

<b>Application Number</b>	16/1164/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	27th June 2016	<b>Officer</b>	Michael Hammond
<b>Target Date</b>	26th September 2016		
<b>Ward</b>	Kings Hedges		
<b>Site</b>	Former Coach Depot Premier Park 4B Kilmaine Close Cambridge CB4 2PH		
<b>Proposal</b>	Erection of 1no. unit to be used as a builders' merchant (sui generis) for display, sale, storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage; with associated servicing arrangements, car parking, landscaping and associated works		
<b>Applicant</b>	C/O AGENT		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li>- The proposed use as a builder's merchant would not give rise to unacceptable levels of noise and disturbance, subject to conditions.</li> <li>- The proposed works would not adversely visually enclose or overshadow neighbouring properties.</li> <li>- The design of the building is in keeping with the industrial context of the area.</li> </ul>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 The application site comprises a large parcel of former industrial land situated at the end of the cul-de-sac of Kilmaine Close. The land is predominantly formed of hardstanding and some overgrown areas of vegetation. The site is currently vacant but was last used as a bus depot. There were previously two large

industrial buildings which were removed around 2008. There is a 2m high brick wall along the east side of the site adjacent to King Hedges Road. There is an approximately 2m high brick wall with rising trellis which backs onto the gardens of nos. 45 – 51 Amwell Road to the north and a lower 1.7-1.8m high fence running along the backs of properties further to the west along Amwell Road. The site is situated in the Moulton Park Industrial Estate. There are residential properties to the north and west of the site in the cul-de-sac of Amwell Road and these are typically terraced or semi-detached and two-storeys in scale.

1.2 The site falls within a Protected Industrial Site.

## **2.0 THE PROPOSAL**

2.1 Full planning permission is sought for the erection of an industrial unit to be used as a builders' merchant (*sui generis*) for the display, sale, storage of building, timber and plumbing supplies, plant and tool hire including outside display and storage.

2.2 The proposed building would occupy a footprint of around 1,130m<sup>2</sup> and would be situated in the north-east corner of the site running parallel to King Hedges Road. The building would be clad in steel externally with a shallow pitched roof. It would consist of a ground-floor and mezzanine level with an eaves height of 7m and ridge height of 8.5m.

2.3 The central and western area of the site would serve as the service yard and outside display space for storage, display of materials, servicing and car parking. There would be tree planting along the eastern and north-eastern boundaries. A 2.4m high paladin fence and 2.4m high close boarded fence are proposed along the boundaries of neighbouring residential properties.

2.4 A *sui generis* use is one which does not fall into the classes of use set out in the Town and Country Planning (Use Classes) Order 1987 (as amended). Planning permission is needed to change from *sui generis* to any other use.

2.5 The application is accompanied by the following supporting information:

1. Transport Statement
2. Site investigation report
3. Drainage Statement
4. Energy/ Sustainability Statement
5. Design and Access Statement
6. Lighting Assessment
7. Noise Impact Assessment
8. Drawings

### 3.0 SITE HISTORY

3.1 The site has an extensive planning history. The most recent applications on this site are listed below:

Reference	Description	Outcome
05/0325/FUL	Change of use from bus depot to use Classes B1(c), B2 and B8 in the alternative	Permitted.
C/02/0262	External alterations including part demolition of and alteration to existing warehouse and creation of four new units for a mix of light industrial (B1(C)	Permitted.
C/01/0233	Erection of tyre store and temporary storage building.	Permitted.
C/97/0216	Physical alterations to existing coach depot (replace and relocated coach washer and fuel storage tank).	Permitted.
C/97/0020	S191 application for existing use as coach depot (24 hours) with ancillary services (sui generis).	Certificate Granted.

### 4.0 PUBLICITY

4.1 Advertisement:	Yes
Adjoining Owners:	Yes
Site Notice Displayed:	Yes

### 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

## 5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 3/12 3/15 4/9 4/13 4/15 7/3 8/1 8/2, 8/3, 8/4, 8/6, 8/9, 8/10, 8/16

## 5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010) Public Art (January 2010)
Material Considerations	<u>City Wide Guidance</u> Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005)

## 5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Management)**

6.1 No objection subject to a staff travel plan condition.

#### **Environmental Health**

6.2 No objection subject to confirmation of close boarded fence being 2.4m high and the following conditions:

- Construction Hours
- Collection during construction
- Contaminated Land
- Piling
- Acoustic assessment
- Reversing beepers
- Plant noise insulation
- Hours of use & delivery/ collection hours
- Lighting
- Plant noise insulation informative

### **Landscape Team**

- 6.3 The site has been overdeveloped at the expense of landscape. The area given over to stock storage has been maximised to the edges of the site which is inappropriate, particularly at the edges abutting residential developments. There is insufficient space for the columnar trees along the eastern boundary. The application is not supported.

