

Delegation Report

S/2239/13/FL

Land to the North of Deal Grove, Babraham Road, Sawston, Cambridgeshire

Erection of football ground for Cambridge City Football Club and creation of new community recreational space

Update report

At the Committee meeting held on 4 June 2014, Members were minded to give officers delegated powers to approve the application subject to further discussions taking place regarding issues of ecology, noise, lighting and access (including access from the A1307) in consultation with the Parish Councils and local Members representing Sawston and Babraham.

Following the Committee resolution, a meeting was held to explore the above issues further, and the outcome is summarised below:

To obtain further details regarding the traffic impacts on Babraham

It was agreed that copies of the Travel Plan and Draft Event Management Plan would be forwarded onto Babraham Parish Council and the local Member, Councillor Orgee. Responses to their subsequent comments were received from the Highways Authority and Major Developments Team at the County Council.

In response to the above, the applicant's agent agreed to additional traffic surveys being undertaken at the junctions of the A1307/Babraham High Street and the A505/Pampisford Wych in a neutral month (ie - when schools and universities are in term time) and at the same time of year once the stadium is first being used. This information would be used to improve and tailor the Event Management Plan and Travel Plan.

It has also been agreed that a condition relating to construction routing would be added to any permission. Both Cllr Orgee and Babraham Parish Council wish to ensure construction vehicles would not be routed through either Babraham High Street or the A505/Pampisford Wych. Whilst the former is likely to be achieved within the construction management plan, the A505/Pampisford Wych junction would be a key route for construction vehicles as it would minimise the impact on residents of both Sawston and Babraham.

To explore the possibility of increasing the width of the footpath/cycleway alongside the access road from 2.5m to 3m.

This was requested by Cllr Cuffley at the meeting. The applicant's agent has explored this and advised that there is insufficient land to achieve 3m, but that a width of 2.85m can be accommodated.

To explore further ecological enhancements

At the meeting, it was agreed that the Council's Ecology Officer and applicant's appointed ecologists would meet on site to look at a number of further enhancements and that a coloured landscape ecology map would be provided. Possible enhancement agreed as requiring further investigation include: possible enhancement in the protected woodland area; inspection of ponds in Deal Grove; increasing public access to the woodland to the west; clarification of layout of pitches

relative to the western thicket/vegetation; clarification of where spoil will go; and the opportunity to create wildflower mounds and embankments.

The Council's Ecology Officer is satisfied that these issues can be resolved by way of planning condition.

Noise and lighting

At the meeting, it was agreed that these issues can be satisfactorily dealt with through the recommended planning conditions.

Following the above, the application was referred to the Secretary of State, who decided not to call-in the application and that it should be decided by the Local Planning Authority.

Whilst awaiting the completion of the S106 Legal Agreement, the applicant's agent has provided the following additional information in respect of the proposed draft conditions:

Drainage strategy layout
Gas monitoring report
Remediation strategy and verification plan
Invertebrate report and spreadsheet
Badger survey and licence letter
Site waste management plan

The Environment Agency has raised no objections to the submitted drainage strategy layout and has suggested a revised form of wording for the previously recommended surface-water drainage condition.

Both the Environment Agency and Contaminated Land Officer consider the findings of the remediation strategy to be acceptable, and the latter has recommended a revised wording for the previously recommended contaminated land condition.

The Ecology Officer considers the badger and invertebrate surveys to be acceptable. Previously requested conditions requiring badger and invertebrate surveys can be replaced with a condition requiring the mitigation measures in the reports to be implemented in accordance with (but not restricted to) the findings of the reports. This is in addition to the requirement for an ecological enhancement plan.

The Environmental Health Officer has raised no objections to the Site Waste Management Plan for the enabling works. A condition would still be required, however, to cover the construction phase.

Decision

Approval:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

792-P01C
792-P03H
792-P05B
792-P06B
792-P07B
792-P08B
792-D10B
792-P11C
792-P12A
792-P13A
792-P14A
792-P15A
792-P16A
792-P017A
792-P18C
792-P20C

Drainage layout drawing 665858-SK-SBU-105 Rev P1

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. 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. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
4. 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 with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
5. Prior to commencement of development, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall otherwise be carried out in accordance with the recommendations in the AGB Environmental arboricultural report dated October 2013.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
6. 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 in accordance with the approved details before the bringing into use of the development and shall be retained in accordance with these details thereafter.

