

<b>Application Number</b>	14/0810/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11th June 2014	<b>Officer</b>	Mr Amit Patel
<b>Target Date</b>	6th August 2014		
<b>Ward</b>	West Chesterton		
<b>Site</b>	253 Chesterton Road Cambridge Cambridgeshire CB4 1BG		
<b>Proposal</b>	Change of use from continental delicatessen to private (specialist) referral Dental Practice		
<b>Applicant</b>	Dr A Mobli 233 Charwook House Chesterton Road Cambridge CB4 1AS		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The proposal is in accordance with policy 5/12</p> <p>There are no external changes proposed</p> <p>The car parking will be the same as the existing</p>
RECOMMENDATION	APPROVAL

**1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site lies at the corner of Chesterton Road and Hawthorn Way, and consists of two adjacent rectangles, joined corner-to-corner by a 3m wide ‘neck’.
- 1.2 At present the corner unit on the ground floor (253 Chesterton Road) was occupied by a delicatessen, and the current adjoining retail unit, to the east, (255 Chesterton Road) is occupied by hairdressers. The remainder of the ground floor space (fronting Hawthorn Way), and part of the first floor, are used by a private tutorial college, and there are also a two-

bedroom flat and a three-bedroom flat at first floor level. There are wide paved areas adjacent to the footway on both frontages; that on the Hawthorn Way side is currently used for parking cars.

- 1.3 The north-eastern rectangle lies in the backland between Chesterton Road, Hester Adrian Way and Coach House Court. It measures 13m x 30m, and is occupied by a row of single-storey garages. Access to the backland rectangle is by an access drive which runs to the north of the frontage building along the northern edge of that part of the site. It is closed off from Hawthorn Way by double gates.
- 1.4 The surrounding area is predominantly residential, but there are a number of hotels and guest houses on the opposite side of Chesterton Road. On the opposite corner of Chesterton Road/Hawthorn Way, at 251, there is a similar, but not identical, building to that on the application site. The ground floor of that building is occupied by a convenience store. This group of shops is not identified as a local centre in the Cambridge Local Plan (2006).
- 1.5 The site is not within or near to any conservation area. It falls outside the controlled parking zone (CPZ).

## **2.0 THE PROPOSAL**

- 2.1 The application seeks approval for a change of use from class A1 retail unit to class D1 specialist dental practice.
- 2.2 There are no external changes to the proposal.
- 2.3 The application is accompanied by the following supporting information:

1. Covering letter
2. Plans

## **3.0 SITE HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
09/0319/FUL	Erection of 9 flats (1 one-bed flat, 7 two-bed flats and 1 three-bed	Refused

flat) and offices (Class B1).

#### 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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 5/12 8/2

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
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5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge,

therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, policy 72 in the emerging Local Plan is of relevance.

The site is allocated as a neighbourhood centre (Hawthorn Way).

## **6.0 CONSULTATIONS**

### **Cambridgeshire County Council (Highways Development Management)**

- 6.1 There are no car parking details. Details need to be provided in order to assess any impact upon the highway. The existing dropped kerb would only be the most suitable access for car parking to the front of the unit. Recommend refusal on highway safety grounds.

### **Head of Refuse and Environment**

- 6.2 No objection in principle. There are no external changes proposed. However, if any new plant is introduced then a condition requiring plant noise insulation would be recommended.
- 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:
- 253A Chesterton Road

7.2 The representations can be summarised as follows:

- The proposal could have more cars than stated and this could lead to competition for parking on the surrounding street.

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. Highway safety
5. Car and cycle parking
6. Third party representations

### **Principle of Development**

8.2 The site is not within a district or local centre in the current local plan, and is therefore not subject to any local plan policy restricting changes of use from Class A1 to other uses. In the Cambridge Local Plan 2014: Proposed Submission, the site is within Local Centre 27 (Hawthorn Way).

8.3 Relatively little weight can be accorded to the emerging local plan because it has not yet completed the stage of examination in public. Notwithstanding this, the proposal is in accordance with Policy 72 of the Proposed Submission, which supports changes of use in local centres from A1 to other centre uses (which include A2 and D1) provided that an appropriate mix and balance of uses is retained which will provide for the day-to-day needs of local people. In my view, the proposed use within class D1 will provide a day-to-day need for the locality and add to the mix of uses within this neighbourhood centre. The proposal involves no conflict with the aspirations of Policy 72 of the Proposed Submission which seeks to promote and coordinate the use of sustainable transport modes, and deliver and reinforce a sense of place and local shops and services.