### **Urban Design Team**

- 6.4 The application is acceptable in design terms.

### **Senior Sustainability Officer (Design and Construction)**

- 6.5 The proposal is acceptable subject to renewable energy condition.

### **Cambridgeshire County Council (Flood and Water Management)**

- 6.6 No objection subject to drainage condition.

### **Head of Streets and Open Spaces (Sustainable Drainage Officer)**

- 6.7 No objection subject to drainage condition.

### **Environment Agency**

- 6.8 No objection subject to contaminated land and drainage conditions and informatives.

### **Cambridgeshire Constabulary (Architectural Liaison Officer)**

- 6.9 No objection.

### **Cambridgeshire County Council (Archaeology)**

- 6.10 No objection subject to condition.

## **Access Officer**

6.11 Lift access for staff/customers must be provided for mezzanine level. There needs to be 5% Blue Badge spaces as close to the entrance door as possible. Only 1 at present, there should be at least 2.

## **Anglian Water**

6.12 No objection subject to condition.

6.13 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 The owners/occupiers of the following addresses have made representations:

- 50 Radegund Road
- 35 Amwell Road
- 39 Amwell Road
- 49 Amwell Road

7.2 The representations can be summarised as follows:

- Health and environmental hazard due to position of diesel tank.
- Overshadowing/ Loss of light
- Additional tree screening along the north-western boundary needed.
- Light pollution

7.3 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. Context of site, design and external spaces
3. Renewable energy and sustainability
4. Disabled access
5. Residential amenity
6. Refuse arrangements
7. Drainage
8. Archaeology
9. Highway safety
10. Car and cycle parking
11. Third party representations

### **Principle of Development**

- 8.2 The application site has been vacant for approximately 6 years and its last use was as a bus depot. The proposed use as a builders' merchant would have a mixture of public display/ sales and storage/ servicing. The site falls within a protected industrial site and policy 7/3 of the Cambridge Local Plan (2006) discourages the loss of industrial/ storage floorspace in these sites. The proposed use as a builders merchant would in my opinion be compatible with the protected industrial site and would bring the site back into use after being vacant for an extended period of time.
- 8.3 In my opinion the principle of development is acceptable and compliant with Cambridge Local Plan (2006) policy 7/3.

### **Context of site, design and external spaces**

- 8.4 The proposed change of use would involve the development of a large warehouse building along the north-east boundary of the site. Although the main entrance into the site is situated at the end of a relatively secluded industrial cul-de-sac, the proposed building would, by virtue of its position, scale and mass, occupy a highly prominent location. The proposed building would be visible from the busy thoroughfare of King Hedges Road and the junction with King Hedges Drive.
- 8.5 The Urban Design Team had raised concerns with the originally submitted proposal. The originally proposed building was situated 1.3m from the boundary of King Hedges Road and the east elevation was bare in terms of screening and fenestration, resulting in a long, dominant mass adjacent to the public realm.



- 8.6 In response to this criticism, the layout and design of the building has been amended to try and overcome these design based concerns. The footprint of the building has been moved to just under 3m away from the King Hedges Road boundary with the space between occupied by pockets of tree planting and vegetation. Additional windows are also proposed along the King Hedges Road elevation at mezzanine level to provide a degree of articulation when viewed from the street scene. It is also pertinent to point out that the proposed building would be situated in an industrial context and that there was previously a similar form and style of building in the same location, prior to its demolition around 2008.
- 8.7 The Urban Design Team is supportive of the proposed works following the aforementioned amendments to the proposal. In my opinion, the setback of nearly 3m from the street scene boundary, introduction of planting and alterations to cladding have overcome the previous concerns and the proposal is acceptable in design terms. The screening and additional articulation would help to break up the large expanse of cladding along the King Hedges Road elevation and the additional setback distance would ensure that the building does not read overly prominent or dominant compared to its surroundings. I have recommended a materials samples condition to ensure that the fabric of the building is acceptable in design terms.
- 8.8 In terms of the view from within Kilmaine Close, I consider the design of the proposed building would be in keeping with the surrounding industrial uses. There are other examples of large, steel clad, pitched roof buildings in the wider industrial site and I do not consider the proposal would appear out of context with this pattern of development.
- 8.9 Although the Urban Design Team is supportive of the proposal, the Landscape Team retains their objection. The Landscape Team considers that the site has been overdeveloped at the expense of landscaping. They are of the view that further areas of soft planting should be introduced along the western boundary of the site. Whilst I do not dispute that the addition of further planting along the western boundary would be an enhancement to the appearance of the service yard, I do not consider it necessary in order for the scheme to be acceptable. The site is situated in an industrial context and the existing site

