dwellings are left with acceptable amounts of daylight and sunlight in an inner city context where the findings are to be interpreted in a flexible manner is a matter of subjective opinion.

Desk top Review

The BRE Report advises that daylight levels should be assessed for the main habitable rooms of neighbouring residential properties. Habitable rooms in residential properties are defined as kitchens, living rooms and dining rooms. Bedrooms are less important as they are mainly occupied at night time

The only neighbouring residential accommodation within the vicinity of the site is within the King Street buildings immediately adjacent to the south of the proposed site.

Is it noted from pages 10 and 11 within the Phelan Architects Design & Access Statement (DAS) that the residential accommodation starts from an elevated first floor above ground floor car parking and a mezzanine storage level. As illustrated in the Phelan Architects DAS, at this level the striking angle of the proposed development from the sill of those first floor windows is an angle of 27°.

The BRE Guide states that:

> *"If, for any part of the new development, the angle from the centre of the lowest affected window to the head of the new development is more than 25°, then a more detailed check is needed to find the loss of skylight to the existing buildings."*

The BRE Guide also states that:

> *"If this angle is less than 25° for the whole of the development then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building."*

The attached annotated sketch from page 11 of the DAS illustrates that the development will subtend an angle of less than 25° when measured from the centre of the first floor windows. Therefore any reductions will be very modest and will remain well within the BRE Guidelines and the habitable spaces will remain well lit in daylight and sunlight terms.

As a result there will be no material loss of light to those window/rooms within the King Street buildings and no further detailed technical assessment need be required.

Conclusions

The site is situated to the south of the Westcott House site in close proximity to the King Street buildings immediately to the south.

This desk top study has been carried out in accordance with the recommendations of the Building Research Establishment report "Site Layout Planning for Daylight & Sunlight 2011" (BRE209).

The residential accommodation within the King Street building starts from an elevated first floor above ground floor car parking and a mezzanine storage level. The development will subtend an angle of less than 25° from the centre of these first floor windows. Therefore any reductions will be very modest and will remain well within the BRE Guidelines and the habitable spaces will remain well lit in daylight and sunlight terms.

The scheme proposals by Phelan Architects will therefore fully recognise and observe the intentions of BRE Guidance 209 in accordance with the requirements of the Cambridge City Council Planning Policy in daylight and sunlight terms.

I trust this is sufficient for application purposes but please do not hesitate to contact me if you require anything further.

Kind regards

Stuart Gray
Partner
stuart.gray@delvapatmanredler.co.uk

Enc.

Precedents

We looked at a number of Arts and Crafts buildings for precedents. We were struck in particular by the triple gables on a number of buildings, including Trinity Hall by Grayson & Ould, but notably by Richard Lethaby's Melsetter House.

We liked the crisp detailing of the stone gables which even today has a modern sensibility in its detailing and absence of coping stones.

Clearly, there is some obvious symbolism in the triple gables, with the individual expression on the peaks but an underlying unity of the facade of the building.

Roof elements at Westcott House

Proposed East Elevation

Westcott House - Pleached Trees

I must admit that I do not fully understand the tree officer concern. I have planted pleached lime trees up to 3 M apart previously (admittedly without cars underneath).

The pleached trees come with a lattice of canes as per image 1 below. This images shows quite a wide spread of branches and leaves. Image 2 shows the trees being planted spaced apart. The next step would be to add linking bamboo canes across between the trees to allow growth across.

Images 3 and 4 show mature pleached trees that have been trained and are spaced at widths in excess of 2500mm.

Regarding the tree pit we have found that a 6'- 2M concrete drainage ring placed in the ground has been sufficient previously. Clearly a trench solution could be adopted as an alternative. The car parking spaces are porous (gravel in a plastic eggcrate) and we opted for a metal tree grille combined with a stainless steel tree guard. There are numerous examples on the market and we would propose to submit the grille and tree guard for approval as part of the materials approval and would confirm that are happy for this to be conditioned.

