

**PLANNING COMMITTEE****29<sup>th</sup> August 2018**

|                           |  |                    |                    |
|---------------------------|--|--------------------|--------------------|
| <b>Application Number</b> | 17/1815/FUL  | <b>Agenda Item</b> |                    |
| <b>Date Received</b>      | 8th November 2017  | <b>Officer</b>     | Mairead O'Sullivan |
| <b>Target Date</b>        | 7th February 2018  |                    |                    |
| <b>Ward</b>               | Abbey  |                    |                    |
| <b>Site</b>               | 143 - 147 Newmarket Road And 149 Newmarket Road Cambridge CB5 8HA  |                    |                    |
| <b>Proposal</b>           | Demolition of No.149 Newmarket Road and existing garage structures, the erection of new buildings producing a total of 11 residential units, the formation of a cafe space (use class A3) on the ground floor of Logic House, brick and tile tinting to Logic House and associated infrastructure and works. |                    |                    |
| <b>Applicant</b>          | N/A<br>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 proposal would not have a significant adverse impact on the amenity of the occupiers to the north on Beche Road</li> <li>- The design of the proposal is considered acceptable and would preserve and enhance the character and appearance of the Conservation Area and Special Interest of the Listed Church</li> <li>- The proposed units would provide an adequate standard of amenity for future occupiers</li> </ul> |
| RECOMMENDATION | APPROVAL   |

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

- 1.1 The application lies on the north eastern side of Newmarket Road; to the east of the Elizabeth Way roundabout. The area has a mixed character with a combination of residential, commercial and educational uses in close proximity to the site. The site lies within the Riverside and Stourbridge Common Area of the Central Conservation Area. Directly to the west of the site is the Grade II Listed Abbey Church (St Andrew The Less). The church is currently in poor condition and is on Historic England's 'At Risk' register.
- 1.2 The site comprises Logic House and 149 Newmarket Road. Logic House is in D1 (education) use and is used by Cambridge Seminars College which provides foundation, A level and pre-masters courses and English language courses. The ground floor is open and provides 4 car parking spaces. 149 Newmarket Road is in use as a retail unit (convenience shop) at ground floor with a residential flat above. To the rear of the site are two flat roofed structures which provide nine garage car parking spaces.
- 1.3 Logic House is identified in the Riverside and Stourbridge Common Conservation Area Appraisal as a 'building which detracts' from the Conservation Area. The building dates from the 60s/70s. It has a flat roof and regular casement window fenestration. The building is finished in red brick and tiles on the second floor.
- 1.4 To the north of the site is a strip of land which is often referred to as the pan-handle. This forms part of the adjoining church site. There is currently a live application to redevelop this site (17/2163/FUL) which will be discussed in greater detail in the body of my report. To the north of the pan handle are the residential gardens of houses on Beche Road. The application site and the church strip of land are both elevated above these gardens by approx. 3-3.5m.

## **2.0 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the demolition of No.149 Newmarket Road and existing garage structures, the erection of new buildings producing a total of 11 residential units (an increase of 10), the formation of a cafe space (use class A3)

on the ground floor of Logic House, brick and tile tinting to Logic House and associated infrastructure and works.

- 2.2 The application has been amended twice to address comments from officers. The proposal includes the retention of Logic House with the addition of a cafe at ground floor to activate the frontage. The size of the cafe has been reduced since the original plans were submitted. Some minor changes are proposed to the external envelope of the building. The building is proposed to be retained in D1 (education) use on the upper floors. Cycle parking which was not provided as part of the 2009 consent for change of use from office to D1 use will now be accommodated on site in the ground floor. The car parking in the ground floor of Logic House and in the area to the rear is proposed to be removed and the garage structures demolished. One car parking space would be retained for disabled users of the site or for servicing purposes.
- 2.3 The application proposes the demolition of 149 Newmarket Road. This building currently accommodates a convenience shop and post office in the ground floor. There is one residential unit above. This will be replaced by Block A of the proposal. Block A has been amended since submission and further information regarding light has been submitted as there were concerns about the impact of the proposal on the amenity of the occupiers of 151 Newmarket Road. Block A fronts onto Newmarket Road with the ground floor unit accessed from a front door off the street. This block contains 3 one bedroom units; the upper floor units are accessed from the rear of the building. The ground floor unit is dual aspect and has a small enclosed external terrace to the rear. The primary outlook to the upper floor flats is towards Newmarket road but Flat F6 does have a bedroom window to the north elevation and flat S1 has a rooflight in the northern roof plane. Block A would be finished in brick with a slate roof and a zinc clad dormer to the front. The front elevation is stepped with narrow slit windows. A chimney is proposed on the western gable end. The rear elevation steps away from 151 Newmarket Road with a lean-to outrigger.
- 2.4 Block B is proposed to the rear of the site to the north of Logic House. It runs adjacent to the boundary with the churchyard and the strip of church owned land subject to application ref 17/2163/FUL to the north. Block B would also be brick with a standing seam zinc roof. The roof form and massing to the

northern elevation has been amended to reduce the impact on the neighbouring gardens on Beche Road. The western element would be visible from the churchyard but would be screened by trees within the church grounds for part of the year. Two of the first floor apartments have balconies which would overlook the churchyard. The westernmost element of the northern elevation has a gable end with asymmetric roof form and a brick chimney; this steps down to a flat roof with slit windows at first floor and high level window at ground floor. Moving further east along the northern boundary, the first floor steps back and a roof terrace is provided for one of the flats. This is screened by a timber balustrade. The ground floor element of block B continues to run hard on the northern boundary to the east of the site but the first floor element continues to be set-back with a hipped metal roof to the duplex unit.

### **3.0 SITE HISTORY**

| <b>Reference</b> | <b>Description</b>   | <b>Outcome</b> |
|------------------|--|----------------|
| 09/0401/FUL      | Change of use from office (B1) to office (B1) and/or educational uses (D1) in the alternative. | Permitted      |

### **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 Local Plan 2006 | 3/1 3/4 3/6 3/7 3/11 3/12 3/14<br>4/3 4/4 4/6 4/9 4/10 4/11 4/13 4/15<br>5/1 5/11<br>6/10<br>8/2 8/6 8/10 8/16<br>10/1 |

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

|                                 |   |
|---------------------------------|---|
| Central Government Guidance     | National Planning Policy Framework July 2018<br><br>National Planning Policy Framework – Planning Practice Guidance March 2014<br><br>Circular 11/95 (Annex A)  |
| Supplementary Planning Guidance | Sustainable Design and Construction (May 2007)<br><br>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)<br><br>Planning Obligation Strategy (March 2010)<br><br>Public Art (January 2010)<br><br>Technical housing standards – nationally described space standard – published by Department of Communities and Local Government March 2015 (material consideration) |

|                         |  |
|-------------------------|--|
| Material Considerations | <u>City Wide Guidance</u><br><br>Arboricultural Strategy (2004)<br><br>Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001).<br><br>Strategic Flood Risk Assessment (2005)<br><br>Cambridge and Milton Surface Water Management Plan (2011)<br><br>Cycle Parking Guide for New Residential Developments (2010)<br><br>The Cambridge Shopfront Design Guide (1997)<br><br>Eastern Gate SPD (March 2011) |
|                         | <u>Area Guidelines</u><br><br>Riverside and Stourbridge Common Conservation Area Appraisal (2012)  |

#### 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)**

#### *Original comment*

- 6.1 Objection: The access must allow two cars to pass easily within the access, to this end a minimum of 4.5 metres must be provided for a minimum of 10 metres into the site, clear of the footway. Currently this access is obstructed by the siting of the refuse bins. Unless and until this obstruction is removed refusal is recommended. No information is supplied regarding occupancy of the private garage spaces; the development may increase demand for on-street parking which although unlikely to impact highway safety may impact on residential amenity. Should officer be minded to approve, conditions are recommended.