is predominantly formed of hardstanding. The majority of other industrial uses in the area do not benefit from significant levels of landscaping and I am of the opinion that the service yard area does not need this in order to integrate successfully into its surroundings. Landscaping has been deliberately focused on the areas of highest visibility along the eastern boundary which in my view is more appropriate than the service yard and helps the scheme read successfully with the surroundings from the key arterial route of King Hedges Road. I have recommended landscaping and tree replacement conditions to ensure that the proposed landscaping is acceptable for its environment.

### **Renewable energy and sustainability**

8.10 In terms of sustainable design and construction, the following measures are proposed:

- A hierarchical approach to reducing energy demand and associated carbon emissions, for example through the specification of LED lighting across all areas and the use of rooflights for the warehouse and mezzanine storage area to reduce the need for artificial lighting;
- The use of low flush toilets and low-flush taps to reduce water consumption; and
- The specification of construction materials that have an A+ rating in the BRE Green Guide where possible.

8.11 The above measures are supported by the Council's Sustainability Officer. With regard to renewable energy provision and meeting the requirements of policy 8/16 of the Cambridge Local Plan, a number of technologies have been considered, with the final approach being to utilise photovoltaic (pv) panels and an air source heat pump. The Sustainability Officer is also satisfied with the proposed approach to renewable energy production on-site, subject to a maintenance condition.

8.12 In my opinion, subject to condition, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance with Cambridge Local Plan (2006) policy 8/16 and the Sustainable Design and Construction SPD 2007.

## **Disabled access**

- 8.13 The Access Officer has recommended that the number of blue badge spaces is increased from 1 to 2 and that there is lift access to the mezzanine level for staff/ customers. The need for lift access would be covered by building regulations. I have recommended an informative to make the applicant aware of the need for an additional blue badge space.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Residential Amenity**

- 8.15 I consider that there are three main aspects to consider in terms of the impact of the proposed works and change of use on the amenity of neighbouring properties. The first is the impact of the proposed building itself on these neighbours. The second is the impact of the proposed 2.4m high close boarded fence along the garden boundaries which is needed for noise mitigation purposes. The final issue is the noise and disturbance associated with the change of use.

### Impact of the building on neighbouring occupiers

- 8.16 The proposed warehouse building would be situated to the north-west of the adjacent workshop/ office space along Kilmaine Close. The windows facing out in this direction from this adjacent occupier are mainly circulation spaces and there would be a separation distance of over 26m between the proposed building and this existing workshop/ office. As a result, I do not consider the proposal would adversely overshadow or visually dominate views from this adjacent occupier.
- 8.17 The proposed building would not in my view have any significant impact on nos.31 – 43 Amwell Road to the north-west/ west of the site. The proposed building is situated approximately 29m away from the nearest of these neighbour's garden and I am therefore content that there would be no noticeable loss of light or visual dominance experienced.
- 8.18 The proposed building is situated roughly 5.8m to the south-east of the garden at no. 51 Amwell Road and approximately

18m from the nearest rear window of this neighbour. At 7m to the eaves and 8.5m to the ridge it is acknowledged that the proposed building would be a large structure and would inevitably be visible from the gardens and rear windows of these neighbours. Tree planting and soft landscaping is proposed adjacent to the rear garden of no.51 which would help break up the physical mass of the proposed building. In my opinion, the landscape screening at the end of the garden of no.51 would be sufficient to ensure that the garden of this neighbour is not visually oppressed by the proposed building. The nearest rear window of this neighbour is a conservatory window which is set approximately 18m away from the proposed development. The outlook from this window towards the proposed building would also be screened partially by the proposed soft landscaping proposed on-site. In my opinion, the 18m separation distance, coupled with the soft landscaping, is sufficient to not physically overbear the habitable outlooks of this neighbour. The proposed development would likely lead to a degree of loss of light over the end of the garden of this neighbour, particularly in the morning hours. However, after midday there would still be light reaching this neighbour's garden and I am of the opinion that the levels of light would exceed the recommended amount of 50% of the garden for a minimum of 2 hours, as per the BRE Site Layout and Planning guidance document (2011).

