

Application Number	14/1500/FUL	Agenda Item	
Date Received	21st October 2014	Officer	Miss Sophie Pain
Target Date	16th December 2014		
Ward	East Chesterton		
Site	20 - 21 Orwell House Orwell Furlong Cambridge Cambridgeshire CB4 0PP		
Proposal	Change of use from office (B1) to an education business (D1) or B1(a) in the alternative.		
Applicant	Mr Denby Liddlelow Broadway House 149 - 151 St Neots Road Hardwick Cambridge CB23 7QS		

SUMMARY	<p>The proposal accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> -The principle of change of use from office to an educational business is acceptable. -The proposed use will protect the amenity of existing tenants. -Adequate car and cycle parking is provided.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site comprises of two offices that are located at first floor level of Orwell House. Cowley Road borders both the south and west boundaries of this site, which is located to the west of the golf driving range and Park and Ride site. The site is close to the City boundary with South Cambridgeshire, which is located at the eastern end of Cowley Road, adjacent to the existing railway sidings. The general area is in

commercial/industrial use with a variety of office buildings, Orwell House being one.

- 1.2 The site does not benefit from any protection or allocation as part of the Cambridge Local Plan and falls outside of the controlled parking area.

2.0 THE PROPOSAL

- 2.1 The application seeks planning permission for a change of use from Class B1(a) (office) to Class D1 (educational business) in the alternative. This means that the unit could move between these two uses without the need for planning permission for a period of ten years from the date of the permission. The use at the end of the ten-year period would then become the sole lawful use.
- 2.2 Orwell House is owned and managed by Cambridge City Council, Property Services.

3.0 SITE HISTORY

Reference	Description	Outcome
06/0051/FUL	Change of use from use Class B1 (Business) to mixed use Class B1 and Class A3 (Restaurants and Cafes) at 2 Orwell Furlong.	Permitted
12/0592/FUL	Change of use from B1c (light industrial) to D1 (combined office and day centre) at 1 Orwell Furlong.	Withdrawn

4.0 PUBLICITY

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

5.0 POLICY

5.1 Central Government Advice

National Planning Policy Framework 2012
National Planning Practice Guidance 2014
Community Infrastructure Levy Regulations 2010
Circular 11/95 – The Use of Conditions in Planning Permissions
(Annex A)

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/4, 4/13, 5/12, 8/2, 8/6, 8/10

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

Material Considerations	<u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)
	<u>City Wide</u> Cycle Parking Guide for New Residential Developments (2010)

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No significant adverse effect upon the public highway should result from this proposal should it gain the benefit of planning permission.

Head of Refuse and Environment

6.2 The proposed development will have no impact on environmental health matters.

6.3 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:

- 6 Orwell House

7.2 The representations can be summarised as follows:

- The security, privacy and safety of existing tenants would be affected by too many members of the public visiting at weekends and evenings as there would be no-one on reception;
- Orwell House would no longer be an attractive place to conduct business if it becomes mixed use;
- Additional visitors will put pressure on tenants facilities;
- Additional visitors will result in extra noise

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

Principle of Development

8.1 The application site does not fall within any allocation site or protected use site, meaning that the principle of a change of

use from B1(a) to D1 is considered to be acceptable. Policy 5/11 of the Cambridge Local Plan 2006 identifies that for the purposes of the Local Plan, tutorial colleges are excluded from the definition of a community facility as they do not cater for the primary local market. For this reason, policy 5/12 which refers to proposals to development new community facilities is not relevant to this proposal.

Context of site, design and external spaces

- 8.2 The proposed change of use does not require any external changes to the building and for this reason there would be no impact on the character or appearance of the area.
- 8.3 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 & 3/7.

Amenity of other tenants of Orwell House

- 8.4 Although there are no residents who will be impacted by the proposals, there are other tenants within Orwell House whose amenity needs to be considered. Generally, the tenants are office based businesses that have some visitor throughput. The proposed change of use will be for the premises to be used as an educational business that provides tutorial teaching to groups of children. This use needs to operate outside of school hours and so the business provides one and a half hour long tutorials that will accommodate up to 10 children in a group between the hours of 4 pm and 7 pm on weekdays and 9 am until 1 pm on Saturdays. During the remainder of the working day, the application site shall be used as an office to provide administrative functions to the educational business.
- 8.5 Concerns have been expressed that the proposed use as an education business will harm the amenity of other occupants as there will be a greater quantity of people coming and going. During the working day, the premises will be an office which will support the function of the business. As such, other tenants are unlikely to see a change in how the premises operates from the existing use. It will be during late afternoon/early evening that there will be groups of visitors to the premises.

- 8.6 In order to overcome the concerns of other tenants, the applicant has provided a statement that explains how the business will operate, which has been discussed with the premises manager and the City Council's property manager. As the application site is located towards the north east corner of the property, there is a stairwell that leads down to an external door at ground floor level. It is proposed that there will be an intercom on this door that the applicant will answer and in turn manage the comings and goings of students via this entrance.
- 8.7 By proposing this management of movements via the north east stairwell, it will mean that the minimum number of offices will be disturbed and that it will be a secure way of allowing people into and out of the premises after hours. The applicant and their staff know the pupils and parents who will be visiting the premises and the same arrangement has worked well in their existing premises.
- 8.8 Orwell House does have a Centre Manager that other tenants can speak to should they have any concerns about the operation of the proposed business. Officers are also minded that any business within the property could experience a spike in visitors to their office premises, which would result in an increase in comings and goings to the same effect as this proposed use.
- 8.9 Officers do consider that it is pertinent to impose a condition that prevents the application site from being used as any other use within the D1 category, such as a place of worship or children's nursery, because the view is that these types of uses could indeed harm the amenity of other tenants and the security of the building.
- 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 and Cambridge Local Plan (2006) policies 3/4 and 3/7.

Car and Cycle Parking

- 8.11 There is a level car and cycle parking that is associated with the use of Orwell House and the 23 offices that are contained within it. This application site has 4 car parking spaces that are

allocated to the use. The view is that this would be acceptable as the greatest demand for parking will be during the drop off and pick up period between the two tutorial classes. This is likely to be around 6 pm which is when the availability of spaces will be high and also on Saturdays when most business within the premises will be closed. If required there are on street car parking spaces along Cowley Road to the west of the site.

- 8.12 There are areas of covered cycle parking on the site that are for use by staff and visitors of Orwell House. This proposed use would have equal access to these facilities. For the daytime part of this use, there will be no additional pressure upon these facilities than the previous office use and in the later afternoon and evenings, when the tutorials are occurring, there will be a higher availability of cycle spaces as many of the business within the premises are likely to be closed.
- 8.13 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.14 I consider that I have addressed the concerns within the report.

9.0 CONCLUSION

- 9.1 The proposed application seeks a change of use that respects the existing businesses within the building and does not require any external changes that would otherwise harm the character and appearance of the area.

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. 20 and 21 Orwell House shall not be used for any use within class D1 other than the education business granted by this permission. For the avoidance of doubt, it shall particularly not be used as a language school, clinic or any other medical facility, nor as a place of worship.

Reason: Other uses within class D1 raise different planning issues which might make them unacceptable; the case for such uses would need to be tested against policy in a detailed application. (Cambridge Local Plan policies 3/4, 4/13, 5/12, 7/11, 8/2, 8/6, 8/10)

3. 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.