#### *Amended comment*

- 6.2 No objection: The access now provides slightly in excess of 4.5 metres width for 10 metres into the site, clear of the footway. This overcomes my previous objection to the proposal. All other comments previously made are still relevant.

### **Environmental Health**

- 6.3 No objection: Conditions are recommended relating to contaminated land (all 6 conditions), demolition/construction hours, collections/deliveries during demolition/construction, piling, dust, noise insulation, plant noise insulation, odour control, café opening hours, café delivery/collection hours and artificial lighting. Informatives are requested relating to contaminated land, plant noise insulation, dust, food safety, licensing and odour filtration.

### **Refuse and Recycling**

- 6.4 No objection: 2 x 660 litre bins have been provided for waste and same for recycling however there is no scope in the bin store to add more bins if needed in the future. Suggest

downsizing on the green 660 bin to a 240 litre, and adding another 660 refuse or recycling bin. The bins are more than 10m away from kerbside, however there is going to be a managing agent to pull the bins to the kerbside, so no objection.

## **Urban Design and Conservation Team**

### *First comment*

- 6.5 No objections: The site is within the conservation area and is adjacent to the grade II listed St Andrew the Less. Logic House is noted in the Conservation Area Appraisal as a building which detracts from the character of the Conservation Area. It is unfortunate that Logic House is not proposed to be replaced but the creation of a café in what is now an undercroft will create activity to the street. The building to replace the post office (block A) is similar in design to a recent approval adjacent at 165 Newmarket Road. The proposed revision to materials would also improve the appearance of the building. Block B is sited on the boundary and has the potential to impact on the setting of the listed church. It is not considered that the development will have any greater impact on the setting of the church than the existing Logic House, and the terraces overlooking the churchyard may help with natural surveillance of the area which does suffer from some level of anti-social behaviour at times. Clarification is needed about the status of the existing air con units to the rear of Logic House and whether they would be retained or removed. The line of trees, along the churchyard boundary, are important to the setting of the listed church and need to be protected during construction. Threshold planting within the site is essential. Conditions are essential to obtain acceptable details regarding the proposed brick tinting, fenestration, roofing, dormers and materials as well as ground floor thresholds. A sample panel on site will be required.

### *Second comment*

- 6.6 Objection: The Urban Design and Conservation Team have reviewed the amendments to the above application. The changes made to the application have not successfully resolved the detailed challenges of this highly constrained site and have compromised the overall design and appearance of the scheme. The changes have created a roofline that appears contrived and overly horizontal, with the northern and southern facades now appearing less modelled. We therefore cannot support the amended application in its current form. Any



opportunity to step back and reassess the scheme as a whole to address detailed planning issues in the round should be taken to inform a revised approach.

*Third comment*

- 6.7 No objection: The Urban Design and Conservation Team were previously concerned that the first set of revisions to the application compromised the overall design and appearance of the proposal. The roofline to Block B has been amended to appear more broken and the units from within the courtyard read more clearly. The changes are now considered acceptable in urban design and conservation terms.

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

*First comment*

- 6.8 Further information is needed: A sustainability checklist has not been submitted and should ideally be provided prior to determination as it is a requirement of the council's SPD. Conditions are recommended relating to renewable energy implementation and water efficiency.

*Second comment*

- 6.9 No objection: Further to the submission of a sustainability checklist, the scheme is supported subject to the imposition of the conditions suggested in the original comments related to water efficiency and renewable energy implementation.

**Policy**

- 6.10 Further information is required: The loss of the post office would comply with the local plan as the site is not in the city centre or a district centre. However, further consideration should be given to paragraph 70 of the NPPF, which supports the facilitation and retention of inclusive communities. Paragraph 70 notes that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the communities ability to meet its day to day needs. No evidence has been supplied to demonstrate that the post office is a valued facility. However, its loss would mean the nearest Post Office would be located in the Grafton Centre. To ensure local access is not adversely affected, it is recommended that this is explored in more detail, before a final decision is made with regards to the loss of the post office.

### **Head of Streets and Open Spaces (Tree Team)**

- 6.11 No objection: Conditions are recommended regarding protection of trees on site.

### **Head of Streets and Open Spaces (Landscape Team)**

- 6.12 No objection: Care should be taken that enough planting space is allowed for the hedge boundaries to the terraces. As the space around them is hard paved, a minimum 750mm wide bed should be allocated. This will allow for an adequate soil volume between concrete haunches retaining any edge treatments for the plants to survive in. Conditions are recommended relating to hard and soft landscape, boundary treatment and landscape maintenance.

### **Cambridgeshire County Council (Lead Local Flood Authority)**

- 6.13 No objection: a condition regarding surface water drainage is requested.

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

- 6.14 No objection: Three conditions are recommended relating to surface water drainage, foul water drainage and implementation of drainage works.

### **Head of Streets and Open Spaces (Nature Conservation Officer)**

- 6.15 No objection: The submitted Preliminary Ecological Assessment is acceptable. We need to see the recommendation from the additional bat study prior to determination. The scrub to the rear of the property has significant local value for house sparrows and hedgehogs, would this area be lost? The recommendation for internal nest boxes within the units is supported. The specification and locations of the nest boxes should be conditioned.

## **Environment Agency**

- 6.16 No objection: The site has a medium contaminative impact potential in respect to controlled waters. Conditions are recommended regarding contaminated land/remediation. Informatives are requested regarding surface water drainage, foul water drainage and pollution prevention.

## **Anglian Water**

- 6.17 No objection: A condition is requested requiring a surface water drainage management strategy to be required. An informative relating to trade effluent is requested.

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

- 6.18 No objection: The layout is considered acceptable as it allows for high levels of natural surveillance designed to deter searching behaviour. The secure cycle storage is supported; this has the potential to meet the principles of Secured by Design. A consultation with the Developer would be welcomed at some point with a view to them considering an application if planning approval is given. A condition regarding external lighting is recommended.

## **Public Art**

- 6.19 No objection: The proposed application for 12 dwellings and a café space meet the policy requirement as detailed in the Council's Public Art Supplementary Planning Document (2010) for delivery of on-site public art. A condition is recommended.

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

- 6.20 No objection: The site is in an area of high archaeological potential. The site has been subject to a preliminary evaluation in February 2018 (CHER ref ECB5242) which although very constricted in scope due to the presence of a large sewer pipe and the standing buildings, established that the site is built up on multiple layers of made ground for levelling the site in association with modern development during the 20th century. These layers extended to a depth of 1.3m overlying the natural gravel, with very little intrusion into the natural geology

suggesting that the site sits on unquarried land and that survival of archaeological features pre-dating the modern made ground is likely to be good. A further phase of trench-based evaluation is now required following the demolition of the existing buildings and the realignment of the sewer. This can be dealt with by condition.