- 8.19 The building would be set further away from the gardens of nos. 45 – 49 Amwell Road further west. There would be a separation distance of over 20m from the rear windows of these neighbours and the proposed development which is sufficient to avoid visual enclosure of these outlooks in my view. Although the building would be readily visible from these gardens, the southerly outlooks would be retained for the most part and there would be open views out to the south-west and west from these gardens. On balance, I do not consider the physical mass of the gable end of the building would visually enclose the garden outlooks of this neighbour. It is acknowledged that no.49 has raised a concern regarding the loss of light that would be experienced. Whilst the proposal would likely result in a degree of overshadowing in the morning hours, particularly in the winter months, I do not consider the extent of overshadowing caused would be significant enough to warrant refusal of the application. The tests in the BRE Guidance (2011) document state that gardens should receive at least 50% exposure to light

for a minimum of 2 hours a day at the Vernal Equinox. Based on the separation distances and orientation of the physical development to the south-east, I consider that this test would be met and that the levels of overshadowing would not be harmful to this neighbour's amenity. The 20m separation distance from the windows to the development is sufficient to ensure that there would not be a significant loss of light experienced at these neighbouring properties.

#### Impact of the fence on neighbouring occupiers

8.20 A 2.4m high close boarded fence is proposed along the boundaries of properties on Amwell Road to the north and west of the site. This is needed in order to minimize noise disturbance to these neighbours.

8.21 The current boundary form and height is varied along the back gardens of these properties. The height of the wall adjacent to nos. 45 – 51 Amwell Road is typically 2m high with trellis above. In my opinion, the additional height of roughly 0.4m along this boundary would not adversely dominate or overshadow the gardens of these neighbours. The boundary along nos.31 – 43 however is formed of a timber fence which is approximately 1.7m high. It is pertinent to note however that in terms of fallback position a 2m high boundary wall or fence could be erected along this boundary without planning permission. In my opinion, whilst the additional height of the proposed 2.4m high fence will be more visually dominant than that of present, I am not convinced that the impact would be significant enough to warrant refusal of the application. The applicant has also proposed that the storage beside the boundaries of these properties would be limited to a height of 2.4m and so there would not be any physical storage higher than the proposed fence. A condition has been recommended to control the height of storage in these locations.

#### Noise and disturbance

8.22 The applicants are seeking the following hours of use for the site:

- Monday – Friday: 07:00 – 18:30hrs
- Saturdays: 07:30 – 12:30

- 8.23 The application form states that 12 employees would be present on site. The proposed use of the site as a builder's merchant would have three key implications in terms of likely noise and disturbance impacts.
- 8.24 Firstly, there is the impact from delivery vehicles. The noise assessment provided indicates that there would be approximately 34 two-way HGV movements between the hours of 07:00 – 17:00hrs. The proposed HGV loading bay would be approximately 28m from the nearest noise sensitive receptor (NSR). The forklift trucks servicing the HGV's would operate 18m to the nearest NSR's at nos.35 – 37 Amwell Road. It is anticipated that there would be no more than four HGV deliveries in any 1 hour period and each delivery would be serviced by up to three forklifts at once. The noise calculations, undertaken in accordance with BS4142:2014, indicate that there would be a 'low impact' to the nearest NSR's along Amwell Road. In order to overcome this low impact, it is necessary for a 2.4m high fence to be implemented. In addition to this, the noise report recommends that HGV best practice is followed which includes reducing vehicle speeds, maintenance of roads on-site and management procedures on the service yards, such as slamming doors, leaving engines running and waiting outside entrance gates. It is also relevant to note that the majority of storage would be focused in the central and south-western areas of the site, away from the gardens of residential properties. The Environmental Health Team has assessed the information provided and are satisfied that the noise associated with this function would not harm the amenity of neighbouring properties, subject to conditions. Conditions would include compliance with the noise impact assessment measures, reversing beepers, hours of use restrictions, delivery hours restrictions and artificial lighting restrictions.
- 8.25 Secondly, there is the noise associated with the car parking on-site. Staff car parking is situated hard up against the boundaries of nos. 35 – 39 Amwell Road. The customer car parking would be situated in the center of the site, away from residential properties. The staff car parking would be limited to six spaces and the frequency of movements would therefore likely be low given the limited number and staff only use of this space. There are 24 customer car parking spaces and it is expected that the level of comings and goings from these spaces would be higher than the staff spaces by virtue of their function. However, these

