

Application Number	18/0363/FUL	Agenda Item	
Date Received	12th March 2018	Officer	Mairead O'Sullivan
Target Date	7th May 2018		
Ward	Abbey		
Site Proposal	393 Newmarket Road Cambridge CB5 8JL Alteration to building and extension to provide loading bay. Reconfiguration of car park and associated landscaping. New S106 agreement to allow food retail.		
Applicant	ALDI Stores Ltd		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal would not impact the vitality and viability of the city centre or other local/district centres within the city - The proposal would not harm the amenity of surrounding occupiers - The proposal is not considered to give rise to any significant adverse impact to highway safety - The external changes to the building are considered acceptable in design terms
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site lies on the north side of Newmarket Road. This part of Newmarket Road is characterised by commercial uses with Cambridge Retail Park being located to the south of the site on the other side of Newmarket Road and Tesco on Cheddars Lane being to the west of the site. There are also a

number of residential properties in close proximity to the site, in particular the dwellings on Stanley Road to the east of the site.

- 1.2 The existing building is in retail use and was last used as Wickes. The unit has a S106 attached which limits the potential uses of the site. Food retail is not included on the list and is therefore excluded from the potential uses of the site under the current S106 agreement.

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for alterations to building and an extension to provide a loading bay. Works are proposed to reconfigure the car park with associated landscaping. Although the building is currently in A1 use, and the proposal does not require change of use, a revised S106 agreement is required to allow food retail as the existing S106 restricts the potential use of the site.

- 2.2 The existing S106 agreement which relates to application ref. C/93/0321 at 2(1) states that the user shall not sell or display for sale in the development any good other than:

- (a) DIY goods (including wallpaper and paint)
- (b) Materials for building
- (c) Garden products (deemed to include pet food)
- (d) Furniture and carpets
- (e) Electrical goods (including videos)
- (f) Motoring and motor-cycle accessories

- 2.3 In February 1995, a deed of variation to the S106 was agreed to allow the sales of the following goods:

- The bulk sale of office products, office stationery and equipment.

- 2.4 The applicants seek a revised S106 agreement which would require the above restrictions and allow for a LAD or Limited Availability Discounter to use the building.

- 2.5 The application does not propose to significantly change the footprint of the building; the existing entrance lobby to the front is proposed to be demolished and a loading bay is proposed to the rear. The internal division of the units is proposed to change

with Aldi proposing to occupy a larger footprint than the existing Wickes unit. Much of the existing brickwork is proposed to be replaced by glazing and an aluminium canopy is proposed to run around part of the building. Internally much of the existing mezzanine floor is proposed to be removed.

- 2.6 Alterations are proposed to the car park to reconfigure and reduce the number of spaces for 124 to 114. 4 disabled bays are proposed as well as 7 parent and child spaces. Proposed cycle parking on site has been increased since submission. A total of 35 Sheffield Stands are proposed (including 4 retained stands). These would be predominantly sited adjacent to Newmarket Road near the entrance to the unit. 20 secure staff cycle parking spaces are proposed to the rear of the site behind a gate away from the car park. The existing trees within the car park are proposed to be protected and retained.

3.0 SITE HISTORY

Reference	Description	Outcome
C/93/0321	Erection of a building (2352 sqm) for retail use (class a1) with associated new access, car parking and landscaping. (amended by letters dated 03.11.93,	Permitted
12/1614/S73	Vary Condition 18 of C/0321/93 to allow longer trading hours on Monday to Saturdays (excluding Bank Holidays).	Permitted
12/1615/FUL	External alterations to existing building and site layout including new entrance lobby, revised parking arrangements and creation of Secure Compound to rear (south west) elevation; and installation of mezzanine floorspace (Class A1)	Permitted
14/1151/FUL	Modification to left turn ingress of existing access	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 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 6 35 36 55 56 58 59 71 81 82

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

Central Government Guidance	National Planning Policy Framework February 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
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<p>Previous Supplementary Planning Documents</p> <p>(These documents, prepared to support policies in the 2006 local plan are no longer SPDs, but are still material considerations.)</p>	<p>Sustainable Design and Construction (May 2007)</p> <p>Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)</p> <p>Planning Obligation Strategy (March 2010)</p>
<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Air Quality in Cambridge – Developers Guide (2008)</p> <p>Arboricultural Strategy (2004)</p> <p>Cycle Parking Guide for New Residential Developments (2010)</p>

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Preliminary comment

- 6.1 Objection: I will make a full comment after consultation with my colleagues in the Transport Planning, Traffic Signals and Safety Teams. Of particular interest is the impact upon u-turning movements engendered at the traffic signal control junctions either side of the site on Newmarket Road, both in terms of safety and capacity. No assessment of this has taken place and so the Highway Authority wishes to place a holding objection upon this application until such time as sufficient information is supplied to make an informed comment.

Second comment

- 6.2 Objection: A swept path for a large car doing a u-turn at the junctions to the east and west is required.

Third comment

- 6.3 I will make a full comment after consultation with my colleagues in the Transport Planning, Traffic Signals and Safety Teams.

Fourth comment

- 6.4 Transport planning colleagues will comment directly on the additional information.