- 8.4 The compliance of the proposal with policy 72 of the Proposed Submission, while carrying very little weight in itself, is in my view, a useful pointer, providing some assurance that the change of use would not conflict with paragraph 70 of the Framework, which requires councils to guard against the unnecessary loss of valued facilities and services.
- 8.5 I am also of the view that approval of the change of use would comply with paragraphs 19 and 21 of the Framework, which urges councils to support existing business sectors, allow their expansion, and avoid acting as an impediment to sustainable growth.
- 8.6 The unit is vacant. Granting this change of use will bring it back into use and will provide a facility for the community at large which is supported by policy 5/12. Policy 5/12 supports new facilities that are needed in the local area. The current practice is further along Chesterton Road at number 233. The proposal is to expand their operation to provide dental care to the local area. The current practice is at capacity and therefore further space is required. There are other uses within D1 use that would not be appropriate and therefore I recommend a condition to restrict the use to dentistry and similar uses and no other use within D1. (condition 4).
- 8.7 In my opinion, the principle of the development is acceptable and in accordance with the aim of Chapter 6 of the Cambridge Local Plan 2006 to ensure Cambridge is vibrant and thriving, and with paragraphs 19, 21 and 70 of the Framework.

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

- 8.8 There are no external changes proposed and therefore the proposal will not have any impact upon the character of the area.
- 8.9 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

Impact on amenity of neighbouring occupiers

- 8.10 There are not any physical changes proposed but concerns have been raised regarding car parking. I will address this later in my report but this site is not within a controlled parking zone and there are no changes to the existing car parking.
- 8.11 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 3/7.

### **Highway Safety**

- 8.12 Third party comments state that the car parking will be over used. The local highway authority has requested that a plan be provided for the car parking and recommend refusal. The applicants state that the car parking will not change from the existing.
- 8.13 The site is located outside the controlled parking zone and therefore on street car parking could occur without any restrictions. In addition to this, I consider the previous use could have generated more movements due to the nature of the business than the one being proposed. This proposal is a dental practise where people come here when they have appointments and therefore I consider that the car parking issue raised by third party and local highway would not have a detrimental impact over and above the existing situation and is acceptable.
- 8.14 The layout of the car parking can be controlled by condition and therefore I recommend a condition 2 for the car parking layout to be submitted prior to the use starting.
- 8.15 Subject to condition, in my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Car and Cycle Parking**

- 8.16 The site is 171 square metres. The City Council Car Parking Standards set a maximum level of 9 car parking spaces for a D1 use of this size. The proposal for 8 spaces falls within this limit.
- 8.17 There are no details are provided for cycle parking. The Cycle Parking Standards seek 2 spaces per consulting room and 1

space for every 3 members of staff. The plans show 4 consulting room and 6 part time staff which equates to 3 full time staff. So the proposed number of spaces required is 9. There is space on site to accommodate cycle parking. A condition (3) is sufficient to secure this.

- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

### **Third Party Representations**

- 8.19 Third party comments have been addressed in the main body of the report above in the sections headed “Highway Safety” and “Car and Cycle Parking”.

## **9.1 CONCLUSION**

- 9.1 The proposal is to change the use of the vacant A1 unit to a specialist dental practice falling within D1 use. There are no external alterations and car parking will remain the same. I consider subject to conditions the proposal is acceptable and I recommend APPROVAL.

## **10.0 RECOMMENDATION**

**APPROVE** subject to completion of the s106 Agreement and 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 building shall not be occupied until a plan showing the car parking layout of the proposed use shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved plans.

Reason: In the interests of highway safety and convenience. (Cambridge Local Plan 2006 policies 8/2 and 8/10)



3. No development shall commence until full details of facilities for 9 spaces of secure parking of bicycles for use in connection with the development hereby permitted have been submitted to and approved by the Local Planning Authority in writing. The agreed 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)

4. The premises shall be used only for dentistry and other medical or paramedical or therapeutic or similar activities and for no other purpose (including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because use of the building for any other purpose would require re-examination of its impact. (Cambridge Local Plan 2006 policies 3/4, 3/12, 4/13 and 8/2)