



07/0003/COND51A, 07/0003/COND52E & 07/0003/COND53

Land Between Huntingdon Road And Histon Road Cambridge

Committee Date: 12th December 2023

Report to: Joint Development Control Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Castle

Proposal:

07/0003/COND51A - Submission of details required by condition 51 (Construction Environmental Management Plan) for Darwin Green One of outline permission 07/0003/OUT

07/0003/COND52E - Submission of details required by condition 52 (Construction Method Statement) Darwin Green One BDW2 of outline permission 07/0003/OUT

07/0003/COND53 - Submission of details required by condition 53 (Construction) for Darwin Green One BDW2 of outline permission 07/0003/OUT

Applicant: Barratt David Wilson Homes (Cambridgeshire)

Presenting officer: John Shuttlewood

Reason presented to Committee: This Committee item relates to three discharge of condition applications associated with reserved matters applications previously determined by the JDCC which have generated a lot of third-party interest. It is therefore considered appropriate the applications are taken to JDCC for determination.

Member site visit date: N/A

Key issues:

1. Insufficient placing of noise / vibration / dust monitoring stations
2. Inconsistences of information between submitted documents

Recommendation: to approve and discharge the conditions 07/0003/COND51A, 07/0003/COND52E and 07/0003/COND53 in full.

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1.0 Executive Summary

1.1 This report deals with three applications seeking to re-discharge conditions 51, 52 and 53 of planning permission 07/0003/OUT which now require the submission of detailed demolition related details for the whole of the site known as Darwin Green One as well as the relevant specific parcel known as BDW2. The conditions had been discharged in full but due to the unforeseen requirement to undertake demolition works on site the details submitted require updating.

1.2 The submitted details meet relevant Local Plan policies.

1.3 Officers recommend that the Committee re-discharge of conditions 51, 52 and 53 in full.

2.0 Site Description and Context

2.1 The Darwin Green site is in the North-West fringe of Cambridge City, between Huntingdon Road and Histon Road. The parcel known as 'BDW2' is located in the south-east corner of the Darwin Green site and is bordered by Howes Place and parcel BDW1 to the north-west.

2.2 To the south-west the site is bordered by residential rear gardens in Huntingdon Road and to the south-east by rear gardens in Woodlark Road. End properties in Hoadley Road and Windsor Road lie near to the north-east corner of the parcel. The remaining north-east boundary and beyond is part of the wider Darwin Green site yet to be developed.

3.0 The Proposal

3.1 The submissions encompass updated details relating to construction related conditions forming part of the outline permission 07/0003/OUT to regularise activities on the site which involve demolition. The description of development of the outline planning permission did not involve demolition or lead to requiring the submission of any related mitigating measures to control the impacts of any demolition effects.

3.2 Earlier this year, the applicant advised that they would need to demolish eight-eight (88) built and partially built structures due to foundation issues on parcel BDW2. Whilst it was considered that planning permission was not required to demolish the completed and unfurnished structures on parcel BDW2, it was accepted by the developer that the introduction of demolition related activities on site required additional details to be submitted concerning a number of construction related conditions attached to the outline planning permission.

3.3 The applicants have submitted a main report along with a large number of appendices relevant to conditions 51 and condition 52. Condition 53 documents comprise one report. To highlight the new information submitted, the text has been highlighted in red within the documents. It should be noted that most of the details within the reports and appendices have been previously discharged so the additional details concerning demolition matters are relatively small in number and scope.

3.4 Condition 51 is a site wide condition requiring the submission of a Construction Environmental Management Plan (CEMP) document and includes updated haul routes to site. The updated plan includes a revision to site delivery times from 1000 – 1400 hours to 0800 – 1800. This reflects the completion of the A14 dual carriageway which at the time of the original CEMP application required a restricted delivery period.

3.5 Condition 52 is a parcel specific condition requiring an updated Construction Method Statement (CMS) showing how the parcel construction accords with the site

wide CEMP document. The CMS shall also provide a parcel construction programme and measures such as dust mitigation measures, access arrangements for vehicles, concrete crusher details, hoarding locations and compound details. Amongst the appendices, is Appendix S.1 Demolition: Site Environmental Management Plan (SEMP).

3.6 Condition 53 is a parcel specific condition requiring a construction programme detailing activities and a related timetable to be submitted.

3.7 During the course of the applications amendments were submitted relating to conditions 51 and 52 to realign British Standards references and the number and location of noise/vibration/dust monitoring stations to address third party representations and consultee comments.

