

<b>Application Number</b>	13/0384/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	19th March 2013	<b>Officer</b>	Mr John Evans
<b>Target Date</b>	14th May 2013		
<b>Ward</b>	Newnham		
<b>Site</b>	Block D Owlstone Croft Owlstone Road Cambridge CB3 9JJ		
<b>Proposal</b>	Conversion of former training centre building to day care Nursery (D1), with 5 student rooms at first floor level (Block D), and minor external works.		
<b>Applicant</b>	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The provision of a nursery, which is a community facility, is supported by Local Plan policy 5/12.</li> <li>2. No significant impact on the amenities of surrounding residential properties.</li> <li>3. No adverse impact on highway safety.</li> </ol>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site relates to Queen's College Owlstone Croft residency campus, located on the eastern side of Owlstone Road.
- 1.2 The site falls within the Newnham Croft Conservation Area. The site is not within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

- 2.1 Permission is sought for the conversion of a former training centre building to a day nursery (use class D1) with five student rooms at first floor level (block D) and other minor external works.
- 2.2 The nursery will be relocating from its existing site on Silver Street. The existing nursery caters for 16 children. The proposed new facility will cater for 25 children. The proposed nursery will serve staff and students of Queen's College but will also be open to the wider community.
- 2.3 External works consist of the demolition of a small section of the end wing, the provision of a canopy and play equipment and the erection of three cycle shelters.
- 2.4 The application is accompanied by the following supporting information:
1. Design and Access Statement
  2. Planning Statement
  3. Ecological Assessment
  4. Contaminated Land Assessment

### **Additional Information**

- An additional technical note on the transport statement has been provided.

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
13/0385/FUL	Conversion of existing building (Block A) to create 6 student rooms and an archive store, and minor external works	Approved

## **4.0 PUBLICITY**

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

## 5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridgeshire and Peterborough Structure Plan 2003	P6/1 P9/8 P9/9
Cambridgeshire and Peterborough Minerals and Waste Plan (Development Plan Documents) July 2011	CS16
Cambridge Local Plan 2006	3/4 3/11 3/14 4/13 5/1 5/2 5/12 8/2 8/4 8/6 10/1

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 Circular 11/95 Community Infrastructure Levy Regulations 2010
Supplementary Planning	Planning Obligation Strategy

Documents	
Material Considerations	<p><u>Central Government:</u></p> <p>Letter from Secretary of State for Communities and Local Government (27 May 2010)</p> <p>Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p>Conservation Area Appraisal:</p> <p>Newnham Croft</p>

## 6.0 CONSULTATIONS

### Cambridgeshire County Council (Transport)

#### Original consultation response

- 6.1 The approach taken in the Transport Assessment is generally acceptable; however some details need clarification or amendment.
- 6.2 The application states that no car parking is provided for the student accommodation and that students will be subject to proctorial control; however, the residents are referred to as Post-graduate students who can sometimes keep motor vehicles. Please provide clarification on this point.
- 6.3 It is considered that the relatively low total number of movements on the network would be unlikely to result in any significant adverse impact upon the highway network.
- 6.4 Nurseries are considered essential public infrastructure and are exempt from Corridor Payments.

#### **Head of Environmental Services**

- 6.7 No objections subject to ground contamination related conditions.

## **Design and Conservation Team**

- 6.8 Subject to the proposed fencing being appropriate to the character of this part of the conservation area, the application works are supported and comply with policy 4/11 of the Cambridge Local Plan 20016.

## **Cambridge City Council Access Officer**

- 6.9 The nursery entrance should have asymmetrical doors. The student entrance should have both doors opening outwards and be less than 20N opening weight. The reception needs a hearing loop.
- 6.10 The wheelchair accessible room is not set out well. Bike parking spaces for trailers, tandems and other odd sized bikes is needed.