### **Developer Contributions Monitoring Unit**

- 6.21 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account. The guidance states that contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development and as such no tariff style planning obligation is considered necessary.
- 6.22 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: (those who have made representations on the amendments have an asterix)
- Parochial Church council in the parish of St Andrew The Less
  - 52 Abbey Road\*
  - 69 Abbey Road
  - 16 Beche Road\*
  - 18 Beche Road\*
  - 19 Beche Road
  - 22 Beche Road\*
  - 24 Beche Road\*
  - 26 Beche Road\*
  - 32 Beche Road\*

- 34 Beche Road
- 36 Beche Road \*
- 38 Beche Road\*
- 42 Beche Road\*
- 52 Beche Road\*
- 64 Beche Road
- 68 Beche Road
- 70 Beche Road\*
- 7 Godesdone Road\*
- 151 Newmarket \*Road \*
- Flat 10, Beacon Rise, 160 Newmarket Road
- Flat 32, Beacon Rise, 160 Newmarket Road
- Flat 3, 251 Newmarket Road\*
- 43 Priory Road
- Riverside Area Residents Association
- 21 Riverside\*
- 26 Riverside Place
- 42 Riverside
- 47 Riverside
- 27 Silverwood Close\*

7.2 The representations can be summarised as follows:

*Residential amenity*

- The site is elevated approx. 3.5m above Beche Road gardens and buildings would loom over these gardens causing enclosure. Balconies would overlook the gardens on Beche Road
- Overlooks, overshadows and would have an overbearing impact on strip of land to the rear of the site (pan-handle) owned by the church.
- Significant overshadowing of 30 and 32 Beche Rd
- Applicants states that balconies would be screened to prevent overlooking but this is not shown on the plans.
- North facing balconies offer little amenity. Other windows face a graveyard which offers little amenity
- No daylight/sunlight assessment has been submitted
- The shadow study is inadequate
- No verified views from Beche Road gardens have been provided
- Will compromise chimney/heating system to no 151 Newmarket Rd
- Request internal wall insulation between boundary with 151

- Kitchen next to bedroom of 151 will cause disturbance and noise mitigation will be required
- Would impact light to master bedroom of 151 Newmarket Rd
- Block B will enclose, overshadow and impact privacy to the garden of 151 Newmarket Road
- First floor bedroom window will look into skylights on ground floor of 151 Newmarket Road; a revised design is suggested.
- No amenity/communal space
- Concerned about odour from cafe

*Design and impact on the conservation area and setting of the listed building*

- Disappointing that Logic House is retained; demolition would allow greater flexibility with the site and improve amenity space
- Retention of Logic House harms the setting of the listed church
- Would harm the conservation area
- The massing and design do not respond to the surrounding character
- The design quality is poor
- Concerned about impact to trees in the church yard
- Beche Court is not a precedent; these properties are lower and have a greater distance between the new properties and the dwellings on Beche Road than what is proposed here.
- Overdevelopment

*Other*

- Prevents development of the strip of land owned by the church contrary to policy 3/6 of the local plan
- Disappointed that there is no social housing provision
- No family housing or mix of house types
- Loss of post office and shop will impact the local community
- The proposed café may endanger the viability of the new community café at 123 Newmarket Road
- Concerned about viability of the proposed café given little footfall.
- Concerned about loss of parking. Would increase pressure on limited on-street car parking in the area. It is naïve to think future residents won't have cars. The revised proposal reduces parking even further
- Most likely to be occupied by students
- Very few residents were consulted
- Loss of privacy to churchyard
- Applicant did not engage with neighbours prior to submission of the application

- The negatives of the scheme outweigh any positives
- The amendments do not overcome concerns

7.3 Councillor Johnson has requested that the application be called in to committee if officers are minded to support it. His comments can be summarised as follows:

- Note numerous concerns from residents
- Concerned about loss of post office
- Concerned about impact on the Conservation Area and the Grade II listed Abbey Church

7.4 A development control forum (DCF) was held on 17 January 2018. The primary concerns expressed in the petition for the DCF can be summarised as follows:

- Block B would overshadow and dominate the properties on Beche Road
- The proposal would prevent the Abbey church from being able to develop their land to the rear of the site contrary to policy 3/6
- Loss of the post office
- 2 Options put forward to address these concerns

7.5 A petition was submitted by local residents on 1 February objecting to the loss of the post office. The petition is signed by 129 people. The petition can be summarised as follows:

- Object to loss of post office
- Object to insensitive design and scale of development which would impact on the surrounding residential gardens and the setting of the listed church
- Proposal has no benefit to local community or the conservation area
- Would prevent the Church from developing its land

7.6 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, including loss of Post Office
2. Affordable Housing
3. Context of site, design and external spaces and impact on heritage assets
4. Public Art
5. Renewable energy and sustainability
6. Disabled access
7. Residential amenity
8. Refuse arrangements
9. Highway safety
10. Car and cycle parking
11. Third party representations
12. Planning Obligations (s106 Agreement)

### **Principle of Development**

- 8.2 The site is located in close proximity to other residential uses and the site is in principle considered compatible with a residential use in line with policy 5/1.
- 8.3 The site does not fall within the city centre or within a district or local centre so there is no policy restriction to the loss of the retail unit. The planning policy officer has confirmed that the proposal complies with the local plan. The policy officer notes paragraph 70 of the NPPF; this is now paragraph 92 of NPPF 2018, which states that policies and decision should guard against the unnecessary loss of valued facilities and services which help the community meet its day-to-day needs. The applicant has confirmed that the tenant's lease is due to expire so the post office would be vacating the unit irrespective of the result of the application. The unit is in A1 use outside of a centre and not afforded any protections and so could be occupied by any other user within this use class such as a hair dresser or dry cleaners. Once the post office moves the nearest post office for residents will be in Cobble Yard at the Grafton Centre (approx. 7 minutes' walk away). As a result the loss of the post office is not considered to be a material consideration in the assessment of the application, however it is recognised that the loss of the post office will impact on the local community.
- 8.4 The application proposes the creation of a café to the ground floor of Logic House. This will be assessed, in terms of



activating the frontage, in greater detail below. Policy 6/10 states that new food and drink developments will only be permitted where a) the proposal does not give rise to unacceptable environmental problems or nuisance and b) it is in an existing centre or mixed area in an urban centre. I am satisfied that given the minimal nature of the proposal and subject to conditions recommended by Environmental Health, the proposal would not give rise to an unacceptable environmental impact or nuisance. As noted above, the site does not fall within a centre but the site is within 200m of the boundary with the city centre and is within a busy mixed use area of Newmarket Road. It is also worth noting that the emerging plan does not include any policy restricting café uses outside of centres. In my view, although the site is not within a centre, the proposed café use would be acceptable.