1

2

3

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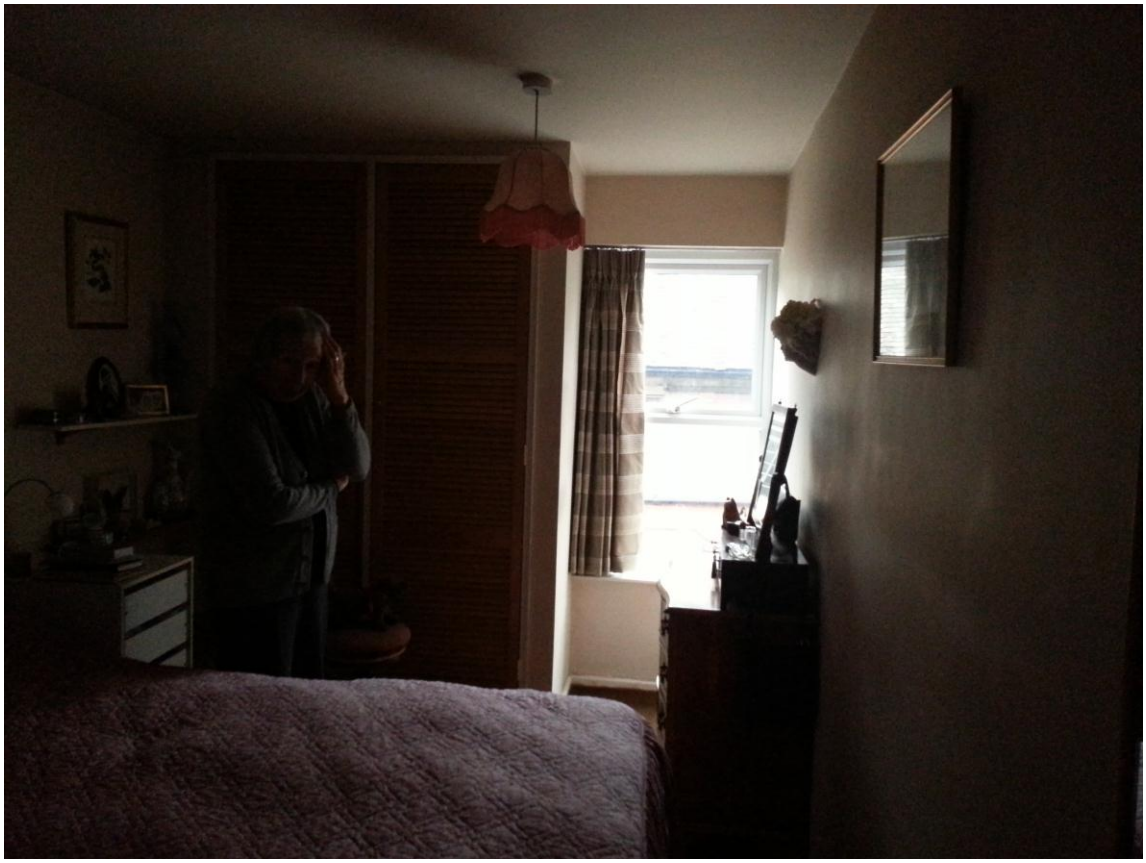
Light received by Malcolm Place residential apartments.

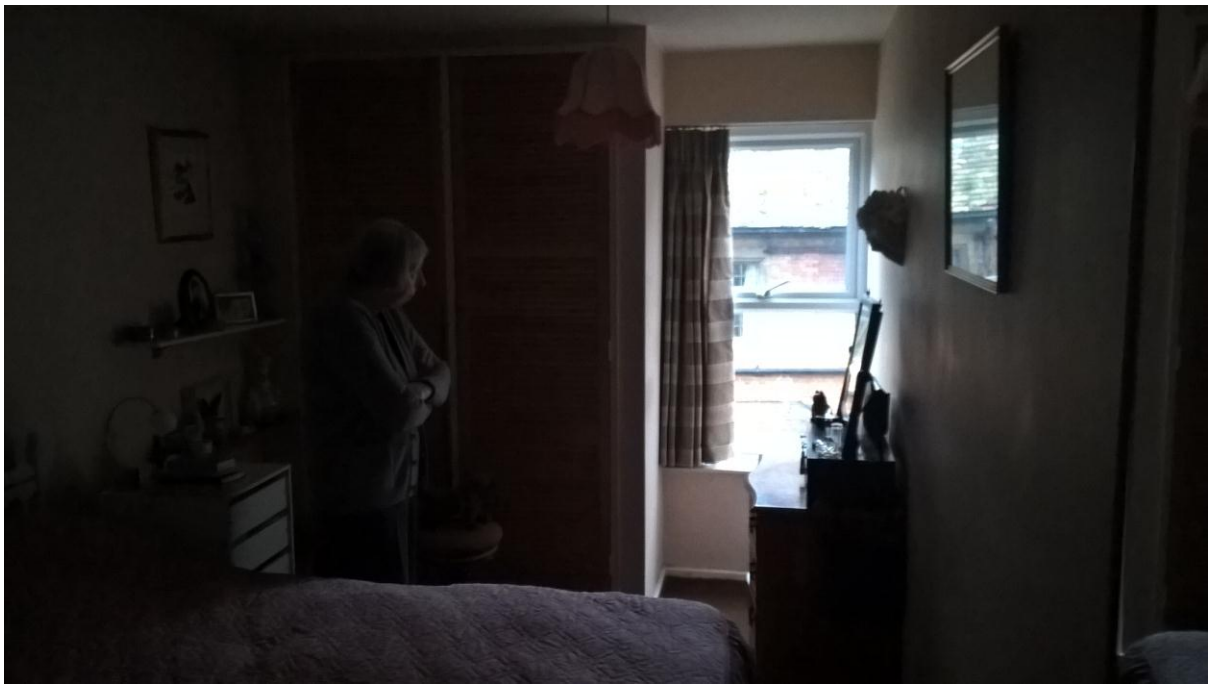
18 Malcolm Place (1st floor level), single window second-bedroom (of three).

From rear wall of the bedroom facing north. View is not impeded by trees.

Camera 1.



Camera 2.- this is considered most accurate in comparison to what is seen by eye.



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