(Reason - To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

7. No development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings 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 the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
8. The use, hereby permitted, shall not commence until parking has been laid out within the site in accordance with the details within drawing number 792-P03H.
(Reason - In the interests of highway safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
9. The use, hereby permitted, shall not commence until a phased scheme for the provision of covered and secure cycle parking has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
(Reason - To ensure the provision of covered and secure cycle parking in accordance with Policy TR/2 of the adopted Local Development Framework 2007.)
10. The use, hereby permitted shall not commence until a minimum 2.5 metre wide footway has been provided along the entire length of the left hand side of the access to the site in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.
(Reason - In the interests of highway and pedestrian safety in accordance with Policy DP/3 of the adopted Local Development Framework 2007.)
11. No buildings shall be occupied until an updated Travel Plan and Event Management Plan have been submitted to and approved in writing by the Local Planning Authority. 9 months following first occupation, a further updated Travel Plan and Event Management Plan, to include the Baseline survey results, shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall thereafter be updated and monitored at least annually. The plans shall be implemented in accordance with the approved details and any subsequent revisions.
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)
12. The development shall not be brought into use until the on-road cycle lane on Babraham Road has been constructed in accordance with details approved in writing by the Local Planning Authority.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

13. Before the use commences, additional traffic surveys shall be carried out within a neutral month during school/university term-time (to be agreed beforehand with the Local Planning Authority) at the junctions of the A1307/Babraham High Street and the A505/Pampisford Wych. Repeat surveys shall be undertaken in the same locations and at the same time of year following the opening of the stadium. The results of the repeat surveys shall be submitted for the consideration and approval of the Local Planning Authority and shall be used to improve and tailor the Travel Plan and Event Management Plan (if required) both of which will be monitored on an annual basis.
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)
14. No development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) Contractors' access arrangements for vehicles, plant and personnel;
 - ii) Contractors' site storage area(s) and compounds(s);
 - iii) Parking for contractors' vehicles and contractors' personnel vehicles;
 - iv) Routing of construction vehicles.Development shall not be carried out other than in accordance with the approved details.
(Reason - In the interests of residential amenity in accordance with Policies DP/3 and DP/6 of the adopted Local Development Framework 2007.)
15. The stadium and car park hereby permitted shall not be used other than between the hours of 7am-11pm Monday-Saturday and 9am-10pm on Sundays and bank holidays.
(Reason - To protect residents from noise disturbance in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
16. Car boot sales on Sundays shall only take place between the hours of 10am-2pm, with no set-up prior to 9am.
(Reason - To protect residents from noise disturbance in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
17. During the period of construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
18. Details of the location and type of any power driven plant or equipment, including the tannoy system, shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.

(Reason - To demonstrate compliance with the proposed target noise criteria listed in table 8 of the MLM noise impact assessment report, in order to protect the occupiers of nearby dwellings from the effect of noise in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

19. Before the use, hereby permitted, commences details of acoustic mitigation of the building shall be submitted to and approved in writing by the Local Planning Authority and the scheme implemented in accordance with the approved details.

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

20. No external lighting, including floodlighting, shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)

21. Any floodlighting shall be time-controlled and switched off 30 minutes after the end of each match, and by 22.30 hours at the latest.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

22. No development shall take place until a scheme of ecological enhancement (to include a landscape ecology map based on the principles in the Preliminary Ecology Management Plan dated May 2014) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. This shall include: exploration of enhancements within the protected woodland area; inspection of ponds in Deal Grove; exploring the opportunity to provide increased access to the woodland to the west; clarification of the layout of community pitches relative to the thicket; clarification of where spoil will be located; and exploration of the possibility of creating wildflower mounds and embankments. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

23. No development shall begin until a scheme for the provision of bat and bird nest boxes has been submitted to and approved in writing by the Local Planning Authority; the development shall not be brought into use until the nest boxes have been provided in accordance with the approved scheme.
(Reason - To achieve biodiversity enhancement on the site in accordance with adopted Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)

24. No development shall take place other than in accordance with (but not restricted to) the mitigation measures set out within the 'Badger Survey and

Scheme of Mitigation' and Invertebrate Survey' reports by Aurum Ecology dated November 2014.

(Reason - To minimise disturbance, harm or potential impact upon protected species in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007 and their protection under the Wildlife and Countryside Act 1981.)

25. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policy NE/10 of the adopted Local Development Framework 2007.)
26. Prior to the commencement of development, a scheme for surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approved details.
(Reason – To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses, in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)
27. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- Surface water storage on site and a discharge rate restricted to 2 l/s/ha as shown on the submitted drawing no. 665858-SK-SBU-105 Rev P1 entitled 'Proposed Drainage Strategy Layout'.
 - Details of how the scheme will be managed and maintained after completion.
- (Reason - To prevent the increased risk of flooding on site and elsewhere by ensuring a satisfactory method of surface water disposal in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)
28. Prior to the commencement of any development, a scheme to treat and remove suspended solids from surface-water run-off during construction works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
(Reason – The proximity of watercourses around the site and, indeed the proposal to realign some of the watercourses, given that they are tributaries just approximately 500m upstream of a Water Framework Directive waterbody, the River Granta, in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