### **Affordable Housing**

- 8.5 A number of the representations raise concerns about the lack of social housing provision as part of the proposal. The application proposes less than 15 residential units so it does not trigger any policy requirement for affordable housing.

### **Context of site, design and external spaces and impact on heritage assets**

- 8.6 A large number of the representations express disappointment that Logic House is not proposed to be removed as part of the application. I accept that Logic House does have a negative impact on the streetscene and is identified in the CAA as a building which detracts from the area but the developer is not obliged to demolish the building and although ideally the building would be removed this is not part of the application. The application can only be assessed on what has been applied for and the fact that Logic House would not be removed as part of the redevelopment does not constitute a reason for refusal.
- 8.7 The Urban Design and Conservation Team were supportive of the original design. The plans were then amended and the Urban Design and Conservation team objected to the revisions. There were concerns about the revised roof form and the detailing of the revised scheme. The Urban Design and Conservation Officers recommended that any amendments to

address planning matters would need to also consider the design challenges of the site.

- 8.8 The most recent iteration of the plans is supported by the Urban Design and Conservation team. The proposed Block A, which would replace 149 Newmarket Road, is similar in design to one that has been recently approved adjacent to no. 165 Newmarket Road. It takes its cues from the Victorian design of buildings in the area with a bay to the front, an entrance directly from the street and the use of Gault brick. This building is considered to respond to the surrounding context and is considered acceptable in terms of design and impact on the Conservation Area.
- 8.9 Block B is L-shaped extending along the western boundary from the rear of Logic House and then turning the corner and extending along the northern boundary of the site adjacent to the pan handle church site. The ground floor would be finished in brick and the upper floors and roof would be clad in zinc. This block is less prominent in the streetscene as it is sited behind Logic House but views will be possible through the gap between the buildings which provide vehicular access. This Block will be most prominent in views from the residential gardens on Beche Road. The roof form of the northern element has been amended for this reason. The amendments were primarily for residential amenity reasons but they also reduce the bulkiness of Block B and in my view represent an improvement to the design as the revised massing appears less dominant. The western element of Block B would be visible from the churchyard. This would be partially screened by trees within the churchyard for some of the year. Block B steps down from Logic House and the mass of the western element is broken down and reads as two separate elements with asymmetric pitched roofs which slope away from the boundary with the church. The Conservation officer has confirmed that she is satisfied that this would not harm the setting of the listed church.
- 8.10 As noted above, the applicant is not obliged to remove Logic House as part of the proposal. The proposed introduction of a café at ground floor will help activate this frontage which is currently a car park. This is a positive change and will help enliven the street. The remaining works to Logic House, such as the brick tinting, are minor and are all supported by the Urban Design and Conservation Team subject to condition.

- 8.11 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12, 4/10 and 4/11.

### **Public Art**

- 8.12 The Public Art Officer has recommended a condition requiring the approval of a public art strategy by condition. No details have been provided to date and I have therefore recommended the suggested condition.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 10/1 and the Public Art SPD 2010

### **Renewable energy and sustainability**

- 8.14 The Senior Sustainability Officer required a sustainability checklist to be submitted prior to determination. This has been provided and she is satisfied that the proposal would be acceptable and comply with policy 8/16 subject to two conditions relating to water efficiency and implementation of the renewables proposed.
- 8.15 In my opinion 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.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

*Impact on 151 Newmarket Road*

- 8.16 No. 151 Newmarket road is located to the east of the site and is attached to the existing building at 149 Newmarket Road which is to be demolished. The owner of this property has objected to the proposal on a number of grounds. Concerns were expressed that the replacement building would have an unacceptable impact in terms of light and enclosure to the master bedroom of no. 151 which is located adjacent to the boundary at first floor. The building has been revised so the protruding first floor element is set off the boundary with 151 and no longer breaks the 45 degree angle from this window. I

am satisfied that this would no longer enclose this room to an unacceptable degree.

- 8.17 The applicant has submitted a daylight and sunlight assessment which assesses the impact of the revised extensions on light to 151 Newmarket Road. The report is a technical document which assesses the impact of the proposal using BRE principles. The report finds that the proposal passes all of the tests and as a result the proposal is considered to have minimal impact in terms of loss of light to 151 Newmarket Road.
- 8.18 The owner of 151 also raises concerns about overlooking of the garden and ground floor rooflights to the living room. The plans have been amended and balconies have been removed from block A. Only one window is now proposed in the rear elevation. This serves an open plan living/kitchen/bedroom to Flat S1. This is similar to the existing arrangement as there is currently a residential unit above the convenience shop and is typical of an urban setting. I am satisfied that the proposal would not have any significant impact on the privacy of 151 Newmarket Road.
- 8.19 The garden of 151 is already somewhat enclosed by the existing flat roof garage which runs hard against the boundary. As part of the application, this would be removed. Block B had originally been proposed to be a full two storey hard on the boundary with the garden of 151. This has been reduced and the first floor element will be set off the boundary and the scale reduced so it no longer runs the full length of the end of the garden. Whilst the building would result in some enclosure to the end of the garden, the reduction in scale is considered adequate given the benefits to outlook from the garden from the removal of the existing garage.
- 8.20 Originally only proposed overshadowing plans were submitted which did not allow for a comparison between the current situation and the proposed. The applicant has now submitted a full set of shadow plans. These show very minor additional overshadowing to the end of the garden at early morning in the spring equinox and middle of the garden at midday during the spring equinox. The whole of the garden of 151 is shown to be in shade with the proposed development by 3pm in both spring and autumn equinox plans. This additional overshadowing is very minor and would not have a significantly harmful impact on the amenity of the occupiers of 151 Newmarket Road. Under

the existing conditions there is a small strip of land which remains unshaded. This strip does not appear to be a meaningful and useful strip of land and as a result the increase in overshadowing at this time is also considered to be minor and within the realm of acceptability.

*Impact on the Beche Road properties*

- 8.21 No. 30 – 40 Beche Road are located to the rear of the application site although they are separated by the pan handle strip of land which belongs to the church. As noted in paragraph 1.4, these properties and their gardens are significantly lower than the site being somewhere between 3 and 3.5m beneath the ground level at Newmarket Road.
- 8.22 The shadow plans submitted show some increase to overshadowing of the ends of the gardens. The spring and autumn equinox plans show an increase to the shading of no.30 and a very minor amount of additional shading to 32 and 34 at 9am. This impact is only for a limited time. The impact would be most severe to no. 30 with a shadow being cast beyond the end of the garden but the garden area immediately next to the house would remain unaffected. As a result of this and given the limited amount of time which the garden would be impacted, I consider the impact to be acceptable and not sufficiently harmful to warrant refusal.
- 8.23 The pan handle provides a degree of separation (approx. 7m) between the gardens and the proposed block B. The bulk and massing on the north elevation facing these gardens has been reduced. The roof form has been broken up and the height of the flat roof to flat F3 has been reduced in height and a unit has been removed to the eastern element of block B reducing the bulk significantly at this end. One terrace remains on the north elevation but this is now shown with a screen to prevent overlooking. This arrangement is considered acceptable in principle but details of the screen are required by condition to ensure that it will adequately protect the privacy of the neighbouring gardens. A screen will also be required to the balcony of Flat F2 to prevent overlooking. Details of this are also required by condition. There are two slit windows on this elevation which also look towards these gardens. These are narrow windows which serve a hall and bedroom. Given their dimensions and use the rooms serve and the distance between

the windows and the gardens, these are not considered to cause any significant overlooking. A condition is recommended preventing the construction of any further windows at first floor or above including dormers to prevent any future overlooking issues.