Transport Assessment Team

Preliminary comment

- 6.5 Objection: The applicant has not provided a Transport Assessment. This is essential in order that proper consideration can be given to the likely transport impacts resulting from the development. An Aldi Supermarket will have significantly different trip patterns than the current use and it is important that these are properly assessed.

Second comment

- 6.6 Objection: Evidence that the site access junction and Stanley Road/Newmarket Road junction will not operate over-capacity as a result of the proposed development is required. The existing data provided is not enough to make a fully informed assessment of the transport impacts of the proposed development. Issues with methodology and data means that Cambridgeshire County Council cannot draw informed conclusions. The developers are required to revisit the TA with our comments and provide a revised assessment.

Third comment

- 6.7 Objection: The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development.

Fourth comment

- 6.8 No objection: Having reviewed the relative impacts of the development, a mitigation package is considered to be essential to mitigate development. A condition is requested requiring the existing bus stop adjacent to 433 Newmarket Road be replaced and the bus stop westbound in the vicinity of B & Q be updated to include the provision of a Real Time Passenger Information display unit.

Environmental Health

First comment

- 6.9 Objection: Clarification is required on delivery vehicle manoeuvring and frequency.

Second comment

- 6.10 Objection: A letter has been submitted by Planning Potential dated 25th April 2018. The letter advises that deliveries are required 2 hours before opening and therefore require deliveries from 06:00hrs (Monday to Saturday). The letter advises that the ability to receive goods at 06:00hrs Monday-Saturday is crucial for Aldi to have a fresh delivery in the morning to be unloaded and stocked in time for opening at 08:00hrs. These differ from the hours of the existing Aldi on Histon Road.
- 6.11 As stated within my previous memo, I had concerns regarding the Sharps Redmore (SR) Environmental Noise Report dated 16th January 2018 (project no: 1717546) regarding deliveries during the night hours. It is our opinion that BS4142:2014 “methods for rating and assessing industrial and commercial sound” is the most relevant standard for delivery noise. It is possible that the arrival position / location of the delivery vehicles could be much closer to the existing residential properties than the 10m demonstrated within the SR report and therefore result in more significant noise impacts than is reported. 31 Stanley Road is approximately 6m from the car park boundary. These details require clarification. The noise levels suggested in the noise report would likely wake residents from sleep. This regular disturbance from a specific site and activity during night hours would likely trigger complex emotional reactions from residents resulting in harm to quality of

life which would be unacceptable. As previously stated, it is recommended to protect local amenity and quality of life of local receptors that delivery hours are conditioned to reasonable daytime hours ; Monday to Saturday = 07:00hrs – 23:00hrs and Sunday = 09:00hrs – 17:00hrs.

Third comment

- 6.12 Objection: I have assessed application 15/0398/FUL which was granted permission for 316 student rooms located on the North-West site boundary with Wickes & Staples. Block A of permission 15/0398/FUL has 33 habitable rooms (studio rooms) with openable windows on ground, first and second floors located on the site boundary with the proposed Aldi and would be impacted by noise from early deliveries. An assessment has not been provided of the noise impact upon the student development from the banjo manoeuvre, delivery movements or service yard activities. As previously stated, it is recommended that, in order to protect local amenity and quality of life of local receptors, delivery hours are conditioned to reasonable daytime hours.

Fourth comment

- 6.13 Objection: It was our previous recommendation that there was insufficient assessment of noise impacts from early morning deliveries and inadequate acoustic mitigation proposals to address said impacts. The proposed mitigation afforded by the acoustic fence is reasonable considering the short noise exposure of the vehicle travelling behind the properties to the service delivery yard. However, details have not been provided of the existing fence which will remain in place (approximately half the length of the north-east boundary treatment starting at Newmarket Road) along the boundary shared with the residential properties before reaching the new acoustic fence's proposed location (which starts at approximately halfway into the car park adjacent to the gardens serving 19 / 21 Stanley Road). If the remaining boundary fence is in a similar poor condition to the proposed replaced fencing, as stated within section 1.4 of the SR technical note, residents will be afforded little noise protection from the fencing / barrier until the delivery vehicle engine area reaches approximately halfway into the car park where the new acoustic barrier is proposed. It is possible that the proposed acoustic fence will need to be constructed

along the entire north-east boundary shared with the residential gardens. Justification is required on the proposed acoustic fence location and the remaining fence's condition to protect local residents from delivery vehicle noise.

Fifth comment

- 6.14 No objection: A pre-commencement condition is requested requiring details of the acoustic fence. A suite of standard conditions are recommended regarding plant noise insulation, construction hours, collections during construction, piling and dust. Bespoke conditions are requested regarding artificial lighting, a Servicing and Operational Noise Minimisation Management Plan, delivery hours, trading hours, unexpected contamination and the provision of 2 electric vehicle (EV) charging points. Three informatives are also recommended.

Head of Streets and Open Spaces (Tree Team)

- 6.15 No objection: There are no arboricultural objections to the proposal subject to the retention and protection of the sites' trees. Two conditions are requested, one requiring tree protection details and another requiring replacement planting if any tree to be retained fails within 5 years of completion of the development.

Head of Streets and Open Spaces (Landscape Team)

- 6.16 No objection: Landscape supports the application overall. Consideration for repair of dilapidated fencing or complete replacement of the boundary bordering residential properties may be required for the purposes of both aesthetics and/or noise attenuation. Three conditions are recommended regarding hard and soft landscape details, boundary treatment and landscape maintenance.