## **Ecology Officer**

- 6.11 I note in the Ecology Survey (March 2012), evidence of at least two species of bat have been identified in Block D and further survey work recommended. I see no sign of this additional survey work in the application and believe there is a strong likelihood of bats being affected by the proposed development.
- 6.12 Block A (app ref 13/0385/FUL) was given a low bat roost potential score in the same survey and no further survey work was recommended for this unit.
- 6.13 There currently appears to be no landscape plan for the schemes, I would be keen to input into any condition, due to the proximity to the Paradise LNR.
- 6.14 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:

52 Grantchester Meadows  
3 Owlstone Road  
38 Owlstone Road  
39 Owlstone Croft

7.2 The representations can be summarised as follows:

Traffic and Access concerns

- Concerns regarding the access route to the nursery.
- Impact on the already narrow and congested roads within Newnham Croft unacceptable.
- The site is accessed from Owlstone track, not Owlstone Road.
- Regular comings and goings are oblivious to speed restrictions.
- Damage to unadopted lane.
- Congestion issues have not been properly examined.
- Increase traffic will put pedestrians and cyclists at risk.
- Trucks delivering building supplies will impede the busy footpath along the river.
- Construction lorries cannot be accommodated around the tight bend into Owlstone Road.
- Owlstone Croft site should be zoned as a car free area with traffic regulations and speed restrictions put in place.
- Queens College should encourage bike journeys.
- Bigger speed humps should be introduced at either end of the unadopted lane.
- A 5mph speed limit should be imposed on the unadopted lane.
- Queen's College nursery staff need to reinforce the 5mph speed restriction.
- Transport statement is inaccurate.
- Queens College should ensure refuse vehicles collecting from the site observe the 5 mph speed limit.
- Queen's College should be responsible for the repair of the unadopted road.
- Added pressure on chronic car parking problem in Newnham Croft.
- An additional 20 -30 vehicles will be significant in Owlstone Road.

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. Principle of development
2. Context of site, design and external spaces
3. Residential amenity
4. Refuse arrangements
5. Highway safety
6. Car and cycle parking
7. Disabled access
8. Bats
9. Third party representations
10. Planning Obligation Strategy

### **Principle of Development**

8.2 The provision of a nursery, which is a community facility, is supported in principle by Local Plan Policy 5/12.

8.3 The development also provides five student rooms, the principle of which contributes to new housing in the City, is in accordance with Local Plan Policy 5/1.

### **Context of site, design and external spaces**

8.4 The minor alterations to the external appearance of the building will not be harmful to the character and appearance of the Conservation Area. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/14 and 4/11.

### **Residential Amenity**

#### Impact on amenity of neighbouring occupiers

8.5 The proposed nursery is situated approximately 30m from the rear of the terraced properties of Owlstone Croft. Its use during the daytime as a nursery is unlikely to create noise and disturbance above and beyond what can reasonably be expected in an urban area.

- 8.6 Four objections have been raised regarding the impact of the comings and goings to the nursery, particularly during drop off and pick up times at the beginning and end of the day. In particular, the use of the unadopted access road Owlstone Track.
- 8.7 The transport statement estimates the use of the building as a nursery will generate 32 trips in the morning peak. The existing nursery draws 82% of its children from CB2, CB3, CB22 and CB23 postcodes and the majority of trips are undertaken by walking and cycling. The proposed new facility which is well served by cycling and walking links is expected to not alter these sustainable travel modes. I do not consider the impact during peak times to create a significantly harmful impact on the residential terraced properties on Owlstone Road and Owlstone Track.
- 8.8 The nursery has two session times, 8:30 to 14:30 and 08:30 to 16:30, and is flexible with the timing of morning drop off. On this basis there is unlikely to be significant periods to heavy congestion given the limited size of the nursery. I recommend the imposition of a condition requesting a travel plan so that detailed issues regarding use of the unadopted track and drop off can be resolved with community consultation.
- 8.9 I note concerns regarding the impact of heavy trucks and delivery vehicles using the unadopted access track. The applicant has confirmed that the nursery will not be providing meals and all children are required to bring their own lunch for the day. The nursery will not therefore require servicing from commercial suppliers of food stuffs.
- 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 Cambridge Local Plan (2006) policies 3/4 and 4/13.

#### Amenity for future occupiers

- 8.11 The converted first floor of D block provides an appropriate standard of living for future occupiers, in accordance with Local Plan policy 5/2.