*Impact on the pan handle (land relating to application ref 17/2163/FUL)*

- 8.24 The church development being considered under application ref 17/2163/FUL proposed 3 single storey dwellings on the pan handle strip of land. The church application will be heard at committee at the same time as this Logic House proposal to ensure that members are aware of the issues surrounding both applications, given that each impacts on the other, before making a determination. The church application has not overcome officer concerns and is recommended for refusal due to the lack of tree information and as the units are not considered to provide an adequately high standard of amenity for future occupiers.
- 8.25 Block B would be built up to the boundary with the church strip of land. The building steps up and down on the boundary being two storey to the north western part of the site, with a gable end metal clad roof of 8m in height, moving to a stepped first floor and gradually to single storey on the easternmost element of the northern boundary. Due to the height and mass on the boundary, if this Logic House development is approved and implemented, the outlook to the proposed units on the church site will be limited and enclosed to an unacceptable degree. The church units are directly to the north of the site and would be significantly overshadowed for much of the year. The amenity to the three proposed units on the Church site is already considered unacceptable due to their small size, poor outlook and access arrangements. This is discussed in detail in the report relating to 17/2163/FUL.
- 8.26 Policy 3/6 states that the development of a site or of part of a site will only be permitted where it can be demonstrated that due consideration has been given to safeguarding appropriate future developments on the remainder of the site or adjacent sites. The explanatory text underneath states that if development is poorly planned and is not carried out in a coordinated and comprehensive way there is a chance that the

special character of the City will be damaged, that infrastructure will not be provided to serve development when it is needed, that provision will not be made for necessary land uses and that the intention to make development sustainable will not be met.

- 8.27 The church application does not impact on the development proposed at Logic House however the proposed Logic House development would harm the amenity of the proposed units on the church site. The application for three residential units on the church land was submitted in December 2017. There have been discussions with the church as to how it may be possible to overcome the reasons for refusal but no information or amendments have been provided to overcome officer concerns. Whilst the proposed development to the rear of Logic House would have an unacceptable impact on the proposed units on the church site, the Church applicants have not demonstrated that it would be possible to develop the site in a way which provides a sufficient quality of amenity for future occupiers and without the loss or impact on trees which are considered important to the character of the Conservation Area and setting of the Listed Church. As the applicants for the church proposal have not come forward with a form of development deemed 'appropriate', policy 3/6 is not considered relevant and I consider that approval of this proposal could not therefore be argued to prejudice development of the wider area.
- 8.28 Following on from the DCF, both parties began to work together on a joint scheme incorporating both the church site and the Logic House site. A letter was provided by both parties and has been uploaded to both files to explain that this is the case. Discussions on a joint proposal are ongoing and there have been a number of meetings between the council and both parties to discuss a way to progress a joint application. However both parties agreed to continue to work on their own applications and the applicant for Logic House has progressed theirs to a point where they have overcome officer concerns. The church has chosen not to amend their application. Given that the Logic House application has overcome officer concerns, it is unreasonable to delay its determination any further.
- 8.29 The Council has taken legal advice on how to deal with the applications given that both will have an impact on the assessment of the other. The advice given recommends that

both applications are heard together so that members are aware of the issues prior to determination of either application. Should members disagree with the case officer recommendation of refusal on the church application (17/2163/FUL) and resolve to grant permission, this application (17/1815/FUL) would have an unacceptable impact on the amenity of the proposed units which would constitute a reason for refusal.

- 8.30 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.

#### Amenity for future occupiers of the site

- 8.31 The internal space for each unit is detailed in the below table. The last column on the table details the minimum amount of space required by the national space standards. The studio units which are open plan are required to provide a minimum of 37sqm, the single storey units with separate bedrooms should provide a minimum of 50sqm, the duplex one bedroom unit should provide 61sqm of internal space.

| Unit    | Size (sqm) | Space standard minimum (sqm) | Private external space (sqm) |
|---------|------------|------------------------------|------------------------------|
| Flat G1 | 42         | 37                           | 25                           |
| Flat G2 | 37         | 37                           | 5                            |
| Flat G3 | 45         | 37                           | 7                            |
| Flat G4 | 54         | 61                           | 8                            |
| Flat G5 | 46         | 50                           | 7                            |
| Flat F1 | 53         | 61                           | 5                            |
| Flat F2 | 75         | 61                           | 8                            |
| Flat F3 | 37         | 37                           | None                         |
| Flat F4 | 34         | 37                           | 7                            |
| Flat F6 | 38         | 37                           | None                         |
| Flat S1 | 37         | 37                           | None                         |

- 8.32 Flat G4 falls below the standard. This unit is a duplex with a small private outdoor terrace. The internal space falls within 10% under the standard but the flat is considered to provide an



adequate quality of internal space and on balance is considered to be acceptable. Flat G5 is also below the space standards. This flat is a one bedroom unit with a small outdoor terrace. The terrace offers little amenity as it would be north facing and be enclosed by the neighbouring property at 151 Newmarket Road but would provide a space to sit out or hang clothes. Whilst the unit is below the standard, if the wall separating the bedroom from the living room were to be removed it would become a studio unit and would exceed the standards for this type of unit.

8.33 Flat F1 also falls beneath the space standards. This is a duplex one bedroom unit. It is dual aspect and has its own balcony which would be well lit and would overlook the churchyard. Although it falls below the standard, it is less than 10% below and is considered to provide an acceptable level of amenity.

8.34 Flat F4 provides 34sqm of internal space which is below the minimum of 37sqm. This unit is double aspect and occupiers would have access to a private terrace. The terrace is north facing so will be in shade for most of the year but would provide some space to sit out or hang clothes. Although the unit provides less space than set out by the standard it is just within the 10% reduction and given the access to the terrace and good outlook this is considered on balance to be acceptable.

8.35 All of the ground floor flats have access to private terraces. As noted above the terrace to G5 is not considered to offer high amenity value as it would be enclosed by buildings and north facing but it would provide some private space for sitting out or drying clothes so although not of high amenity value would be of use. All of the terraces would receive a level of noise disturbance given their proximity to traffic noise from Newmarket Road. The terraces to Flats G2, G3 and G4 are 24m from the road and the noise survey provided shows that all 4 would receive a day time noise level of just under the upper limit of 55dB(A) which the Environmental Health Officer considers acceptable. These terraces are south facing but are likely to be shaded by Logic house and Block A for much of the year. The terrace to Flat G1 is a good size and adjacent to the churchyard. This terrace would be south facing but enclosed by buildings however it is unlikely to experience traffic noise to the same degree as the other ground floor terraces.