Planning Policy

First comment

- 6.17 Objection: The sequential test provided is inadequate as it has not considered the foodstore at Darwin Green. Any loss of retail warehousing needs to be carefully considered to ensure their remains adequate provision to meet local need. The retail

statement provided by Aldi suggests the new store would complement rather than compete with the existing stores. Aldi is not considered a one-stop shop unlike Tesco, Sainsbury's and ASDA. It would therefore be reasonable to consider the possibility that the Aldi store will simply cherry pick the more profitable convenience items. This would lead to a cannibalisation of existing volumes for all supermarket operators rather than meeting an unmet demand/need for convenience shopping in the area. An independent assessment is needed to assess the impact of the loss of the existing retail warehousing unit and a separate assessment that ensures there is sufficient demand for a new convenience retailer in the area that will not affect the provision of new supermarkets in other areas of the city where new growth is planned. A statement is also needed explaining why the planned local centre in Darwin Green is not a suitable location for the proposed Aldi.

Second comment

- 6.18 Objection: The applicant has stated that the Darwin Green site is not within the catchment area that the new store would serve – South of the City - and would fall within the catchment area of its existing store on Histon Road. Furthermore, the Darwin Green site is not immediately available to ALDI. Further information has been provided regarding the impact of the loss of the retail warehousing and the rise in demand for additional discount convenience retail. Wickes is vacating the site regardless of the outcome of the proposed site application. Aldi is currently the only discount convenience provider in Cambridge. A new store will add to this unique offer. The Council still considers the sequential test should focus on centre locations before considering out-of-centre locations. Given the limited number of convenience shopping sites in Cambridge, every site should be carefully considered.

Third comment

- 6.19 No objection: The Council adopted the Cambridge Local Plan in October 2018. Since the submission of this planning application (ref. 18/0363/FUL) at 393 Newmarket Road (former Wickes store) for an ALDI food store comprising of 1,824 sqm gross floor space, a proposed Lidl store comprising of 1,856 sq m gross floor space, has been received on part of the existing

Homebase store, Unit 10 Newmarket Road. Together, these proposals could potentially add an additional 3,680 sqm of gross floor space for A1 convenience/ limited assortment discounter shopping in and around Newmarket Road. The Council subsequently requested a cumulative Retail Impact Assessment of these proposed applications.

- 6.20 As part of Planning Policy's comments dated 16 May, further consideration of the new foodstore at the local centre at NIAB/Darwin Green (2,000 sqm net) was requested. In response, the applicant has outlined the reasons for its not being a suitable location.
- 6.21 Both the Aldi and Lidl proposals fall with the foodstore category of a 'limited assortment discounter' (LAD) or deep discounter, they both provide a different food offer to the established main food retailers such as Asda, Tesco and Sainsburys. There is currently only one LAD/deep discounter in Cambridge, ALDI on Histon Road. Evidence confirms that it is over trading. It is expected that the proposed store will draw its trade from both a 5-minute drive-time catchment area and a portion of those who currently travel to the existing store on Histon Road. Assuming the Lidl application is approved, the proposed ALDI, if approved would also compete with Lidl's proposed LAD/deep discounter format.
- 6.22 The applicant has explained they are not a 'one stop shop'; their format has a limited number of product lines and does not provide specialist stalls such as kiosks, specialist concessions such as in-store butcher, fishmonger or pharmacy. They expect ALDI customers to have to shop elsewhere to complete their shop at a foodstore with a much broader range of store sizes, format and products. ALDI foodstores are standardised and therefore consistent amongst the property portfolio.
- 6.23 Given the close proximity between the proposed ALDI food store and proposed Lidl and the other main foodstore operators Asda, Tesco and Sainsbury's, it is expected that a majority of the trade for ALDI will be diverted from the three main food stores nearby and the proposed Lidl store, if approved. The proposed ALDI store is not expected to have a significant change on the area's shopping patterns within Cambridge. It is anticipated that there will be no significant trade draw from the city centre.

6.24 It is noted that one objection from ASDA has been received. Their concerns include the assumed rate of trading for both ALDI and Lidl has been under estimated. The applicant has acknowledged that some trade from the three main food stores may be diverted to both proposed stores at ALDI and Lidl the impact will not be sufficient to lead to a store closure. The establishment of a Lidl or an ALDI may also attract business to the other main foodstores with consumers choosing to complete their food shop where a broader range of products is available.

Cadent Gas

6.25 There is apparatus in the vicinity of the application site. This comprises High or Intermediate pressure (above 2 bar) Gas Pipelines and associated equipment and Low or Medium pressure (below 2 bar) gas pipes and associated equipment.

