

<b>Application Number</b>	15/0238/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	10th March 2015	<b>Officer</b>	Miss Catherine Linford
<b>Target Date</b>	5th May 2015		
<b>Ward</b>	Trumpington		
<b>Site</b>	Fosters Mill Station Area Redevelopment Station Road Cambridge Cambridgeshire CB1 2TZ		
<b>Proposal</b>	Temporary change of use for a period of 10 years for the ground floor and associated mezzanine level of Fosters Mill (Block K2) to be used as Brookgate CB1 Limited's Offices (B1(a) Use Class) or Retail (A1/A3 Use Classes) in the alternative as approved by the CB1 Masterplan and permission reference 11/0633/REM.		
<b>Applicant</b>	C/o Agent United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The proposal would not conflict with the CB1 Masterplan;</li> <li><input type="checkbox"/> The proposal would not have a detrimental impact on the character or appearance of the Conservation Area; and</li> <li><input type="checkbox"/> The proposal would not have a significant detrimental impact on neighbouring properties.</li> </ul>
RECOMMENDATION	APPROVAL

## 1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is the former Fosters Mill building. The surrounding area is undergoing redevelopment as part of the CB1 Station Area development project.
- 1.2 The site falls within the Central Conservation Area. It is a Building of Local Interest (BLI).

## 2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a temporary change of use of the ground floor and associated mezzanine level of Fosters Mill for a period of 10 years to Use Class B1(a) (offices) or Use Classes A1 or A3 (retail or restaurants) in the alternative, to allow the space to be used as offices for Brookgate.

## 3.0 SITE HISTORY

Reference	Description	Outcome
08/0266/OUT	The comprehensive redevelopment of the Station Road area, comprising up to 331 residential units (inclusive of 40% affordable homes), 1,250 student units; 53,294 sq m of Class B1a (Office) floorspace; 5,255 sq m of Classes A1 /A3/A4 and/or A5 (retail) floorspace; a 7,645 sq.m polyclinic; 86 sq.m of D1 (art workshop) floorspace; 46 sq m D1 (community room); 1,753 sq m of D1 and/or D2 (gym, nursery, student/community facilities) floorspace; use of block G2 (854 sq.m) as either residential student or doctors surgery, and a 6,479 sq.m hotel; along with a new transport interchange and station square, including 28 taxi bays and 9 bus stops (2 of which are double stops providing 11 bays in total), a new multi storey cycle and car	A/C

park including accommodation for c. 2,812 cycle spaces, 52 motorcycle spaces and 632 car parking spaces; highway works including improvements to the existing Hills Road / Brooklands Avenue junction and the Hills Road / Station Road junction and other highway improvements, along with an improved pedestrian / cyclist connection with the Carter Bridge; and works to create new and improved private and public spaces.

11/0633/REM	Approval of Reserved Matters (appearance, layout, scale and landscape) for the blue phase of the CB1 Masterplan (ref:08/0266/OUT), comprising blocks L1, L2, L3, L4 and K2 for 787 sq.m of retail (Classes A1/A3), a 46 sq.m community room (Class D1), and 169 residential units (including 63 affordable units), along with associated access roads, car parking, cycle parking, a substation and landscaping.	A/C
12/0156/ADV	Application for scaffolding wrap	A/C
12/0376/FUL	Variation of original consent ref. 11/0633/REM to allow for the temporary use of an area within the ground floor of Foster's Mill as a Sales and Marketing Suite and show apartment serving the Blue Phase of the CB1 development	A/C

#### 4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

## 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 Plan 2006	Local	3/1 3/4 3/7 3/15 4/11 4/12 8/2 9/9

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
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
	<u>Area Guidelines</u>  Station Area Development Framework (2004) includes the Station Area Conservation Appraisal.

#### 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, there are no policies in the emerging Local Plan that area of relevance.

#### 6.0 CONSULTATIONS

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

- 6.1 No objection is raised to the principle of the proposal, however I would bring your attention to the numerous doors that open outwards over what is, to all intents and purposes, a highway, albeit not a highway maintainable at the public expense. These doors will present a hazard to passing pedestrians and cyclists, who may collide with them if they open in their path. It is recommended that this detail be amended to recess the doors, or that they be altered so that they open inwards.

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

- 6.2 I have no adverse comments to make regarding this application. Conditions 37 and 38 of the CB1 Outline permission 08/0266/OUT are especially pertinent and require satisfaction if the use class A1/A3 is utilised.