- 8.36 Flat F1 and F2 both have west facing first floor balconies. These are also likely to receive some traffic noise from Newmarket Road however much of this would be screened by Logic House and The Environmental Health Officer is satisfied that these are acceptable. These terraces would have good outlook across the churchyard.
- 8.37 The Nationally Described Space Standards are a material consideration but are to be used as a guide rather than a definitive standard as they are not adopted policy. 4 of the proposed 11 units fall below the internal space standards. Whilst I accept that a number of the units are small, in my view, they would still provide an adequate level of amenity for future occupiers.
- 8.38 There were concerns that the central courtyard area was of little amenity value. Further greening has been shown to this area and a reduction to 1 disabled/servicing car parking space. This allows for greater defensible space around the ground floor terraces and for a better quality environment to the courtyard space. The space appears quite tight but a tracking diagram has been provided which details that it is acceptable in terms of manoeuvring. Hours for collections and deliveries to the café are proposed to be controlled to prevent noise disturbance to the new residential occupiers on site. Given the reduced size of the café, deliveries are likely to be minimal.
- 8.39 In my opinion the proposal, despite the small size of some of the units, would provide an adequate quality living environment and an appropriate standard of residential amenity for future occupiers, and I consider that in this respect it is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

### **Refuse Arrangements**

- 8.40 Two bin stores are proposed as part of the proposal. The store to the rear of the café has been relocated to adjacent to the accessway and also enlarged. The Highway Authority objected to the bin collection point as it would obstruct the access and impact on highway safety. The collection point has been moved to allow unobstructed access which overcomes the Highway Engineers objection. The revised bin store adjacent to the access is larger than that originally proposed and would allow for a greater refuse provision to meet with comments from the

Refuse and Recycling Officer. The doors would open inwards to prevent obstructing the vehicular access.

- 8.41 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

### **Highway Safety**

- 8.42 The plans have been revised to remove bins from the access to overcome the objection from the Highway Authority. The proposal would reduce the intensity with which the access is used given the reduction in car parking. The vehicular access will only be for disabled visitors/students/occupiers and for servicing arrangements. As a result I am satisfied that the proposal would not have any significant adverse impact on highway
- 8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.44 There were concerns that the location of the cycle store would conflict with the proposed residential use of the inner part of the site. The store has been revised so that students can access it from the accessway and do not have to enter the site. This is considered to be an acceptable arrangement. The number of cycle stands to be provided is in line with the provision agreed as part of permission ref 09/0401/FUL. This provision was considered acceptable at the time and there is no change to the educational provision on site. I am satisfied that the 30 spaces proposed would be adequate and acceptable.
- 8.45 The site currently has a large number of car parking spaces which are accommodated in the garages to the rear and the ground floor of Logic House. These are to be removed as part of the application. One disabled car parking space would be retained. The Highway Authority has noted that the proposal may result in an increased demand for on-street car parking on surrounding streets which is unlikely to impact on highway safety but may impact on residential amenity. The site is located in a sustainable location, within close proximity to public transport links and cycle infrastructure, and future residents would be aware of the lack of off-street car parking. The Council

has maximum standards on off-street car parking and as a result the proposal complies with policy. As a result I am satisfied that the lack of off-street car parking provision would be acceptable.

8.46 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

8.47 I have addressed the third party representations in the body of my report. I will cover any outstanding matters in the table below:

| <b>Representation</b>  | <b>Response</b>   |
|--|---|
| <i>Residential amenity</i>   |   |
| The site is elevated approx. 3.5m above Beche Road gardens and buildings would loom over these gardens causing enclosure. Balconies would overlook the gardens on Beche Road | I note the height discrepancy between the sites. As referred to in paragraphs 8.21 – 8.23, the scheme has been amended to address the harm the original proposal was considered to cause to the properties in Beche Road. |
| Overlooks, overshadows and would have an overbearing impact on strip of land to the rear of the site (pan-handle) owned by the church.                                       | The impact on the church site is assessed in paragraphs 8.24 -8.28  |
| Significant overshadowing of 30 and 32 Beche Rd  | See paragraph 8.22  |
| Applicants states that balconies would be screened to prevent overlooking but this is not shown on the plans.  | Balcony screen details are proposed to be dealt with by condition to ensure they would adequately protect the amenity of surrounding gardens  |

|   |   |
|---|---|
| North facing balconies offer little amenity. Other windows face a graveyard which offers little amenity | The units with north facing balconies are dual aspect units and I am satisfied that although these are north facing and enclosed by screens they would have some amenity value. See paragraph 8.32. In my view the west facing balconies would offer a good level of amenity and would not need to be screened so would be less enclosed than others on site. |
| No daylight/sunlight assessment has been submitted  | Daylight/sunlight information and shadow plans have been submitted.   |
| The shadow study is inadequate  | A further shadow study has been submitted and is considered satisfactory  |
| No verified views from Beche Road gardens have been provided  | These were not required to assess the application.  |
| Will compromise chimney/heating system to no 151 Newmarket Rd   | This is not a material planning consideration and is a Party Wall/Building Regulations issue.   |
| Request internal wall insulation between boundary with 151  | This is a party wall matter rather than a planning consideration  |
| Kitchen next to bedroom of 151 will cause disturbance and noise mitigation will be required             | The issue of internal noise and any requirement for soundproofing is a matter that would be assessed as part of a Building Regulations application.   |
| Would impact light to master bedroom of 151 Newmarket Rd  | See paragraph 8.17  |

|  |   |
|--|---|
| Block B will enclose, overshadow and impact privacy to the garden of 151 Newmarket Road  | See paragraph 8.19  |
| No amenity/communal space  | 8 of 11 units have access to some private outdoor amenity space. The units are all one bedroom and unlikely to be occupied by a family so there is normally no requirement to provide outdoor amenity space for units of this type. The site is within walking distance of public open space at Midsummer Common. |
| Concerned about odour from cafe  | Environmental Health has recommended a condition requiring details of odour filtration.   |
| <i>Design and impact on the conservation area and setting of the listed building</i>   |   |
| Disappointing that Logic House is retained; demolition would allow greater flexibility with the site and improve amenity space | See paragraph 8.6   |
| Retention of Logic House harms the setting of the listed church  | See paragraphs 8.6-8.10   |
| Would harm the conservation area   | The Conservation Officer is satisfied that the proposal would preserve the character and appearance of the conservation area. See paragraphs 8.6-8.10   |
| The massing and design do not respond to the surrounding character   | See paragraphs 8.6-8.10   |
| The design quality is poor   | See paragraphs 8.6-8.10   |

|   |  |
|---|--|
|   |  |
| Concerned about impact to trees in the church yard  | The Tree Officer is satisfied that the development would not harm surrounding trees subject to two conditions.   |
| Beche Court is not a precedent; these properties are lower and have a greater distance between the new properties and the dwellings on Beche Road than what is proposed here. | It is acknowledged that there is a difference between this site and the Beche Court site. This application has been assessed on its own merits and, for the reasons set out in the report, is considered to be acceptable. |
| Overdevelopment   | The scale of the development is considered acceptable. See paragraphs 8.6-8.10   |
| <i>Other</i>  |  |
| Prevents development of the strip of land owned by the church contrary to policy 3/6 of the local plan  | The impact of the proposal on the pan handle is discussed in 8.24 – 8.29   |
| Disappointed that there is no social housing provision  | See paragraph 8.5  |
| No family housing or mix of house types   | There is no requirement to provide a mix of unit types   |
| Loss of post office and shop will impact the local community  | See paragraph 8.3  |
| The proposed café may endanger the viability of the new community café at 123 Newmarket Road  | There is no evidence to suggest this would be the case   |
| Concerned about viability of the proposed café given little footfall.   | There is no evidence of this. The proposed café use is considered acceptable. See paragraph 8.4  |