6.26 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 in objection to the application:

- Asda Stores Ltd.
- Camcycle
- 5 Cheddars Lane
- CHS Group, Endurance House, Chivers Way, Impington
- 3 Langham Road
- 401 & 413 Newmarket Road
- 43 Priory Road
- 47 Riverside
- 73 Plantation Road, Sawston
- 83 St Andrews Road
- 54 St Bartholomew's Court
- 31 & 63 Stanley Road
- 147 Stanley Road
- 80B York Street

7.2 The representations in objection can be summarised as follows:

- The permission is for a general A1 food retail use and could be occupied by another retail not just Aldi. Request sensitivity testing using other retailers densities or an average to assess the potential impact of another operator occupying the site.
- The Retail Impact Assessment provided assumes that Aldi and Lidl would operate at 20% below average trade which underestimates the potential impact.
- There is existing parking pressure on surrounding streets which would be made worse by the proposal.
- Reduction in number of car parking spaces is absurd and will impact residential amenity as there is no controlled parking on surrounding streets
- Will add to existing congestion on Newmarket Road
- Aldi on Histon Road causes congestion
- No Traffic Impact Assessment provided. Need further traffic data to be provided to assess
- The junction would become dangerous for cyclists
- Inadequate cycle parking
- Existing cycle access is constrained. The barrier on Cheddars Lane blocks larger cycles. This should be removed as part of the application
- Concerned that drivers will queue in the cycle lane
- The Travel plan overestimates the number of cyclists. Few cyclists use Newmarket Road.
- Lorries reversing at Tesco are loud and can be heard at nearby residential properties.
- 31 Stanley Road is closer to the boundary with the site than estimated in the noise report. Concerned about the impact on lorries manoeuvring near the boundary causing noise disturbance.
- Concerned about noise from additional deliveries
- Request that delivery vehicles are not allowed to wait in the car park as this causes noise disturbance.
- Concerned about nuisance from additional external lighting
- The longer opening hours will cause disturbance to nearby residents.
- Should be required to contribute to S106 fund for Eastern Gate SPD
- No meaningful consultation prior to submission
- Air Quality has not been addressed.
- Has Aldi considered the Toys R Us site.
- The address for the application was unclear.

- Wickes was a low intensity use. Aldi will intensify use of the site and cause disturbance to nearby occupiers.
- Will cause littering, abandoned trolleys and vermin.
- Request that the Norway Maple by the entrance is removed as it impacts light to 401 Newmarket Road.
- No mention of replacement fencing. The existing boundary fence is in a state of disrepair.

7.3 The owners/occupiers of the following addresses have made representations in support of the application:

- 21 Abbey Street
- 32 Abbey Road
- 14 Almond Grove, Bar Hill
- 27 Arbury Court
- 229 Arbury Road
- 65 Beacon Rise
- 1 Beche Court
- 24 Beche Road
- Unit 8, Brickyard Industrial Estate, Coldhams Lane
- Unit 7, Cambridge Retail Park
- 87 Castle Street
- 18A Church Street, Fen Ditton
- 1 Field Row
- 22 & 115 Fitzgerald Place
- 8 & 56 Hampden Gardens
- 59 High Barns, Ely
- 1 & 43 Hinton Avenue
- 24 Hobson Avenue
- 27 Longworth Avenue
- 27 Luard Road
- 101 & 168 New Street
- 212, 289, 461, 475 & 493 Newmarket Road
- Flat 3, Nidus House
- No Address given
- Flat 6, 29 Occupation Road
- 28 Ox Meadow
- 39 Oyster Row
- 37 Periman Close
- 30 & 37 Priory Road
- 2 & 70 Pym Court
- 32 Pepperslade
- 54 Pepys Court
- 52 Queen Edith's Way

- 13 & 22 Regatta Court
- 79 River Lane
- 14, 22, 64, 74 & 78 Riverside Place
- 35, 37 & 96 Riverside
- 3 Rowlinson Way
- 10 & 20 Saxon Road
- 7 Scholars Walk
- 5 Signet Court
- 4, 15, 23, 29 & 35 Silverwood Close
- St Andrews House
- 54 & 73 St Andrews Road
- 17, 37, 48, 50 & 63 St Bartholomews Court
- 67, 97, 157 & 213 St Matthews Gardens
- 34 Stanley Court
- 63, 68, 85, 87 & 158 Stanley Road
- 2 Stevenson Court
- Unit 2, The Arches, Coldhams Lane
- 30 The Lane, Hauxton
- 160 & 176 York Street
- 1 Water View, Riverside
- Whitwell, George Street
- 6, 20, 27 & 32 Willowbank, Logans Way

7.4 The representations in support can be summarised as follows:

- Cambridge needs more stores which provide affordable and quality goods
- Would provide competition for Tesco and other nearby stores.
- The Histon Road Aldi is very busy at times. The additional store would alleviate pressure
- Already shop at the Histon Road store but the proposal would be closer to home and would shop here instead.
- Would reduce congestion on Histon Road
- Easily accessible by bike from Riverside. Would serve cyclists from Chesterton.
- Convenient location near the city centre, retail park and the beehive.
- Other smaller towns and cities have more than 1 Aldi
- Staff are likely to be locally hired.

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

8.0 ASSESSMENT

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

1. Principle of development
2. Context of site, design and external spaces
3. Carbon reduction and sustainable design
4. Light pollution, noise, vibration, air quality, odour and dust
5. Inclusive access
6. Residential amenity
7. Refuse arrangements
8. Highway safety
9. Car and cycle parking
10. Third party representations
11. Planning Obligations (s106 Agreement)

Principle of Development

8.2 The site is currently in retail use (Class A1) but with restrictions on the type of goods that can be sold from the building. The proposal seeks to revised the s106 to remove the current restrictions and allow for food retail sales from the building. The Planning Policy Officer raised concerns about the original submission as the sequential test provided was considered to be inadequate, there was no assessment of the impact of the proposal on nearby centres and the city centre and as the proposal would result in the loss of a bulky retail use.