##### **Urban Design and Conservation Team**

- 6.3 Broadly there is no conservation objection to the concept of a temporary change of use provided that it is for as short a time as possible. Conditions are recommended relating to temporary

office use, views into the office space and the protection of the historic columns.

- 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:

- Flat 23, Watson House, 4 Mill Park

- 7.2 The representations can be summarised as follows:

- Anti-social behaviour and crime – the offices could be broken into.
- Overdevelopment
- Limited parking

- 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. Highway safety
4. Car and cycle parking
5. Third party representations

### **Context of site, design and external spaces and impact on the Conservation Area and Building of Local Interest (BLI)**

- 8.2 The Urban Design and Conservation Team have raised concern that office use at ground floor level would not create an active frontage as was originally envisaged when planning permission was granted for the ground floor of Fosters Mill to be in A1/A3 Use. As permission is only sought to change the use of the ground floor to B1(a) for a ten year period it is my view that the

use of the ground floor as offices would not have a significant detrimental impact on the wider Masterplan or the vitality of the surrounding area. I consider it to be acceptable. In saying this, it is my view that it would not be justifiable for the space to be used by any business but only by Brookgate because of their connection to the wider development. This is because it would only be acceptable for the space to be used for a short term period and another business may have a different impact on traffic and viability. I, therefore, recommend that the permission is a personal permission for Brookgate only (3)

- 8.3 As the windows at ground floor level are full height windows, office clutter could be visible behind them, which could be unsightly. However, while the sills of these windows are at pavement level, the ground floor level of the building is 1m below this. This means that passers-by would not be able to see into the offices. The applicant has explained that they intend to use blinds to screen the windows, but considering the lack of visibility into the offices it is my view that it would not be necessary to require any treatment of the windows.
- 8.4 The applicant is intending to install a small sign at the entrance. It is unlikely that this would require advertisement consent.
- 8.5 All but two of the reclaimed historic columns have been used in the residential conversion of the upper floors. It is proposed that the two remaining columns would be fixed in the entrance and relocated when the space reverts back to A1 or A3 Use. I recommend a condition requiring details of the method of removing and storing the columns (4)
- 8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 3/12.

### **Residential Amenity**

- 8.7 In my opinion the proposed B1 (a) Use would not have a detrimental impact on the occupiers of neighbouring properties. In the event that the space reverts back to A1 or A3 Use I recommend conditions requiring details of noise insulation (5) and odour control (6).
- 8.8 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**

- 8.9 The submitted plans show the doors opening outwards over the highway. The Highway Authority are concerned that these doors would be a hazard to passing pedestrians and cyclists who may collide with them, and I therefore recommend a condition requiring all external doors to open inwards (7).
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

### **Third Party Representations**

#### Overdevelopment, anti-social behavior, and lack of parking

- 8.11 These issues relate to the CB1 development as a whole and cannot be addressed in this application.

## **9.0 CONCLUSION**

- 9.1 The proposed temporary change of use would not conflict with the CB1 Masterplan, and it is my view that it would not have a significant detrimental impact on the character or appearance of the Conservation Area or neighbouring properties. I recommend that the application is approved, subject to conditions.

## **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 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. Any use of the premises falling within office (Class B1a) use shall be limited in occupation to Brookgate CB1 Limited only

Reason: Occupation of the premises for B1a use other than by the applicant would require further consideration in relation to the impact of the use on the vitality of the area and the amenity of the Conservation Area (Cambridge Local Plan 2006, policy 4/11)

4. The relocated historic columns shown on the approved plan dwg no. 1370-SK-002 Rev G shall be installed prior to the occupation of the building by Brookgate CB1 Limited. The columns shall be retained in situ unless the written consent of the Local Planning Authority is obtained for their relocation elsewhere within the building.

Reason: In the interests of the amenity of a Building of Local Interest (Cambridge Local Plan 2006 policy 4/12)

5. Prior to the commencement of any A1 or A3 Use a detailed scheme for the insulation of the building(s) and/or plant in order to minimise the level of noise emanating from the said building(s) and/or plant shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented prior to the occupation of the building.

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

6. Prior to the commencement of any A1 or A3 Use a detailed scheme for odour control to minimise the amount of odour emanating from the said building, including full technical details for the operation for extract flues shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented prior to the occupation of the building.

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

7. All external doors shall open inwards.

Reason: In the interests of highway safety. (Cambridge Local Plan 2006, policy 8/2)

8. Prior to the commencement of the B1(a) Use hereby approved full details of soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.

Reason: In the interests of visual amenity (Cambridge Local Plan 2006 policies 3/4 and 4/11)