

Application Number	09/0530/FUL	Agenda Item	10.3
Date Received	12th June 2009	Officer	Miss Sophie Pain
Target Date	7th August 2009		
Ward	Trumpington		
Site	1A Norwich Street Cambridge Cambridgeshire CB2 1ND		
Proposal	Change of use from offices (B1a) to a D2 wellness studio.		
Applicant	Miss Julija Shabanova 11 Bagot Place Cambridge CBU 2UL		

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 1A Norwich Street is located at the eastern end of the street, west of 3 Crowns House, and close to the junction with Hills Road. It is a two-storey building, erected in the late 1980's with an unusual partially glazed façade. It is of a modern design, which is not really in accord with the general terraced character of the Norwich Street, but relates more closely to the commercial buildings on the west side of Hills Road.
- 1.2 Norwich Street is predominately residential, with houses typically of two storey height, in a continuous terraced row with the fronts of the houses hard on the back of the pavement.
- 1.3 The site does not fall within a Conservation Area, but it does sit adjacent to the Central Conservation Area boundary. It is also within a Controlled Parking Zone.

2.0 THE PROPOSAL

- 2.1 The applicant seeks planning permission for the change of use of the property from Class B1(a) (office) use to Class D2 use, a Wellness Centre.
- 2.2 The Wellness Centre will contain some innovative new equipment for massage. It is proposed that the studio will hold 4 'Roll Shapers' and that each session on these machines will

last an average of one and a half hours. The Shapers are used to aid weight loss, improve blood circulation and decrease the stress on joints and consists of a number of rollers which rotate on a drum (see picture attached).

2.3 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Proposed floorplans

3.0 SITE HISTORY

Reference	Description	Outcome
09/0241/FUL	Change of use from offices (B1(a)) to a D2 wellness and leisure centre.	Withdrawn

4.0 PUBLICITY

4.1 Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

5.0 POLICY

5.1 Central Government Advice

5.2 PPS1 Delivering Sustainable Development (2005): Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

5.3 PPG13 Transport (2001): This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and

services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

5.4 PPG15 Planning and the Historic Environment (1994): This guidance provides advice on the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

5.5 Circular 11/95 – The Use of Conditions in Planning Permissions: Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

5.6 East of England Plan 2008

SS1 Achieving sustainable development

T4 Urban transport

T9 Walking, cycling and other non-motorised transport

T14 Parking

ENV6 The historic environment

ENV7 Quality in the built environment

5.7 Cambridge Local Plan 2006

3/1 Sustainable development

3/4 Responding to context

3/7 Creating successful places

4/11 Conservation Areas

4/13 Pollution and amenity

8/2 Transport impact

8/6 Cycle parking

8/10 Off-street car parking

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No Objection: following the implementation of any permission issued by the Planning Authority in regard to this proposal neither the existing residents of the site, nor future

residents/occupiers, will qualify for any form of Residents' Permits, including business permits (other than visitor permits) within the existing Residents' Parking Scheme operating on surrounding streets.

Head of Environmental Services

- 6.2 No objection: the noise level for the machines is so low as to be negligible and it is thought unreasonable to restrict the hours of opening in order to protect the amenity of the neighbouring residential properties from noise of the machines. However, there is concern about potential noise from music and background noise from comings and goings. It is suggested that it should not be audible beyond the premises boundary.

Cambridge City Council Access Officer

- 6.3 The disabled toilet doors needs to open outwards or preferably slide.
- 6.4 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:

1 Norwich Street

- 7.2 The representations can be summarised as follows:

That the opening hours will impact upon residential amenity as the opening hours include Saturday, Sunday and bank holidays.

The proposed change of use will result in many visits to the property day and night which will increase traffic and noise.

The change of use does not respond to the context of the area as Norwich Street is a residential street within a Conservation Area.

Would ask that the opening hours are specified as a planning condition as well as the specific use of the property,

- 7.3 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. Context of site, design and external spaces
2. Residential amenity
3. Impact upon the Character of the Conservation Area
4. Refuse arrangements
5. Car and cycle parking
6. Third party representations
7. Planning Obligation Strategy

Context of site, design and external spaces

- 8.2 The site sits on land to the rear of Three Crowns House which fronts Hills Road. The site represents the only commercial property on this residential street, however as it is in close proximity to Hills Road, I believe that it also relates to the context of that road too.
- 8.3 At ground floor level there is an integrated garage and disabled toilet, with stairs to first floor level. The fitness equipment will be provided at first floor level, which is currently an open plan office area and will lend itself to such a use as proposed. The rear elevation is visible to those properties at the southern end of Bateman Street. However, there are no windows on the rear elevation and other than the large window which faces onto Norwich Street, all other windows are velux windows which are located at least 1.7 metres from the floor level.
- 8.4 There are no proposed changes to the external design and layout of the site.

- 8.5 In my opinion the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Residential Amenity

Impact on amenity of neighbouring occupiers.