spaces are over 60m from the nearest NSR and this is more than sufficient to protect the amenities of these neighbours. The noise assessment indicates that the likely noise associated with the use of the car parking spaces would not adversely impact the amenity of neighbouring occupiers and the Environmental Health Team agrees with this recommendation.

- 8.26 Finally, the matter of plant noise needs to be assessed. The servicing and plant would be situated adjacent to the eastern elevation of the building, in the south-east corner of the site. It would be over 95m from the nearest NSR and would be shielded from residential properties by the building itself. It is not known at the stage what specific items of plant are proposed and precisely what hours these would be operational. However, noise calculations have been undertaken based on a standard set of data which confirm that plant would not exceed the background noise level in the daytime, evening, and night time. The Environmental Health Team is content that further calculations and confirmation of the hours of use of plant can be addressed through condition. Given the excessive separation distance from the nearest NSR and the preliminary data provided in the noise assessment, I share the view that this can be dealt with through a condition.
- 8.27 The Environmental Health Team has also recommended conditions relating to contaminated land, construction hours, deliveries/ collections during construction and piling to ensure the construction phase does not harm the amenity of neighbouring properties.
- 8.28 Overall, the main forms of noise associated with the use would be from deliveries, and comings and goings to and from the site. However, based on the information provided by the applicant and the advice of the Environmental Health Team, I consider the proposed use of the site as a builder merchant would be compatible with the surrounding uses and would not adversely impact on neighbour amenity in terms of noise and disturbance. Conditions have been recommended to ensure that light and noise pollution is controlled to protect neighbour amenity.
- 8.29 In my opinion, subject to condition, 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, 3/7, 4/13 and 4/15.

### **Refuse Arrangements**

- 8.30 The plans indicate that servicing, including refuse storage, would be situated in the south-east corner of the site close to the main entrance. The principle of this is acceptable but further information regarding refuse collection points, management and capacity is required. I have recommended a condition for further information to be provided prior to occupation.
- 8.31 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Drainage**

- 8.32 Anglian Water, the Environment Agency, the Lead Local Flood Authority and the City Council's Drainage Officer are all satisfied that the drainage of the site can be controlled through conditions. In respect of their expertise on the matter of drainage, I am minded to agree with this advice and have recommended the conditions accordingly.
- 8.33 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policy 4/13 and paragraphs 103 and 109 of the National Planning Policy Framework (2012).

### **Highway Safety**

- 8.34 The Highway Authority has raised no objection to the proposal on the grounds of highway safety. A transport statement has been prepared by the applicant and the Highway Authority is satisfied that the increase in vehicle movements to and from the site would not pose a threat to highway safety.
- 8.35 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Archaeology**

- 8.36 The County Council Historic Environment Team has raised no objection to the proposal, subject to condition. I am minded to



agree with this advice and have recommended the archaeology condition accordingly.

- 8.37 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/9.

### **Car and Cycle Parking**

- 8.38 Six staff car parking spaces and 24 customer car parking spaces are proposed which accords with the maximum car parking standards of the Local Plan (2006). The County Council Transport Assessment Team is satisfied that the likely trip numbers and levels of car parking are acceptable, subject to a staff travel plan condition.

- 8.39 No cycle parking has been proposed. Although the City Council has minimum standards for cycle parking, on this occasion, I do not consider it likely that customers would visit this site on bicycle. This is because the use, a builders merchant, is dependent on hauling large loads of building goods and supplies which make visits by bicycle highly unlikely.

- 8.40 Notwithstanding the absence of customer cycle parking is deemed acceptable, I do consider that staff cycle parking needs to be provided on-site. There appears to be sufficient space for cycle stands to be integrated in the external area of the site and I am therefore content that this can be dealt with through condition.