## **Refuse Arrangements**

- 8.12 The renovated building will provide an internal refuse store. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

## **Highway Safety**

- 8.13 The County Highways Authority has considered this scheme and does not object on highway safety grounds. The relatively low total number of movement on the network would be unlikely to result in any significant adverse impact on the highway network. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

## **Car and Cycle Parking**

- 8.14 The scheme will provide three car parking spaces and a drop off area for four cars. The adopted car parking standards suggests four spaces is appropriate, so the application provides an acceptable provision. No parking is provided for the small number of student rooms which is acceptable given the location of the site and that the students are not permitted to own a car.
- 8.15 The development provides three new stores providing cycle parking for 64 bicycles, this is adequate provision for both the new nursery and the recently refurbished block B.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

## **Disabled access**

- 8.17 Comments from the Council's Access Officer have been brought to the attention of the applicant. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

## **Bats**

- 8.18 Evidence of two species of bat has been identified in block D. The results of the additional survey work can be ensured through the imposition of planning condition 6.

## Third Party Representations

8.19 The issues raised in the representations received have been covered in the above report and are summarized below:

<b>Issue</b>	<b>Report Section</b>
Concerns regarding the access route to the nursery.	The Council cannot prevent use of this road to access the campus. This notwithstanding, the imposition of a suitable condition can ensure a travel plan is submitted for approval to promote sustainable modes of travel to the nursery. See paragraph 8.8.
Damage to unadopted lane.	The College has investigated the status of the approach roads including the link between the Owlstone Croft site and Grantchester Street. There are no restrictions on the use of this unadopted road. The City Council is responsible for its maintenance.
A 5mph speed limit should be imposed on the unadopted lane.	This cannot be implemented under the remit of this planning application.
An additional 20 -30 vehicles will be significant in Owlstone Road.	Paragraph 8.12.
Added pressure on chronic car parking problem in Newnham Croft.	Paragraph 8.7.
Construction lorries cannot be accommodated around the tight bend into Owlstone Road.	A construction traffic management plan can be agreed by condition.
Queens College should encourage bike journeys.	I agree. A travel plan can be submitted through the imposition of a suitable condition.

## **Planning Obligation Strategy**

- 8.20 The applicant has demonstrated adequate outdoor and indoor sports facilities are available for students by the College. The accommodation could not be independently let or sold, so a formal link with a S106 Agreement is not necessary. A contribution is not therefore required.
- 8.21 The proposed new student rooms are located on the existing campus where there is adequate informal open space. A contribution towards informal open space is not therefore required.
- 8.22 The Highways Authority has confirmed that nurseries are considered essential public infrastructure. A contribution toward the Western Corridor Area Transport Plan is not therefore required.

## **9.0 CONCLUSION**

- 9.1 The proposed nursery will provide a community facility which is supported by Local Plan policy 5/12. There will not be significant adverse harm resulting from drop off and pick up arrangements on surrounding residential properties. APPROVAL is recommended.

## **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. Prior to the commencement of development a travel plan shall be submitted to and agreed by the Local Planning Authority and shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of promoting sustainable modes of travel and maintaining the amenities of neighbours, Cambridge Local Plan 2006 policy 3/4 and 8/4.

3. Except with the prior written agreement of the local planning authority no construction work or demolition shall be carried out or plant operated other than between the following hours: 0800 hours to 1800 hours Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

4. Except with the prior agreement of the local planning authority in writing, there should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0700 hrs and 1900 hrs on Monday ' Saturday and there should be no collections or deliveries on Sundays or Bank and public holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

5. No development approved by this permission shall be COMMENCED prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.
  - (a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
  - (b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be OCCUPIED prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site.

Reason: To protect the amenity of the adjoining properties.  
(Cambridge Local Plan 2006 policy 4/13)

6. Prior to commencement of the development full details of the bat study and surveys undertaken shall be submitted to and approved by the Local Planning Authority in writing. Any mitigation measures recommended by the study shall be implemented in accordance with the agreed details.

Reason: In the interests of making adequate provision for the protection of bats, Cambridge Local Plan policy 4/7.