

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 29 August 2018

Ms Liz Fitzgerald,
Barker Parry Town Planning Ltd
33 Bancroft
Hitchin
SG5 1LA

The Council hereby grants permission for Demolition of Former Cement Works

At: Barrington Cement Plant, Haslingfield Road, Barrington, Cambridge, Cambridgeshire,
CB22 7RQ
For: Mr Chris Gatland, Redrow Homes Ltd

In accordance with your application dated 09 April 2018 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

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 and documents: DML.01 Rev P1, C7048-CE1A, Barrington Development Site Location Plan, Demolition Phase and Health and Safety Plan, Amended Traffic Management Plan dated 25 June 2018, Surface Water Management Plan dated 2 July 2018, Dust Boss DB-60 Specs, Dustbuster DF 7500 MPT, Archaeological Scoping Report; Historic Buildings Interim Assessment April 2018, Ground Investigation Report March 2018; Update Nature Conservation Management Plan August 2018 and Phase 2 Ecological Surveys August 2018.**
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
3. **The demolition works hereby approved shall be in accordance with the details approved for the recording of the industrial heritage of the site and implementation of a programme of archaeological works pursuant to the details approved under planning permission reference S/2543/18/DC.**
(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)
4. **No non-intrusive demolition works approved by this planning permission shall commence until a remediation strategy that included the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the local planning authority:**
 - (i) A preliminary risk assessment including a conceptual site model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 - (ii) The results of a site investigation based on (i) above and a detailed risk assessment, including a revised CSM.

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(iii) Based on the risk assessment in (ii) above, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary

(Reason - To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with paragraph 109, 120 and 121 of the National Planning Policy Framework and the adopted Local Development Framework 2007).

5. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the following.

A) Risk assessment of potentially damaging construction activities.

B) Identification of “biodiversity protection zones”.

C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) for all identified species.

D) The location and timings of sensitive works to avoid harm to biodiversity features.

E) The times during which construction when specialist ecologists need to be present on site to oversee works.

F) Responsible persons and lines of communication.

G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

H) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by 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.)

6. No site working including the use of power operated machinery shall take place before 8 am on weekdays and 8 am on Saturdays nor after 6 pm on weekdays and 1 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing by the Local Planning Authority in accordance with any agreed noise restrictions.

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

Informatives

1. The site sits within the Impact Risk Zone of a nearby statutory site, and meets the criteria which require consultation with Natural England. Natural England should be consulted so that the necessary licence can be obtained.
2. If, during the demolition works, contamination not previously identified is found to be present at the site, such as putrescible waste, visual or physical evidence of contamination of fuels/oils, backfill or asbestos containing materials, beyond the anticipated findings from previous investigations then details shall be recorded and incorporated into the next Phase of site investigation.

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General

1. Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website www.scambs.gov.uk. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 [now superseded by Article 30 of the Town and Country Planning (Development Management Procedure)(England) Order 2010], a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission (or reserved matter consent).

The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of a dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website www.scambs.gov.uk (application forms - 1app forms-application for the approval of details - pack 25.)

- 3. It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.**
- 4. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them. The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.**
- 5. In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to**

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Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.scambs.gov.uk/snn. Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email address.management@scambs.gov.uk. Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.

6. The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 if works are proposed to a party wall.
7. If you wish to amend the permitted scheme, and you consider the revisions raise no material issues, you should make an application for a Non Material Amendment. If agreed, the development can go ahead in accordance with this amendment although the revised details will not replace the original plans and any conditions attached to the originally approved development will still apply. If, however, you or the Council consider the revisions raise material issues you may be able to make an application for a Minor Material Amendment. If approved, this will result in a new planning permission and new conditions as necessary may be applied. Details for both procedures are available on the Council's website or on request.
8. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from Building Control Services at South Cambridgeshire District Council. Their contact details are: tel. 03450 450 500 or building.control@scambs.gov.uk or via the website www.scambs.gov.uk.
9. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: www.surveymonkey.com/s/2S522FZ

SS Kelly

Stephen Kelly

Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

THIS PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

SEE NOTES OVERLEAF

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NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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IMPORTANT INFORMATION REGARDING CONDITIONS

If you have been granted Planning Permission and/or Listed Building Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of Planning Permissions and Listed Building Consents have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

HOW DO I DISCHARGE THE CONDITIONS

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it is important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link: <https://www.scambs.gov.uk/content/apply-planning-permission>. This form can be emailed directly to planning@scambs.gov.uk or submitted by post to South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirement of the condition have been met you will receive a formal notification that the conditions have been discharged.

FEES

£0 – for all Listed Building Consent 'Discharge of Conditions' applications;

£34 – for all householder 'Discharge of Conditions' applications;

£116 – for all other types 'Discharge of Conditions' applications.

Please contact your Case Officer with any queries.