8.3 Policy 6 of the Cambridge Local Plan (2018) which identifies the hierarchy of retail centres and retail capacity where retail should be focused. The Cambridge Retail and Leisure Study Update 2013 indicates that there is currently sufficient space within the Town Centre and the hierarchy (as existing or as already approved or in pipeline) to provide for convenience goods although there is a need for just over 14,000 sq.m net of comparison goods floorspace. The Plan, at paragraph 2.69 indicates that new retail development should in the first instance be directed to the centres and then located according to the sequential test set out in the NPPF, however the site is already in retail use (Use Class A1), even if this is restricted by the legal agreement.

8.4 The NPPF indicates that :

86. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

87. When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

89. When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

90. Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused.”

8.5 The change to the Section 106 agreement will only be acceptable if the proposal would not have an impact on the vitality and viability of other centres identified as part of the retail hierarchy. This will be considered through the sequential and exceptions tests highlighted in the NPPF and Policy 6 of the Cambridge Local Plan (2018).

- 8.6 The applicants have provided details of why Darwin Green was discounted from their sequential test. This outlines that the site falls outside of the catchment area proposed given its proximity to the existing Aldi on Histon Road, that the site is not currently available there were nevertheless detailed concerns that made the site unsuitable for Aldi's occupation. This case is accepted by the Planning Policy Officer.
- 8.7 The planning merits of the scheme are that the supermarket proposed provides an alternative to the "big 4" supermarkets – Asda, Sainsburys, Tesco and/or other "high end" supermarkets such as Waitrose and M&S Food. The applicants indicate that they are a LAD or Limited Availability Discounter. They are not a one-stop shop but rather they offer a limited range of goods at a deeply discounted price and provide a "top up" service. The supermarket does offer some comparison goods but these are primarily weekly specials which are sold on a 'when they're gone they're gone' basis and this means they do not compete with other comparison retail.
- 8.8 There is no policy in the Local Plan which protects the non-food/bulky goods retail warehouses from loss to other A1 (retail) Uses and the proposed supermarket selling convenience and a limited comparison offer must therefore be considered on its planning merits. The submitted Retail Impact Assessment (RIA) is the starting point for this consideration. Although the site falls under the 2,500sqm outlined in the NPPF as the threshold for requiring a Retail Impact Assessment, Policy 6 of the Cambridge Local Plan 2018 makes provisions for a Retail Impact Assessment to be required where a proposal could have a cumulative impact or an impact on the role or health of nearby centres within the catchment of the proposal. Following the submission of the Lidl planning application on the adjacent site at Cambridge Retail Park (18/0858/FUL), a Retail Impact Assessment was required due to concerns regarding the potential cumulative impact of both stores on surrounding centres and the city centre.
- 8.9 The applicant's Retail Impact Assessment (RIA) has assumed that amongst the total spend within the Primary Catchment Area (PCA) there will be an 80:20 ratio between the amount spent on main food and top-up shopping. This proportion equates to £112m of main food expenditure and £28m of top-up shopping in the PCA. On the basis of the information submitted it is

expected that the majority of trade for the Proposed Aldi and approved Lidl (18/0858/FUL) will be diverted from the three main food stores nearby (Asda, Tesco and Sainsbury's) and from each other and will not have a significant impact on the areas shopping patterns. The proposed Aldi supermarket would also divert some trade from its existing store on Histon Road. This store is in a Local Centre but is significantly over performing and this impact is not considered harmful to its viability.

8.10 The Planning Policy Officer has noted a representation from Asda. Their concerns include the assumed rate of trading for both ALDI and Lidl has been under estimated. The applicant has acknowledged that some trade from the three main food stores may be diverted to both proposed stores at ALDI and Lidl but the impact will not be sufficient to lead to a store closure. These nearby stores are not within local centres so are not protected retail uses. The establishment of a Lidl or an ALDI may also attract business to the other main foodstores with consumers choosing to complete their food shop where a broader range of products is available.

8.11 With regard to Cambridge City Centre it is not considered that there would be any significant trade draw from key convenience stores along Sidney Street or Fitzroy Street because LAD-type stores act as a top-up convenience facilities and these uses in the Town Centre are convenient for people who live, study, work in or are visiting the town centre. The proposal is therefore considered to be acceptable.

8.12 A S106 obligation (or deed of variation) can:

- restrict the development or use of the land in any specified way
- require specified operations or activities to be carried out in, on, under or over the land
- require the land to be used in any specified way; or
- require a sum or sums to be paid to the authority (or, to the Greater London Authority) on a specified date or dates or periodically.

A planning obligation can be subject to conditions, it can specify restrictions definitely or indefinitely, and in terms of payments the timing of these can be specified in the obligation.

8.13 On the basis of the above, it is concluded that amending the legal agreement would not result in a loss of vitality and viability of Cambridge Town Centre, nor to the retail hierarchy as a whole.