- 8.6 The site is located on the perimeter of a residential street and the property which sits to the west of 1A Norwich Street is attached to the proposed premises by an entrance porch which links the two properties.
- 8.7 As there are a large number of residential properties in close proximity to the site the operating hours of the proposed use should be given careful consideration. The proposed opening hours of the centre are as follows: 10 am – 8 pm Monday to Friday, 9 am – 6 pm on Saturdays and closed on Sundays and Bank Holidays. These opening hours have been revised in response to the objections received to the previous application. The applicant has given consideration to the opening hours because of the physical relationship of the building to its neighbours. I am of the opinion that these hours should not result in a noise disturbance or untoward movement in the immediate area. Even were longer hours to be sought, I consider there to be some scope for flexibility without adverse implications for neighbours. I do nevertheless recommend that an appropriate condition is applied to any permission granted so that if extended hours of opening are to be considered in the future they can be assessed against the experience of hours applied now.
- 8.8 In conjunction with the proposed use it is likely that the centre will play music while clients use the machines. During periods of good weather both this property and adjacent properties may have their windows open. It is inevitable that some music noise will travel as it can from residential properties, but in order that residents are not unreasonably disturbed by such music being played, I recommend that a condition is included which ensures that music should not be audible beyond the premises boundary. With regard to the noise produced by the proposed machines themselves, the applicant has provided noise levels and in the opinion of the Environmental Health Officer the noise

emitted from those machines is negligible and will not have any impact outside the site.

- 8.9 The street is within the controlled parking zone, however this begins approximately outside no.5 Norwich Street. To the front of the proposed site there is a section of pay and display parking which when I have visited the site has been under used. At any one time, only four customers can use the fitness machines and this is for a limited period of 1 ½ hours. While I recognise that some customers will arrive by car, and that there will be some overlap between sessions, I do not believe that it will result in a significant impact upon the parking provision.
- 8.10 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 East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 3/4, 3/7 and 4/13.

Impact upon the Character of the Conservation Area

- 8.11 While the site does not lie within a Conservation Area it does sit adjacent to the boundary of the Central Conservation Area and as a result policy 4/11 of the Cambridge Local Plan (2006) does refer to developments that are not only within the Conservation Area but those which may affect the setting of impact on views into and out of the Conservation Area.
- 8.12 As the application is for a change of use application which does not propose any external changes to the building, I am of the opinion that this proposal will not result in a detrimental impact upon the character of the Conservation Area and is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policy 4/11.

Refuse Arrangements

- 8.13 No details have been provided for the storage of waste but I believe that there is adequate space within the integrated garage at ground floor level to accommodate the necessary storage. This can be achieved through an appropriate condition. I do not consider that the waste storage needs are likely to be greater than the previous office use.

8.14 In my opinion the proposal is compliant with East of England Plan (2008) policy WM6.

Car and Cycle Parking

8.15 There is an integrated garage at ground floor level which has the capacity to park two cars, one behind the other. This is not an ideal arrangement as customers will be arriving and leaving at different times. Additionally, the garage is only 2.5 metres in width which leaves little space for people to move alongside the parked vehicles. This is not practicable space and will instead be given over to cycle parking as explained below. Given the presence of pay and display parking outside the premises and the central location of the property, which is close to a number of bus and cycle routes as well as the train station, I do not consider it essential to have dedicated car parking for this sort of use. The parking standards of the Cambridge Local Plan (2006) are maximum standards, which allow some tolerance in this matter.

8.16 At present there are no cycle parking spaces at the site. The applicant has proposed 8 cycle spaces within the existing garage, which is in excess of the number sought from the cycle parking standards in the Cambridge Local Plan (2006). I believe that the garage would be used more effectively for secure cycle parking as it is arranged in an L shape arrangement and the use of the garage for car parking and cycle parking would be in conflict with one another.

8.17 In my opinion the proposal is compliant with East of England Plan (2008) policies T9 and T14, and Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

8.18 I believe that I have addressed the concerns of the objectors in the above report.

Planning Obligation Strategy

8.19 No planning obligation is required.

9.0 CONCLUSION

- 9.1 From my assessment of the proposal, I believe that the change of use is acceptable and that it will not result in a detrimental impact upon the residents of Norfolk Street and with the recommended conditions it will result in a well managed wellness centre.

10.0 RECOMMENDATION: APPROVE subject to the following 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 51 of the Planning and Compulsory Purchase Act 2004.

2. The premises to which this permission relates shall only be open to the public between 10:00 hours and 20:00 Monday to Friday and 09:00 hours to 18:00 hours Saturday, and closed on Sunday and Bank Holidays.

Reason: To protect the amenities of adjoining properties (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 Policies 3/4, 3/7 and 4/13)

3. Any music played on this premises in conjunction with the permission granted should not be played at a level which is audible beyond the premises boundary.

Reason: To protect the amenities of adjoining properties (East of England Plan 2008 policy ENV7 and Cambridge Local Plan 2006 Policies 3/4, 3/7 and 4/13)

4. Notwithstanding the Use Classes Order (1987) the use hereby approved shall be used only as a wellness centre which accommodates the use of 'Roll Shaper' machines and for no other purpose.

