

Our Ref: 22/05204/FUL  
Your Ref: C3R - Meldreth

25 May 2023



Mr Gardiner Hanson  
Avison Young  
65 Gresham Street  
London  
EC2V 7NQ

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

[www.scambs.gov.uk](http://www.scambs.gov.uk) | [www.cambridge.gov.uk](http://www.cambridge.gov.uk)

Dear Mr Hanson

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

### **Application for Planning Permission**

Proposal: Change of use to Operational Railway Land, plus installation of new level crossing barriers, Smart IO Housing, operational signal equipment, road traffic lighting signals, new access and associated lighting, landscaping and fencing.

Site address: Meldreth Road Level Crossing Meldreth Road Shepreth Cambridgeshire

Your client: - Network Rail Infrastructure Limited

Further in the above matter, please find enclosed our formal decision notice relating to your client's application for planning permission. Please be sure to remind your client that the scheme should be carried out in line with the approved plans. This will avoid the need for any enforcement action.

### **Making changes to the approved plans**

In the event that you wish to change your proposal, please contact your case officer who will advise you on whether the change can be dealt with as a "non-material" or "material" amendment. In either case you will have to complete a form and provide fresh drawings.

### **Important information regarding conditions**

If you have been granted Planning Permission / Listed Building Consent / Advertisement 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 decisions 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.greatercambridgeplanning.org>

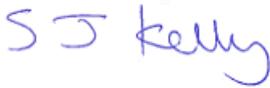
Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

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 requirements of the condition have been met you will receive a formal notification that the conditions have been discharged.

## **Appeals against conditions**

You should also be aware that the applicant has the right to appeal against any conditions attached to this Notice, please see <https://www.gov.uk/appeal-planning-decision> for details. If you are concerned about any condition you should contact the case officer in the first instance for advice.

Yours sincerely



SJ Kelly  
Joint Director For Planning & Economic Development For  
Cambridge & South Cambridgeshire



**Notice of Planning Permission**  
Subject to conditions

Reference 22/05204/FUL  
Date of Decision 25 May 2023

mr Gardiner Hanson  
Avison Young  
65 Gresham Street  
London  
EC2V 7NQ

The Council hereby GRANTS Planning Permission for:

Change of use to Operational Railway Land, plus installation of new level crossing barriers, Smart IO Housing, operational signal equipment, road traffic lighting signals, new access and associated lighting, landscaping and fencing.

at

Meldreth Road Level Crossing Meldreth Road Shepreth Cambridgeshire

In accordance with your application received on 1 December 2022 and the plans, drawings and documents which form part of the application.

### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 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 demolition or construction works (Including any temporary or enabling works) shall commence on site until a Traffic Management Plan (TMP) has been agreed with the Local Planning Authority in consultation with the Local Highway Authority. The Local Highway Authority requests that the TMP be a standalone document separate from any Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. The principle areas of concern that should be addressed are:

i. Movements, control, and timings of muck away lorries (all loading and unloading shall be undertaken off the adopted public highway).

ii. Contractor parking, for both demolition and construction phases all such parking shall be within the curtilage of the site and not on the street. If the site has limited potential to provide on-site car parking the applicant must provide details of how any off-site parking will be controlled, e.g., a managed list of contractor/employee vehicles parking on-street and their drivers telephone contact details.

iii. Movements, control, and timings of all deliveries (all loading and unloading shall be undertaken off the adopted public highway).

iv. Control of dust, mud, and debris in relationship to the functioning of the adopted public highway, including repairs to highway damage caused by site vehicles. Please include wording that the adopted public highway within the vicinity of the site will also be swept within an agreed time frame as and when reasonably requested by any officer of the Local Highway Authority and that any highway damage (including verges) will be repaired in a timely manner at no expense to the Local Highway Authority.

v. The Traffic Management Plan must relate solely to how the operation of the site will affect the adopted public highway, other information for example noise levels is not a highway matter and should not be included within the plan.

The approved Traffic Management Plan shall be adhered to throughout any demolition and construction periods for the proposed development.