8.14 Having regard to the conclusions of the Retail Impact Assessment (RIA) and Transport Assessment (TA), in relation to the specific nature of the impact of the Aldi retail offer, that it will not have any material impact on the vitality and viability of existing centres, it is proposed that the revised S106 should suspend the restrictive list of goods that can be sold but introduce a limitation on the occupation of the building to Aldi alone. I consider that it cannot be inferred from the conclusions of the RIA and TA that any other food retail store would not have an adverse impact on the vitality and viability of existing centres. Should Aldi cease to use the building, the existing restrictions would automatically come back into force. This would allow Aldi to operate from the site and to sell its range of convenience and comparison goods for as long as it wishes but would restrict any other user from doing so without first demonstrating, as Aldi has, that it will not have an adverse impact on the vitality and viability of existing centres though any further application for a Deed of Variation to the S106. The precise wording of this revised S106 is requested to be dealt with under delegated powers.

Context of site, design and external spaces

8.15 The proposed external changes are minor and do not alter the height or footprint of the building. A loading bay is proposed to the rear of the building. The existing entrance lobby to the front (45sqm) is proposed to be demolished. The main changes to the building are the replacement of much of the solid brick façade with double height glazing at ground floor with ribbon windows above. An aluminum canopy is proposed to run along the Newmarket Road elevation and along onto the north eastern elevation adjacent to the car park. The CGIs included with the application show signage but this will need to be dealt with through an advert consent. In my view the proposal would

refresh the building and is considered acceptable in terms of design.

- 8.16 The Landscape officer has no objection to the proposal subject to conditions requiring further details of the hard and soft landscape, boundary treatment and a landscape maintenance plan. The Tree Officer also has no objection to the proposal subject to details of tree protection and a condition requiring any tree which fails within 5 years of the development being completed to be replaced.
- 8.17 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58, 59 and 71.

Light pollution, air quality, noise, vibration and dust

- 8.18 I deal with noise from deliveries under the residential amenity heading below. The Environmental Health Officer has recommended a number of conditions regarding construction hours, collections during construction, piling and dust to protect the amenity of nearby occupiers during construction. A condition is recommended to ensure that any unexpected contamination which could be found on site is correctly managed. The site is in an Air Quality Management Area (AQMA) and no Air Quality Assessment (AQA) has been included with the application. In the absence of an AQA, the Environmental Health Team have requested a condition requiring 2 EV charging points be provided on site. I consider this to be acceptable. Details of artificial lighting and plant noise insulation are required by condition to protect residential amenity once the store becomes operational. The plant noise condition requirement relates to the change of use, and need for refrigeration/additional plant due to the change in the nature of the goods being sold, and is suggested to be added as a control on the S106 rather than as a condition on the decision notice.
- 8.19 In my opinion, subject to the conditions and controls I have recommended to be incorporated into the revised S106, the applicants have suitably addressed the issues of light pollution, air quality, noise, vibration and dust, and the proposal is in accordance with Cambridge Local Plan (2018) policies 33, 34, 35 and 36.

Inclusive access

- 8.20 The site would provide level access, a disabled toilet internally and 4 disabled parking bays within the car park.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 56 and 57.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.22 The Environmental Health Officer expressed some concerns at the proposal for delivery hours beginning 2 hours ahead of the store opening at 06.00. The Environmental Health officer raised concerns about the methodology used to assess noise in the original documents submitted. His concern was the impact of early deliveries on 31 Stanley Road. He considered that the information provided suggested levels of noise which would wake the occupier from their sleep. These deliveries would be regular and the sleep interruptions resulting from the noise would have the potential to impact on the health of the occupier. Concerns were also raised regarding the impact on the approved student rooms (15/0398/FUL) adjacent to the site however I can confirm that the windows adjacent to the application site serve corridors and as a result the proposal would not harm the amenity of any future occupiers of this development.
- 8.23 The applicant has provided details of a fence which would act as an acoustic barrier. The Environmental Health Officer considers this to be a reasonable solution but has suggested that the acoustic fence may need to be extended further around the site than is currently proposed. The applicant is happy to provide additional fencing if required and it is recommended that an appropriate control be included within the revised S106 to deal with the details to ensure the boundary treatment would be adequate for the site as a whole. A Servicing and Operational Noise Minimisation Management Plan / Scheme is also requested to be included within the revised S106. The noise management plan would detail how noisy activities would be managed to mitigate any disturbance to neighbouring properties. It would need to cover areas such as how unloading and reloading would be managed, confirmation that drivers

would not idle park on site at any time and how potential noise complaints would be managed.

- 8.24 Controls within the revised S106 are recommended restricting the hours of deliveries to 06:00hrs – 23:00hrs Monday to Saturday and 08:00 – 17:00hrs on Sundays or public holidays. Hours of trading are also recommended to be controlled in the revised S106 to 08:00hrs – 22:00hrs Monday to Saturday and 10:00 – 16:00hrs on Sundays or public holidays only.
- 8.25 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 (2018) policies 35, 55 and 56.

Refuse Arrangements

- 8.26 The Design and Access Statement details that every Aldi store has a cardboard and paper bailer which compacts and bins material which is then returned to the depot for recycling or anaerobic digestion. For general refuse, Aldi has a contract with a private waste disposal company.
- 8.27 In my opinion the proposal is compliant in this respect with Cambridge Local Plan (2018) policy 57.