4.0 Relevant Site History

Reference	Description	Outcome
07/0003/OUT	Mixed use development comprising up to 1593 dwellings, primary school, community facilities, retail units (use classes A1, A2, A3, A4 and A5) and associated infrastructure including vehicular, pedestrian and cycleway accesses, open space and drainage works.	Approved
21/04431/REM	Reserved Matters Application for second housing phase (known as BDW2) including 323 dwellings with associated internal roads, car parking, landscaping, amenity and public open space. The Reserved Matters include access, appearance, landscaping, layout and scale and related partial discharge of conditions 8, 10, 14, 17, 18, 22, 25, 26, 28, 35, 40, 49, 52, 58, 62, 63, 66 and 69 pursuant to outline approval 07/0003/OUT	Approved
07/0003/COND51	Condition 51 - Construction Environmental Management Plan, Part d) Delivery times for construction purposes	Discharge Condition in Part
	Condition 53 – Construction programme	Letter of discharge

		of condition on file
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5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 20: Land between Huntingdon Road and Histon Road Area of Major Change

Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use

Policy 35: Protection of human health and quality of life from noise and vibration

Policy 36: Air quality, odour, and dust

Policy 81: Mitigating the transport impact of development.

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Greater Cambridge Sustainable Design and Construction SPD (2020)

6.0 Consultations

6.1 Cambridge City Environmental Health Officer - No Objection

6.2 Condition 51 –Comments. The condition can be discharged in full.

6.3 Condition 52 -Comments. The condition can be discharged in full.

6.4 Condition53 – Comments. The condition can be discharged in full.

6.5 County Highways Officer – No objection in relation to the details submitted in respect of conditions 51 & 52.

6.6 Building Control Authority – Noted details for information purposes only.

7.0 Publicity

7.1 The following publicity has been undertaken:

Neighbour notification Yes

Site notice Yes

Advertisement No

7.2 In addition to the statutory consultation one hundred and forty near neighbour properties were notified by hand delivered letter and a second period of re-consultation over ten days was undertaken for the amended scheme with statutory consultees and local resident groups notified.

7.3 As part of a wider non-statutory consultation exercise during the application period, a community meeting was held and attended by the case officer, individuals, resident groups' representatives, and a Ward Councillor.

8.0 Third Party Representations

8.1 Five representations have been received in objection. Three from individuals and two from residents' associations. During the application, revised details addressing these concerns were submitted. Details of responses are highlighted below.

8.2 The objections have raised the following issues:

Conditions 51, 52 & 53 -

- There are insufficient fixed noise, vibration and dust monitors proposed to accurately record and monitor these conditions during construction.

- It is suggested that all references to sensitive receptors are updated to include reference to occupied residential properties along Howes Place, Huntingdon Road, Woodlark Road and Hoadly Road.

- The limits relating to noise, vibration and dust should be clearly set out and consistent with the limits previously approved / agreed by the Local Authority. Notably, there are no fixed noise, vibration and dust monitors proposed along the boundary with Howes Place and the proposed spacing of the monitors along the boundary adjacent to BDW1 is inconsistent with the proposed spacing of the monitors along the other boundaries.

- There are inconsistencies within the submitted documents associated with the limits relating to noise, vibration, and dust and specifically within the CEMP, CMS and SEMP.

- The information relating to the proposed noise, vibration and dust monitors referenced at Appendix C to the SEMP does not appear to have been uploaded to the planning portal and therefore it is not possible to determine whether the specification of the monitors will achieve the required monitoring levels

- ask for confirmation that no asbestos is present in structures to be demolished.

- re: revised Condition 52 CMS report questions concerning methodology for correcting working practises if noise and vibration levels limits are exceeded or is known will likely occur.

-asks for screening used, rather than considered when work is against sensitive receptor boundaries.

Condition 51 – no weekend demolition work proposed and therefore request confirmation there is no need to close the shared path link with Windsor Road during that time.

- signage required at site exit to show haul route to / from sight via Hiton Rd and onto A14 only – no route down Histon Road down to town centre or vice versa.

- 24-hour manned telephone hotlines to be made available to report issues concerning dust, emissions, noise and vibration levels.

- In the Revised CMS Main Report, one of the mitigation measures (bullet point 6) is to “make contact with the closest neighbours to see if there are times when they will not be residing within their property so as to minimise the impact”. This seems to us unlikely to be a useful mitigation as such owners may have security concerns about announcing times when their property will be empty.

Condition 53

- Approval should be conditional on implementing substantial modifications to rectify these drainage problems and effectively mitigate the associated flooding risks.

8.3 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council’s website.

9.0 Assessment

9.0 Principle of Development

9.1 The applications seek discharge of planning conditions 51, 52 and 53 of outline planning permission 07/0003/OUT. The conditions require details for the site wide Construction Environmental Management Plan, parcel specific Construction Management Scheme and construction programme for which the submitted information provides details.