|   |   |
|---|---|
| Concerned about loss of parking. Would increase pressure on limited on-street car parking in the area. It is naïve to think future residents won't have cars. The revised proposal reduces parking even further | See paragraph 8.45  |
| Most likely to be occupied by students  | No evidence to suggest this would be the case.  |
| Very few residents were consulted   | The consultations are in line with the council's policy. Site notices were erected and adverts were included on a local newspaper.  |
| Loss of privacy to churchyard   | The overlooking of the churchyard is limited and is not considered harmful. In my view it would be beneficial as it would increase natural surveillance.                              |
| Applicant did not engage with neighbours prior to submission of the application   | Noted   |
| The negatives of the scheme outweigh any positives  | As set out in the assessment within section 8 of this report, when weighing up all the material planning considerations, the application is considered, on balance, to be acceptable. |
| The amendments do not overcome concerns   | Noted.  |



## **Planning Obligations (s106 Agreement)**

- 8.45 National Planning Practice Guidance Paragraph 031 ID: 23b-031-20160519 sets out specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which gives legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 and should be taken into account.
- 8.46 The guidance states that contributions should not be sought from developments of 10-units or fewer, and which have a maximum combined gross floorspace of no more than 1000sqm. The proposal represents a small scale development, with an uplift of three units, and as such no tariff style planning obligation is considered necessary.

## **9.0 CONCLUSION**

- 9.1 The proposal is considered acceptable in terms of design and is not considered harmful to the character and appearance of the conservation area or the setting of the listed church. The proposal is not considered to have any significant impact on the amenity of surrounding occupiers. The proposal would provide an adequately high standard of living accommodation for future occupiers. As a result the application is recommended for approval subject to conditions.
- 9.2 As set out in the reports, if the Logic House scheme is approved in accordance with Officer recommendation, it would almost certainly mean that the panhandle area cannot be developed given the likely impact the Logic House scheme would have on occupiers of any development there. Of the two sites, it could be argued that the church site has the potential to deliver the greatest public benefit as the supporting information suggests that money generated from the scheme would be used to renovate the church, which is on Historic England's Buildings at Risk Register, and bring it back into community use. However, no evidence has been submitted to demonstrate the scheme is viable and achievable, and would bring forward the stated benefits. In addition, and more importantly, the Conservation Team has advised that, subject to the resolution of the trees issue, the proposal would not harm the setting of the church. In

the absence of any identified harm to heritage assets, there is no requirement for an enabling development or public benefits argument to be made. The Council could not therefore justify requiring proceeds from the development of the site to be directed towards the renovation of the Church. So, whilst I appreciate that the repair and reuse of the church might bring forward both conservation and community benefits, these could not be secured through any planning permission.

- 9.3 Following the Development Control Forum, Officers have facilitated meetings involving the developers of the two sites to try and achieve a scheme that includes both pieces of land, and brings forward residential development on the Logic House site whilst also securing works to the church. Unfortunately, following consideration of a number of alternative options, this has proven unsuccessful as a scheme that would be viable and enable the renovation of the church would be of such a scale as to cause significant and irreversible harm to the setting of the church. The applicants for the Logic House site have therefore requested that the Council proceed to determine their application following the submission of amendments to address third party and consultees' concerns. Having discussed at length the options for the potential to develop the two sites together, Officers consider it would be unreasonable to further delay the determination of the Logic House proposal. The Abbey Church has not come forward to date with any further information to address the concerns raised but, in view of the legal advice that the two schemes need to be considered together, that scheme has also been brought to Committee for Members' consideration at the same time.

## **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 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. 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)

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

Reason: To protect the amenity of nearby properties Cambridge Local Plan 2006 policy 4/13

13. Prior to the commencement of development/construction, a noise insulation scheme detailing the acoustic noise insulation performance specification of the external building envelope of the residential units (having regard to the building fabric, glazing and ventilation) to reduce the level of noise experienced in the residential units as a result of the proximity of the habitable rooms to the high ambient noise levels in the area be submitted to and approved in writing by the local planning authority. The scheme shall achieve internal noise levels recommended in British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. The scheme as approved shall be fully implemented before the first occupation of the building and thereafter be retained as such.

Reason: To protect the amenity of future occupants of this property from the high ambient noise levels in the area (Cambridge Local Plan 2006 policies 3/4, 3/7 and 4/13)

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

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

15. Prior to the occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such..

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

16. The cafe use hereby permitted shall not be open to customers outside the hours of 07:00hrs-23:00hrs Monday to Saturday and 08:00hrs-22:00hrs on Sundays and Bank Holidays.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

17. Collections from and or deliveries to the cafe premises, shall only take place between the hours of 07:00 and 22:00. This shall include the placing of waste, including bottles, into waste receptacles outside the premises and the emptying of waste receptacles by a waste contractor.

Reason: To protect the amenity of adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

18. 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 adjoining and adjacent residential premises (Cambridge Local Plan 2006 Policy 4/13)

19. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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)

20. Prior to the commencement of any brickwork, a brick sample panel of the facing materials to be used shall be erected on site and shall be at least 1m x 1m to establish the detailing of bonding, any special brick patterning, coursing and colour, type of jointing. This shall be agreed in writing with the local planning authority. The quality and finish and materials incorporated in any approved sample panel(s), which shall not be demolished prior to completion of development, shall be maintained throughout the development.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the quality and colour of the detailing of the brickwork and jointing is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

21. Prior to the tinting of the existing bricks and concrete tiles to Logic House, an area for each will be designated and trials of the proposed tints will be undertaken in those areas. The tints and effects detail shall be submitted to and agreed in writing with the Local Planning Authority. Development shall then take place only in accordance with the approved details.

Reason: In the interests of the visual amenity of the Conservation Area and to ensure that the colour of the brickwork and tiling is acceptable and maintained throughout the development. (Cambridge Local Plan 2006 policies 3/12 and 4/11)

22. No demolition/development shall take place until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. No demolition/development shall take place other than in accordance with the Written Scheme of Archaeological Investigation.

Reason: To protect potential features of archaeological importance, Cambridge Local Plan Policy 4/9.

23. Prior to commencement of development and in accordance with BS5837 2012, a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping. The approved AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To ensure adequate tree protection measures are implemented (Cambridge Local Plan 2006 policy 4/4)

24. Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and Local Planning Authority Tree Officer to discuss details of the approved Arboricultural Method Statement (AMS)

Reason: To ensure adequate tree protection on site during construction (Cambridge Local Plan 2006 policy 4/4)

25. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

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

26. No development 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 treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied 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)

27. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation.