Reason: in the interests of highway safety.

- 4 Prior to construction of the car park, the vehicular crossing of the ditch/watercourse along the frontage of the proposed site as detailed in Dwg. No. 157001-NRD-DRG-ESG-000124, Ver A05 (Meldreth Rd LC Planning Application Drawing - Proposed Parking) shall be constructed in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority & Lead Local Flood Authority. Further information regarding the crossing of the ditch/watercourse is available to the applicant on the following website: <https://www.cambridgeshire.gov.uk/business/planning-and-development/flood-and-water/watercourse-management>

Reason: To ensure construction of a satisfactory access.

- 5 The development hereby permitted shall only be carried out in full accordance with the ecological mitigation measures within the approved Ecological Impact Assessment (Biocensus, November 2022).

Reason: To mitigate the impact of the development on existing ecology in accordance with Policy NH/4 of the South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework 2021.

- 6 The development hereby permitted shall only be carried out in full accordance with the ecological enhancement measures within the approved Ecological Enhancement and Landscape Screening Plan Rev 03 report, the biodiversity net gain within the approved Biodiversity Metric 4.0 (received 31 March 2023) and the landscape enhancements within the approved Landscape Planting Plan (1000 Rev 01) which shall be implemented in full.

Thereafter the development shall be managed in accordance with the approved details and biodiversity net gain monitoring data as appropriate shall be submitted to the local planning authority in accordance with DEFRA guidance and the approved monitoring period / intervals.

Reason: In the interests of ecological enhancement, landscape and visual amenity in accordance with policies S/4, HQ/1, NH/2 and NH/8 of the South Cambridgeshire Local

Plan 2018; the Greater Cambridge Shared Planning Biodiversity SPD 2022; and the National Planning Policy Framework 2021 paragraph 174.

- 7 Prior to planting a landscape maintenance and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be provided.

The development shall be carried out and maintained thereafter in accordance with the approved details.

Reason: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 8 All hard and soft landscape works shall be carried out and maintained in accordance with the approved details. The works shall be carried out within 6 months of commencement of 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 as soon as is reasonably practicable, 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 HQ/1 and NH/4 of the South Cambridgeshire Local Plan 2018.

- 9 In accordance with the duration of works and working hours set out in the approved Construction Management Plan (157001-ALS-PLN-EEN-000008 version P02), no construction or demolition work shall be carried out and no plant or power operated machinery operated on 'day shifts' 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.

No construction or demolition work shall be carried out and no plant or power operated machinery operated on 'night shifts' unless prior notification of the date, time, duration and nature of the works have been given in writing to residents in the proximity of the work in accordance with the Stakeholder Engagement Plan and to South Cambridgeshire District Council's Environmental Health team at least 5 working days in advance of the works.

Reason: To protect the amenity of the nearby residential properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018.

- 10 With the exception of any prior agreed 'night shift,' any demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09.30hrs - 16.00hrs, Monday to Friday.

Reason: for the safe and effective operation of the highway.

- 11 No external lighting shall be provided or installed until an artificial lighting impact assessment and mitigation scheme if required has been submitted to and approved in writing by the local planning authority. The assessment shall include the following:

- a) the method of lighting (including luminaire type / profiles, mounting location / height, aiming angles / orientation, angle of glare, operational controls, horizontal / vertical isolux contour light levels and calculated glare levels to receptors)
- b) the extent/levels of illumination over the site and on adjacent land and predicted lighting levels at the nearest light sensitive receptors.

All artificial lighting must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notices for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

Where required, the mitigation scheme shall be carried out as approved and retained as such.

Reason: To minimise the effects of light pollution on the surrounding area and to protect biodiversity interests in accordance with Policies SC/9 and NH/4 of the South Cambridgeshire Local Plan 2018.

## Informatives

- 1 The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway. A separate permission must be sought from the Highway Authority for such works.