9.2 The principle of the development is acceptable subject to details assessed below.

10.0 Amenity

10.1 Policies 35 and 36 of the Cambridge Local Plan seek to ensure that development will be permitted where it is demonstrated it will not lead to significant adverse effects and impacts and adverse noise effects can be mitigated using planning conditions.

10.2 The submitted details across conditions 51, 52 and 53 set out to and achieve appropriate ways of working practises to minimise the requirement for mitigating responses to be used to minimise harm to the nearest sensitive receptors around the site.

10.3 Such working practises include hours of working; no weekend demolition activity is proposed; and a single haul route from major dual carriageway A-roads only to/from the site entrance/exit on Histon Rd as set out in Appendix A: Traffic Management of the CEMP.

10.4 Where mitigation measures are required these are detailed in full and considered to be acceptable in responding to the potential harms to local amenity. These measures include the use of water cannons to suppress dust. Noise and vibration monitors to be set at acceptable levels located at appropriate places to protect the amenity of the nearest receptors in nearby streets.

10.5 The applicant and the demolition and piling contractor have proposed environmental control measures.

10.6 The Applicant has submitted details for a 24/7 manned telephone hotline to report incidents of noise, vibration, and dust complaints requiring immediate investigation.

10.7 The number of noise and vibration monitors have been increased and their positioning updated following the comments received from residents of Howes Place. The SEMP document illustrates the positioning of the seven environmental monitors to account for residents in Howes Place, Huntingdon Road, Woodlark Road and Hoadly Road.

10.8 Following comments made by residents, inconsistent details between the CEMP, CMS, and SEMP such as different British Standards quoted have been reviewed by the applicant and amended details submitted to overcome the inconsistencies. Such details have been reviewed by the City's Environmental Health Officer and found to be acceptable.

10.9 The information relating to the proposed noise, vibration and dust monitors referenced at Appendix C to the SEMP have been uploaded under Appendix s.6

Monitors and includes a sound range up to 130 db. This amount is above anticipated levels of between 75db and 85db when working closely to boundaries.

10.10 The Applicant has confirmed that no asbestos is present in the structures to be demolished.

10.11 Screening where applicable will be considered where work is against sensitive receptor boundaries. The SEMP document details the placing of a screening where within five metres of a boundary to lessen the noise by 10 decibels. Other noise reduction measures may be used such as damping mats.

10.12 The CEMP document details and an email responding to resident's questions state that there will be no weekend demolition work unless in exceptional circumstances. Conditioned working hours do permit work on site from 0800 to 1300 on Saturday only and no working on Sundays and public holidays. It follows there is no need to close the shared path link with Windsor Road during that time.

10.13 BDW Cambridge and the demolition contractor propose a method of ensuring that the local residents are aware of the works, the timing of implementation and to give opportunities for residents to engage with the site team.

10.14 The level of information shared is a decision for the developer and contractor. Any information received will be considered as part of the BDW Cambridge and the demolition contractor data management responsibilities as part of their compliance with the General Data Protection Regulation (GDPR).

10.15 Overall, the proposed development is considered to protect human health and quality of life from noise and vibration, and it will not lead to significant adverse effects on health. The proposal is compliant with Cambridge Local Plan (2018) Policies 1, 20, 28, 35, 36, 81 and the NPPF.

11.0 Third Party Representations

11.1 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment

Garden within my property backing onto parcel BDW2 floods. Approval should be conditional on implementing substantial modifications to rectify these drainage problems and effectively mitigate the associated flooding risks.

Officer Response

The additional details concerning demolition submitted for the construction management conditions are not directly linked to the drainage conditions. Drainage details relating to parcel BDW2 have been approved under condition 17 of the reserved matters application 21/05404431/REM for parcel BDW2.

12.0 Other Matters

These three planning applications relate contain new details which concern only the methodology for demolition and the factors mitigating any resulting harm to the local amenity from those proposals. It is acknowledged that there is public interest in wider issues surrounding the required demolition on the site, however, these have other mechanisms of control such as building regulations and civil law.

13.0 Planning Balance

13.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.

13.2 The details submitted concerning the CEMP and its appendices, the CMS and its appendices and the construction programme are considered to minimise and mitigate any potential harm to residential amenity resulting from construction works on the site.

13.3 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed discharge of conditions is recommended for approval.

14.0 Recommendation

- i. Approve and discharge in full planning condition 07/0003/COND51A (Construction Environmental Management Plan); and
- ii. Approve and discharge in full planning condition 07/0003/COND52E (Construction Method Statement); and
- iii. Approve and discharge in full planning condition 07/0003/COND53 (Construction)