29. No development approved by this permission shall be commenced until:
- a) The works specified in the remediation method statement have been completed, and a verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.
 - b) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority.
- (Reason (a) - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DP/1 of the adopted Local Development Framework 2007).
30. No development shall take place until a scheme for the provision and location of fire hydrants to serve the development to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been implemented.
- (Reason - To ensure an adequate water supply is available for emergency use.)
31. No development shall take place until a Site Waste Management Plan for the construction phase has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented in full.
- (Reason - To ensure that waste arising from the development is minimised and that which produced is handled in such a way that maximises opportunities for re-use or recycling in accordance with Policy DP/6 of the adopted Local Framework 2007.)
32. No development shall take place until a scheme for the provision and implementation of renewable energy technologies, to provide at least 10% of the predicted energy requirements through renewable energy technology, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- (Reason – To ensure that the scheme generates at least 10% of its energy from renewable sources in accordance with Policy NE/3 of the Local Development Framework 2007.)
33. No development shall take place until a water conservation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- (Reason – To ensure that the development incorporates all practicable water conservation measures, in accordance with Policy NE/12 of the adopted Local Development Framework 2007.)

Informatives

1. This permission is subject to a Section 106 Legal Agreement dated 9 April 2015.

2. The Environmental Health Officer has advised as follows in respect of air pollution and noise from demolition or construction sites:

Smoke

Bonfires should not be used on any construction or demolition sites. Burning materials causes smoke that will contain carbon monoxide, particles and a range of noxious compounds. A bonfire will add to the background level of air pollution, which can cause adverse health effects to persons on site and beyond the site boundary. The smoke, smell and smuts from bonfires can also cause annoyance to neighbours and bonfires may get out of control and become dangerous.

The Clean Air Act 1993 makes it an offence to burn any material that results in the emission of dark smoke on industrial or trade premises (including demolition sites), with a maximum fine of £20,000.

The Environmental Protection Act 1990 gives Local Authorities and the Environment Agency the power to control smoke arising from burning waste on site. In cases where complaints have been received, or the Council has reason to believe that burning is to take place and nuisance is likely to occur, an Abatement Notice may be served prohibiting nuisance and specifying steps to be taken to minimise further problems. If the requirements of the notice are not satisfied the local authority can enforce by taking legal proceedings.

Dust

Dust from demolition and construction work can also damage health and impact upon quality of life by leaving deposits on cars, windows and property. These impacts can be reduced through using measures such as:

Using water sprays or sprinklers to suppress dust during dust generating activities such as filling skips, breakout of concrete and managing stock piles
Washing the wheels of vehicles leaving the site if they are carrying mud or debris.

Erecting solid barriers to the site boundary.

Ensuring that lorries leaving the site carrying debris or waste are properly covered.

Cleaning the road and footpath near the site entrance as required.

Where disk cutters are to be used they should have a dust bag, have water suppression or the working area should be wet prior to use of the machinery. Where demolition or construction is due to occur over greater than one week the contractor should provide the local authority with a dust management protocol. This should detail the identification of dust generating activities, their location, duration and the means by which the dust shall be suppressed. Under the Environmental Protection Act 1990 dust from a demolition or construction sites may, like smoke, be a statutory nuisance. As above the local authority may serve abatement notice on the person responsible and take legal proceedings if the notice is not complied with.

Detailed guidance on dust issues relating to construction sites can be found in the Building Research Establishment documents 'Control of dust from construction and demolition activities' and 'Improving air quality in urban environments: Guidance for the construction industry'.

In addition, the GLA Best Practice Guide for dust, is seen as one of the most comprehensive dust management protocol. Contractors should be aware of its details regarding the efficient management of dust and particulate on site.

Noise

The redevelopment of a site involving demolition and construction activities will inevitably cause some noise that affects neighbouring residential or commercial properties. You can reduce or avoid annoyance for neighbours by informing the neighbours before demolition or construction work starts telling them about the work and what to expect. Give the neighbours a contact name and telephone number and keep them informed. If a neighbour does make a complaint try to resolve the matter straight away.

Complaints are often made in relation to noise at unsociable hours of the day. We recommend working hours of 8 AM – 6 PM Monday to Friday and 8 AM – 1 PM on Saturdays. No noisy works should be carried out on Sundays and Bank/Public Holidays.

The Control of Pollution Act 1974 gives the council the power to serve a Notice upon contractors or developers which sets out how works should be carried out in order to minimise noise arising from demolition or construction activities. This may involve restricting the hours of noisy operations audible beyond the site boundary, the provision of noise barriers and precluding the use of certain plant.

Developers and contractors have the option of applying to the Council for approval of their works prior to commencement.

Detailed guidance on noise issues relating to construction sites can be found in BS 5228 Noise control on construction and open sites. In particular, Part 1, 'Code of Practice for basic information and procedures for noise control' will be useful because as well as giving general advice, it describes a method for predicting noise from construction sites.

General

Developers should be aware that there are likely to be other Acts or legislation that are not covered in this document and that acts and regulations identified within the document may have been superseded.

Please note that if you are carrying out demolition works you may need to notify the council as required by the Building Act 1984. This enables the council to protect public safety and ensure that adjoining premises and the site are made good on completion of the demolition.

Signature of Delegation Officer



Lorraine Casey
Senior Planning Officer

Date

16.11.05