Highway Safety

- 8.28 The County Council's Transport Assessment Team raised concerns about the application as a Transport Assessment was not initially provided so there was inadequate information to assess the impact of the proposal on highway safety. A Transport Assessment was provided by the applicant but there were a number of omissions, further cycle parking was required and there were concerns about the impact of the use of the site access and the junction of Stanley Road and Newmarket Road during peak hours. Further information was required to assess. Following further consultation and an additional submission of information the Transport Assessment Team were satisfied that subject to a mitigation project, their objection could be withdrawn. The mitigation package requires works to the two nearest bus stops (eastbound and westbound). This is recommended to be included in the revised S106.

8.29 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 81.

Car and Cycle Parking

8.30 The application involves amendments to the car park which results in a reduction in the number of car parking space on site from 124 to 114 spaces (including 4 disabled spaces and 7 parent and child spaces). The policy requirement for the site is 89 spaces so the proposal would exceed the standard. Although the number of space proposed is greater than the maximum standards, having regard to the neighbour representations, I understand that there is demand for on-street parking in the area, and in this instance, I consider that although the number of spaces would be in excess of the policy standard, given the lack of objection from the highway Authority, this would be acceptable.

8.31 The site plan has been revised since submission. As part of the revision additional cycle parking has been accommodated adjacent to Newmarket Road. A total of 31 new Sheffield Stands (providing 62 cycle parking spaces) are proposed and 4 existing hoops are to be retained. The policy requirement is for a total of 40 spaces so the proposal would exceed the minimum standard. In addition to this, a total of 20 covered cycle space for staff in two separate stores behind a gated area in the service yard part of the site.

8.32 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Third Party Representations

8.33 I will address any outstanding matters raised by the third party representations in the below table:

Representation	Response
The permission is for a general A1 food retail use and could be occupied by another retail not just Aldi. Request sensitivity testing using other retailers densities or an average to assess the potential impact of another operator occupying the site.	See paragraph 8.14
The Retail Impact Assessment provided assumes that Aldi and Lidl would operate at 20% below average trade which underestimates the potential impact.	The Planning Policy Officer is satisfied with the information provided in the Retail impact Assessment. Although there would be some impact on nearby food retail, these units are out of centre and not protected, and the impact is not considered to be significant enough to result in closure of any of the stores. See paragraph 8.10
There is existing parking pressure on surrounding streets which would be made worse by the proposal.	Noted. The proposal would provide a number of parking spaces in excess of the policy standard. The proposal is not considered to result in any significant impact to parking on surrounding streets. See paragraph 8.30
Reduction in number of car parking spaces is absurd and will impact residential amenity as there is no controlled parking on surrounding streets	The number of parking space although reduced by 10 is still well in excess of the policy maximum standard.
Will add to existing congestion on Newmarket Road	The Transport Assessment Team has reviewed the application and are satisfied that the proposal would be acceptable subject to controls.

Aldi on Histon Road causes congestion	Noted.
No Traffic Impact Assessment provided. Need further traffic data to be provided to assess	This was not provided as part of the original submission but has been provided at the request of the Transport Assessment Team and revised to satisfy their comments. See paragraph 8.28.
The junction would become dangerous for cyclists	The Transport Assessment Team has not raised any concerns about the impact of the proposal on cyclist safety.
Inadequate cycle parking	Additional visitor and staff cycle parking have been provided and now comply with policy requirements.
Existing cycle access is constrained. The barrier on Cheddars Lane blocks larger cycles. This should be removed as part of the application	Noted but this is not necessary to make the application acceptable.
Concerned that drivers will queue in the cycle lane	This has not been raised as a concern by the Transport Assessment Team.
The Travel plan overestimates the number of cyclists. Few cyclists use Newmarket Road.	The Transport Assessment Team has not raised concerns about cyclist calculations
Lorries reversing at Tesco are loud and can be heard at nearby residential properties.	Noted. The noise impact on surrounding occupiers has been carefully considered by the Environmental Health Officer and is considered acceptable subject to controls.
31 Stanley Road is closer to the boundary with the site than estimated in the noise report. Concerned about the impact on lorries manoeuvring near the boundary causing noise disturbance.	The Environmental Health Officer has reviewed the impact on no 31 Stanley Road and is satisfied that subject to the acoustic fence, controlling delivery hours and the noise management plan controls the impact on this occupier would be acceptable. See paragraphs 8.22- 8.24

Concerned about noise from additional deliveries	The Environmental Health Officer is satisfied that this impact would be acceptable subject to controls. See paragraphs 8.22- 8.24
Request that delivery vehicles are not allowed to wait in the car park as this causes noise disturbance.	This will be required to be included as part of the Servicing and Operational Noise Minimisation Management Plan. See paragraphs 8.22 – 8.24
Concerned about nuisance from additional external lighting	Details of external lighting can be required by condition. See paragraph 8.18
The longer opening hours will cause disturbance to nearby residents.	The Environmental Health Officer is satisfied that the impact to nearby residents would be acceptable subject to controls. See paragraphs 8.22 - 8.24
Should be required to contribute to S106 fund for Eastern Gate SPD	This is not required to make the application acceptable.
No meaningful consultation prior to submission	I note the concerns with the pre-application consultation undertaken.
Air Quality has not been addressed.	The Environmental Health Officer has requested 2 EV charging points be included as part of the scheme in lieu of an Air Quality Assessment. See paragraph 8.18
Has Aldi considered the Toys R Us site?	This site is also out of centre and the applicant is not obliged to include it in their sequential test.
The address for the application was unclear.	Noted but the address is accurate.
Wickes was a low intensity use. Aldi will intensify use of the site and cause disturbance to nearby occupiers.	The impact has been assessed and is considered acceptable.
Will cause littering, abandoned trolleys and vermin.	There is no evidence that this would be the case
Request that the Norway Maple by the entrance is removed as it impacts light to 401 Newmarket Road.	The Tree Officer has not requested the removal of this tree and it is not required to make the application acceptable.