## Plans and drawings

This decision notice relates to the following drawings:

<b>Reference/Document/Drawing Title</b>	<b>Date Received</b>
7951370-7 Site Location Plan (Revision G)	01.12.2022
157001-NRD-DRG-ESG-000124 Updated Parking Plan (Revision A05)	31.03.2023
157001-NRD-DRG-ESG-000023 Ground Plan (Revision A01)	31.03.2023
157001-NRD-DRG-ESG-000007 Proposed general Arrangement Plan (Revision A06)	31.03.2023
1001 Planting Plan (Revision 01)	31.03.2023

It is important the development is carried out fully in accordance with these plans. If you are an agent, please ensure that your client has a copy of them and that they are also passed to the contractor carrying out the development. A copy of the approved plan(s) is/are kept on the planning application file.

## Authorisation

Authorised by:



SJ Kelly  
Joint Director For Planning & Economic Development For  
Cambridge & South Cambridgeshire

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridge  
CB23 6EA

Date the decision was made: 25 May 2023

## **Working with the applicant**

The LPA positively encourages pre-application discussions. Details of this advice service can be found at <https://www.greatercambridgeplanning.org>. 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 paragraph 38 of the National Planning Policy Framework.

## **General Notes**

This decision notice 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.

Your attention is specifically drawn to the requirements of the Equality Act 2010 and the Equality Act (Disability) regulations 2010, the British Standards Institution BS8300:2009 “Design of Buildings and their approaches to meet the needs of disabled people – Code of Practice” and to Approved Document ‘M’ “Access to and use of buildings”, volumes 1 and 2 of the Building Regulations 2010 and to Approved Document ‘B’ “Fire Safety”, volumes 1 and 2 of the Building Regulations 2010, in request of guidance on means of escape for disabled people. The development should comply with these requirements as applicable

It is an offence under Section 171 of the Highways Act 1980 to temporarily deposit building materials, rubbish or other things on the public highway or make a temporary excavation on it without the written consent of the Highway Authority. The Highway Authority may give its consent subject to such conditions as it thinks fit.

The applicant is reminded that under the Wildlife and Countryside Act 1981(Section 1) (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.

## **Building Regulations**

Your planning application may also require Building Regulations consent. Please follow the link below for more information and to make your application or call us on 0300 7729622 to discuss your project.

[www.3csharedservices.org/building-control/what-are-building-regulations/](http://www.3csharedservices.org/building-control/what-are-building-regulations/)

## **Appeals to the Secretary of State**

The applicant has a right to appeal to the Secretary of State against any conditions of this planning permission, under Section 78 of the Town & Country Planning Act 1990. The appeal must be made on a form which may be obtained from:

The Planning Inspectorate,  
Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN  
Telephone 0303 444 5000 or visit  
<https://www.gov.uk/appeal-planning-decision>

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: **28 days** of the date of service of the enforcement notice, **OR** within **6 months** (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

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 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 they 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 their decision on a direction given by him.

### **Purchase Notices**

If the Local Planning Authority or the Secretary of State grants permission subject to conditions the owner may claim that he/she can neither put the land to a reasonably 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 Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Before starting work**

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.

### **Street Naming and Numbering**

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 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](http://www.scambs.gov.uk/snn). Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email [address.management@scambs.gov.uk](mailto: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.

### **Third Party Rights to challenge a planning decision**

Currently there are no third party rights of appeal through the planning system against a decision of a Local Planning Authority. Therefore, if you have concerns about a planning application and permission is granted, you cannot appeal that decision.

Any challenge under current legislation would have to be made outside the planning system through a process called Judicial Review.

A 'claim for judicial review' includes a claim to review the lawfulness of a decision, action or failure to act in relation to the exercise of a public function, in this case, a planning decision. The court's permission to proceed is required in a claim for Judicial Review. A claim for Judicial Review is dealt with by the Administrative Court and if leave to judicially review a planning decision is

granted, the Judicial Review will be decided by a judge at the High Court.

An application to Judicial Review a decision must be made within **6 weeks** of the decision about which you have a grievance being made. For further information on judicial review and the contact details for the Administrative Courts, please go to <http://www.justice.gov.uk/>