Reason: Because use of the building for any other purpose or by any other occupier would require the re-examination of its impact upon neighbouring properties. (Cambridge Local Plan 3/4 and 4/13.)

5. No development shall commence until details of facilities for the covered, secured parking of bicycles for use in connection with the development hereby permitted shall be submitted to and approved by the local planning authority in writing. The approved facilities shall be provided in accordance with the approved details before use of the development commences.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2006 policy 8/6)

INFORMATIVE: Following the implementation of this permission, the future occupants will not qualify for any form of Residents' Permits, including business permits (other than visitor permits) within the existing Residents' Parking Scheme operating in the surrounding streets.

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: SS1, T4, T9, T14, ENV6 and ENV7

Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 4/11, 4/13, 8/2, 8/6 and 8/10

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

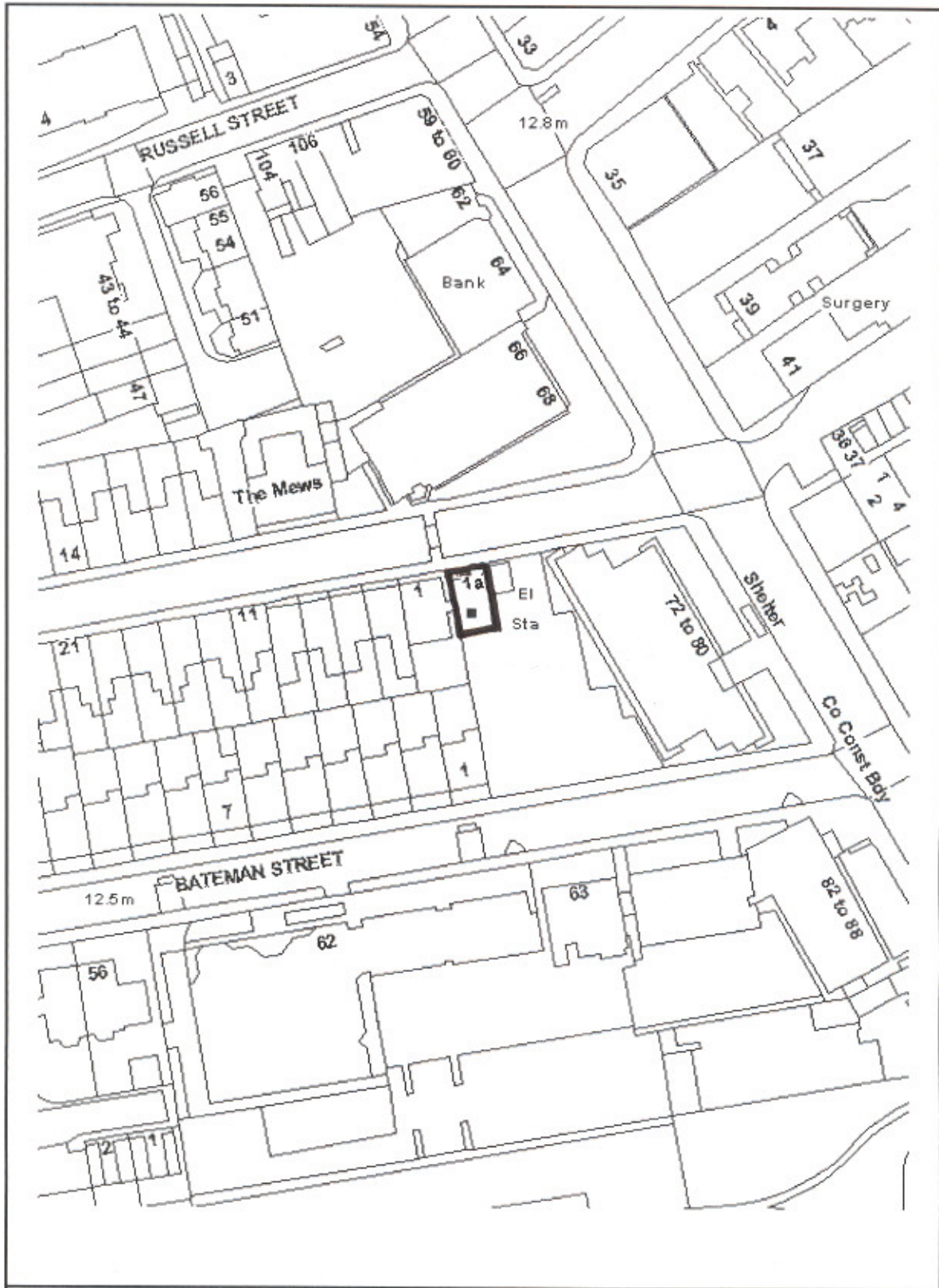
These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.



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10.3.1

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10.3.2



09 / 05 30 / FUL



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