<p>No mention of replacement fencing. The existing boundary fence is in a state of disrepair.</p>	<p>Noted. An acoustic fence may be required to a larger area of the site than is currently shown. The applicant and Environmental Health Officer are both satisfied that this can be dealt with through controls in the revised S106. I share this view. See paragraphs 8.22 – 8.24</p>
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Planning Obligations (s106 Agreement)

8.34 The proposal requires a revised S106 agreement to allow for Aldi to occupy the building. As the retail impact assessment and transport assessment provided are specific to Aldi this will need to be limited to allow Aldi to occupy the building but not allow for broader food retail as this has not been assessed as part of the application. In terms of the exact wording of the deed of variation, it is recommended that this is delegated to officers to negotiate and complete

9.0 CONCLUSION

9.1 The proposed occupation by Aldi is considered acceptable specifically due to the details submitted in the Retail Impact Assessment and in respect of the Transport Assessment submitted such that the change the new legal agreement to allow Aldi to occupy the building is acceptable. The impact on nearby residents is considered acceptable subject to a number of conditions and controls, in particular requiring a new acoustic fence and a Servicing and Operational Noise Minimisation Management Plan. The external changes to the building and surrounding landscape are considered acceptable subject to further details about landscape/landscape maintenance and tree protection.

10.0 RECOMMENDATION

APPROVE subject to the below conditions and prior completion of a deed of variation to the S106 Agreement securing:

- Use by Aldi
- Plant noise insulation
- Servicing noise plan

- Acoustic fence
- Delivery hours
- Operational hours
- Cycle parking spaces
- Works to nearby bus stops

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 91 of the Town and Country Planning Act 1990 (as amended by 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. 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 2018 policy 35).

4. There shall 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 2018 policy 35).

5. In the event of the foundations for the proposed development requiring piling, prior to the development taking place, other than demolition, 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 2018 policy 35).

6. 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 2018 policy 36).

7. 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: In the interest of residential amenity (Cambridge Local Plan 2018 policy 34).

8. If previously unidentified contamination is encountered whilst undertaking the development, works shall immediately cease on site until the Local Planning Authority has been notified and the additional contamination has been fully assessed and an appropriate remediation and validation/reporting scheme agreed with the Local Planning Authority. Remedial actions shall then be implemented in line with the agreed remediation scheme and a validation report will be provided to the Local Planning Authority for consideration.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with Cambridge Local Plan 2018 Policy33.

9. No development shall commence until details of a scheme for the provision of two operational rapid electric vehicle (EV) charge point with / to a dedicated car parking space for exclusive use by electric vehicles, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be installed / provided in accordance with the approved details prior to the first occupation of the development and shall be maintained and retained thereafter.

Reason: In the interests of encouraging more sustainable forms of travel/transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF), Policy 36 of the Cambridge Local Plan (2018) and in accordance with Cambridge City Councils adopted Air Quality Action Plan (2018).

10. No development above ground level, other than demolition, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The 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); 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.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

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 2018 policies 55, 57 and 59).

11. No development above ground level, other than demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatments to be erected. The boundary treatment shall be completed in accordance with the approved details prior to the first occupation or the bringing into use of the development (or other timetable agreed in writing by the Local Planning Authority) and retained as approved thereafter.

Reason: To ensure an appropriate boundary treatment is implemented in the interests of visual amenity and privacy (Cambridge Local Plan 2018 policies 55, 57 and 59).

12. No development shall commence until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small privately owned domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscaped areas shall thereafter be managed in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is maintained as part of the development (Cambridge Local Plan 2018 policies 55, 57 and 59).

13. Prior to any equipment, machinery or materials being brought onto the site for the purpose of development, including demolition, details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented prior to development commencing 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 protect the visual amenity of the area and to ensure the retention of the trees on the site (Cambridge Local Plan 2018 policies 55, 57, 59 and 71).

14. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with BS 5837:2012 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site (Cambridge Local Plan 2018 policies 55, 57, 59 and 71).

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: 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

- 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

-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

INFORMATIVE: The Servicing and Operational Noise Minimisation Management Plan / Scheme should include consideration of but not exhaustively the following operations and activities within:

-The Journey to and from the service yard area

-Within the Service Yard

-Unloading/Re-loading

-The Return Journey to and from the service yard area

-Advice and policy for drivers of service vehicles to minimise noise during collections and deliveries

-Vehicles delivering to/from site

-No idling parked delivery vehicles permitted within the site at any time. Only one delivery vehicle permitted on site at any time

-No use of fork-lift trucks

-Alarm systems

-All goods are delivered on pallets. There is no use of delivery cages

-A complaints procedure for verifying and responding to complaints about noise / vibration