Reason: To ensure that the landscaped areas are maintained in a healthy condition in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

28. The approved renewable energy technologies shall be fully installed and operational prior to the first occupation of the development and shall thereafter be retained and remain fully operational in accordance with a maintenance programme, which shall be submitted to and agreed in writing by the local planning authority.

No review of this requirement on the basis of grid capacity issues can take place unless written evidence from the District Network Operator confirming the detail of grid capacity and its implications has been submitted to, and accepted in writing by, the local planning authority. Any subsequent amendment to the level of renewable/low carbon technologies provided on the site shall be in accordance with a revised scheme submitted to and approved in writing by, the local planning authority

Reason: In the interests of reducing carbon dioxide emissions (Cambridge Local Plan 2006 policy 8/16 and the Cambridge Sustainable Design and Construction Supplementary Planning Document).

29. Prior to the occupation of the first dwelling, a water efficiency specification for each dwelling type, based on the Water Efficiency Calculator Methodology or the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition) shall be submitted to the local planning authority. This shall demonstrate that all dwellings are able to achieve a design standard of water use of no more than 110 litres/person/day and that the development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2006 policy 3/1 and Supplementary Planning Document 'Sustainable Design & Construction' 2007).

30. Within six months of the commencement of development, a Public Art Delivery Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of the Public Art and artist commission;
- Details of how the Public Art will be delivered, including a timetable for delivery;
- Details of the location of the proposed Public Art on the application site;
- The proposed consultation to be undertaken with the local community;

The approved Public Art Delivery Plan shall be fully implemented in accordance with the approved details and timetable.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

31. Prior to the occupation of the development, a Public Art Maintenance Plan shall be submitted to and approved in writing by the local planning authority and shall include the following:

- Details of how the Public Art will be maintained;
- How the Public Art would be decommissioned if not permanent;
- How repairs would be carried out;
- How the Public Art would be replaced in the event that it is destroyed;

The approved Public Art Maintenance Plan shall be fully implemented in accordance with the approved details. Once in place, the Public Art shall not be moved or removed otherwise than in accordance with the approved Public Art Maintenance Plan.

Reason: To accord with the provisions of Cambridge City Council Public Art SPD (2010) and policies 3/4 and 3/7 of the Cambridge Local Plan 2006.

32. No building hereby permitted shall be occupied until details of surface water drainage works have been submitted to and agreed in writing by the Local Planning Authority. Surface water drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework II(2018)

33. No building hereby permitted shall be occupied until details of foul drainage works have been submitted to and agreed in writing by the Local Planning Authority. Foul drainage will be implemented in accordance with these agreed details.

Reason: To ensure the development will not increase flood risk in the area in accordance with the National Planning Policy Framework II(2018)

34. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or with any order revoking and re-enacting that Order with or without modifications) no windows, at and above upper ground floor level shall be constructed in the north elevation of Blocks A and B without the granting of specific planning permission.

Reason: To protect the amenity of adjoining properties. (Cambridge Local Plan 2006 policies 3/4 and 3/12)

35. Prior to the occupation of the units, details of all the balcony screens shall be submitted to and agreed in writing by the Local Planning Authority. The approved screens shall be in place prior to the occupation of the units and shall be retained thereafter.

Reason: To ensure that the balconies to the hereby permitted flats would not overlook adjacent residential properties, and hence to protect the privacy of surrounding occupiers (Cambridge Local Plan 2006 policies 3/7 and 3/12)

36. No development shall commence until a plan has been submitted to and approved in writing by the Local Planning Authority detailing the proposed specification, number and locations of internal and / or external bird boxes on the new buildings. The bird boxes shall be installed prior to the occupation of the flats and subsequently maintained in accordance with the approved plans.

Reason: to provide ecological enhancements for protected species on the site (Cambridge Local Plan (2006) policy 4/3).

37. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

38. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved vehicular access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

39. Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site in accordance with policy 8/2 of the Cambridge Local Plan (2006)

40. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway.

Reason: To prevent surface water discharging to the highway in accordance with policy 8/2 of the Cambridge Local Plan (2006)

41. The manoeuvring area shall be provided as shown on the drawings and retained free of obstruction.

Reason: In the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

42. The access shall be provided as shown on the approved drawings and a width of access of 4.5 metres retained free of obstruction.

Reason: In the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

43. No demolition or construction works shall commence on site until a traffic management plan has been submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: in the interests of highway safety in accordance with policy 8/2 of the Cambridge Local Plan (2006)

**INFORMATIVE:** The principal areas of concern that should be addressed by the Traffic Management Plan are:

- Movements and control of muck away lorries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- Contractor parking, for both phases (wherever possible all such parking should be within the curtilage of the site and not on street).
- Movements and control of all deliveries (wherever possible all loading and unloading should be undertaken off the adopted public highway)
- Control of dust, mud and debris, please note it is an offence under the Highways Act 1980 to deposit mud or debris onto the adopted public highway.

**INFORMATIVE:** This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

No part of any structure may overhang or encroach under or upon the public highway unless licensed by the Highway Authority and no gate / door / ground floor window shall open outwards over the public highway.



Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, the cost of which must be borne by the applicant.

**INFORMATIVE:** An acceptable method of foul drainage disposal would be connection to the public foul sewer.

Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.

The applicant must ensure that there is no discharge of effluent from the site to any watercourse or surface water drain or sewer.

**INFORMATIVE:** All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Surface Water Drainage and Infiltration Sustainable Drainage Systems (SuDS).

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here:

<https://www.gov.uk/government/collections/groundwater-protection>. In addition, they must not be constructed in ground affected by contamination and if the use of deep bore soakaways is proposed, we would wish to be re-consulted. The proposals will need to comply with our Groundwater protection position statements G1 and G9 to G13.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

**INFORMATIVE:** For land that is included within the archaeological WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- c) The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

**INFORMATIVE:** To satisfy the odour/fume filtration/extraction condition, details should be provided in accordance with the principles of Annex B and C of the "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems," prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (DEFRA) dated January 2005.

**INFORMATIVE:** A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email [Licensing@cambridge.gov.uk](mailto:Licensing@cambridge.gov.uk) for further information.

**INFORMATIVE:** 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.

Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

**INFORMATIVE:** Dust condition informative

To satisfy the condition requiring the submission of a program of measures to control airborne dust above, the applicant should have regard to:

-Council's Supplementary Planning Document - "Sustainable Design and Construction 2007":

<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

-Guidance on the assessment of dust from demolition and construction

[http://iaqm.co.uk/wp-content/uploads/guidance/iaqm\\_guidance\\_report\\_draft1.4.pdf](http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf)

- Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012

[http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring\\_construction\\_sites\\_2012.pdf](http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf)

-Control of dust and emissions during construction and demolition - supplementary planning guidance

[https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014\\_0.pdf](https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf)

**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 material imported into the site shall be tested for a full suite of contaminants including metals and petroleum hydrocarbons prior to importation. Material imported for landscaping should be tested at a frequency of 1 sample every 20m<sup>3</sup> or one per lorry load, whichever is greater. Material imported for other purposes can be tested at a lower frequency (justification and prior approval for the adopted rate is required by the Local Authority). If the material originates from a clean source the developer should contact the Environmental Quality Growth Team for further advice.

**INFORMATIVE:** As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 for further information.