- 8.41 In my opinion, subject to conditions, the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.42 The concern regarding overshadowing has been addressed in the main body of this report.

- 8.43 In response to the request for additional tree screening, I do not consider this necessary for the reasons set out in the residential amenity and design sections of this report.

- 8.44 An external lighting condition has been recommended to ensure that neighbours do not experience harmful light pollution from the development.

8.45 The health and environmental hazards associated with the proposed diesel tank are covered by separate health and safety regulations and the applicant will have to adhere to these when implementing and managing this. The Environmental Health Team has raised no objection to this element of the proposed scheme.

## **9.0 CONCLUSION**

9.1 In conclusion, the proposed building would be in keeping with the industrial character of the area and would provide an acceptable quality of design. The proposed works would not adversely impact nearby residential properties in terms of overshadowing or visual enclosure. Subject to conditions, the proposed use of the site as a builders' merchant would not adversely affect neighbouring properties in terms of noise and disturbance. Approval is 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. 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. Submission of Preliminary Contamination Assessment:

Prior to the commencement of the development (or phase of) or investigations required to assess the contamination of the site, the following information shall be submitted to and approved in writing by the local planning authority:

(a) Desk study to include:

-Detailed history of the site uses and surrounding area (including any use of radioactive materials)

-General environmental setting.

-Site investigation strategy based on the information identified in the desk study.

(b) A report setting set out what works/clearance of the site (if any) is required in order to effectively carry out site investigations.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

4. Submission of site investigation report and remediation strategy:

Prior to the commencement of the development (or phase of) with the exception of works agreed under condition 3 and in accordance with the approved investigation strategy agreed under clause (b) of condition 3, the following shall be submitted to and approved in writing by the local planning authority:

(a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors

(b) A proposed remediation strategy detailing the works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

5. Implementation of remediation.

Prior to the first occupation of the development (or each phase of the development where phased) the remediation strategy approved under clause (b) to condition 4 shall be fully implemented on site following the agreed schedule of works.

Reason: To ensure full mitigation through the agreed remediation measures in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

6. Completion report:

Prior to the first occupation of the development (or phase of) hereby approved the following shall be submitted to, and approved by the local planning authority.

(a) A completion report demonstrating that the approved remediation scheme as required by condition 4 and implemented under condition 5 has been undertaken and that the land has been remediated to a standard appropriate for the end use.

(b) Details of any post-remedial sampling and analysis (as defined in the approved material management plan) shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean-up criteria.

Thereafter, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate that the site is suitable for approved use in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13

7. Material Management Plan:

Prior to importation or reuse of material for the development (or phase of) a Materials Management Plan (MMP) shall be submitted to and approved in writing by the Local Planning Authority. The MMP shall:

- a) Include details of the volumes and types of material proposed to be imported or reused on site
- b) Include details of the proposed source(s) of the imported or reused material
- c) Include details of the chemical testing for ALL material to be undertaken before placement onto the site.
- d) Include the results of the chemical testing which must show the material is suitable for use on the development
- e) Include confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved document.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with Cambridge Local Plan 2006 policy 4/13.

8. Unexpected Contamination:

If unexpected contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and/or the additional contamination has been fully assessed and remediation approved following steps (a) and (b) of condition 4 above. The approved remediation shall then be fully implemented under condition 5

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2006 Policy 4/13.

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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. There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on 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)

11. The noise insulation scheme and mitigation requirements as stated within the Environoise Noise Impact Assessment (ref: 20779R01aCMpak) dated 23rd September 2016 shall be fully implemented, maintained and not altered.

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

12. In accordance with the noise mitigation recommendations of Environoise Noise Impact Assessment (ref: 20779R01aCMpak) dated 23rd September 2016, all forklift trucks shall be installed with low noise broadband reversing alarms. The alarms shall be fully implemented, maintained and not altered.

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

13. Prior to commencement of use and/or installation of any plant, detailed acoustic calculations and hours of use of the plant shall be submitted to and approved in writing by the Local Planning Authority. The calculations and hours of use of plant will need to demonstrate that plant noise limits provided in the Environoise Report ref: 20779R01aCMpak (dated 23rd September 2016) are achieved during the relevant time periods. The plant shall be implemented and operated in accordance with the agreed acoustic calculations and hours of use and maintained thereafter.

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

14. The permitted use hereby approved shall not operate / open outside the hours of 07:00 - 18:30 hrs Monday to Friday and 07:30 - 12:30 hrs Saturday or operate / open at any time on Sundays or public/bank holidays.

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

15. Deliveries to or dispatches from the site shall not be made outside the hours of 07:00 - 18:30hrs on Monday to Friday, 07:30 - 12:30hrs on Saturday or at any time on Sundays or public holidays.

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

16. Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011 (or as superseded). The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To protect the amenity of nearby properties  
(Cambridge Local Plan 2006 policy 4/15).

17. The 2.4m high close boarded timber fence along the garden boundaries of properties on Amwell Road, as shown in figure 8.1 within the Environoise Noise Impact Assessment (ref: 20779R01aCMpak) dated 23rd September 2016, shall be fully implemented, maintained and not altered.

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

18. Storage in the areas hatched out in blue on drawing no.7145-P-002 Revision P8 shall not exceed 2.4m in height.

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

19. In the event of the foundations for the proposed development requiring piling, prior to the development taking place the applicant shall provide the local authority with a report / method statement for approval detailing the type of piling and mitigation measures to be taken to protect local residents from noise and/or vibration. Potential noise and vibration levels at the nearest noise sensitive locations shall be predicted in accordance with the provisions of BS 5228-1&2:2009 Code of Practice for noise and vibration control on construction and open sites. Development shall be carried out in accordance with the approved details.

Due to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

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

20. No development, other than demolition and site preparation works, shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced and retained thereafter unless any variation is agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate boundary treatment is implemented. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)



21. No development, other than demolition and site preparation works, 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; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, 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). 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)

22. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority in writing prior to occupation of the development. The landscape plan shall be carried out as approved.

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)

23. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives written consent to any variation.

Reason: To ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/11)

24. No development, other than demolition and site preparation works, shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out 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)

25. No drainage works or hard-standing works shall commence until details of the maintenance and management strategy of the surface water drainage scheme have been submitted to and approved in writing by the local planning authority and until the surface water drainage scheme for the site has been completed in accordance with the submitted details with flow rates restricted to 1.4 l/s. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the agreed details and management and maintenance plan for the lifetime of the development.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework (2012).

26. Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: Infiltration through contaminated land has the potential to impact on groundwater quality and to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).

27. No development shall take place within the area indicated until the applicant, or their agents 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 secure the preservation of the archaeological interest of the area either by record or in situ as appropriate (Local Plan 2006 policy 4/9).

28. The proposed on-site renewable energy technologies shall be fully installed and operational prior to the occupation of any approved buildings and shall thereafter be maintained in accordance with a maintenance programme, which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development, other than demolition and site preparation works. The renewable energy technologies shall remain fully operational in accordance with the approved maintenance programme, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16).

29. No occupation of the development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall comprise immediate, continuing and long-term measures to promote arrangements to encourage the use of public transport, cycling and walking and in particular measures to encourage the use of alternative means of transport to the private car by staff. The Travel Plan shall thereafter be implemented in accordance with the approved document.

Reason: In order to deliver sustainable transport objectives and to ensure the occupation of the buildings is appropriately managed and controlled (Cambridge Local Plan 2006 policies 3/4, 3/7, 3/12, 8/2, 8/3 and 8/4)

**INFORMATIVE:** Lift access for staff/customers must be provided for mezzanine level. There needs to be 5% Blue Badge spaces as close to the entrance door as possible. Only 1 at present, there should be at least 2.

**INFORMATIVE:** To satisfy the plant sound insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive sound frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable disturbance to other premises. 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 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of sound sources; details of proposed sound sources / type of plant such as: number, location, sound power levels, sound frequency spectrums, sound directionality of plant, sound levels from duct intake or discharge points; details of sound mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full sound calculation procedures; sound 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:** Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access. The granting of planning approval must not be taken to imply that consent has been given in respect of the above. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

**INFORMATIVE:** Foul drainage from the proposed development should be discharged to the public foul sewer unless it can be satisfactorily demonstrated that a connection is not reasonably available.

**INFORMATIVE:** Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor.

**INFORMATIVE:** No consent is granted or implied for the advertisement shown on the submitted plans, for which a separate application may be necessary.