

Application Number	16/0447/FUL	Agenda Item	
Date Received	4th April 2016	Officer	Rob Brereton
Target Date	30th May 2016		
Ward	West Chesterton		
Site	40 Humberstone Road Cambridge Cambridgeshire CB4 1JG		
Proposal	Change of use from Office (B1) to a Community Facility for local community groups and clubs (D2) and associated installation of roof lights.		
Applicant	Mr Des Trollip 40 Humberstone Road Cambridge Cambridgeshire CB4 1JG United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The principle of the proposed community use accords with Policy 5/12 of the Local Plan <input type="checkbox"/> The development would have an acceptable impact upon the amenities of nearby residents <input type="checkbox"/> The development would not have a significant adverse impact on highway safety
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The subject site is located on the southern side of Humberstone Road. The subject building is owned by Rowan. Rowan is a charity which focuses on improving the lives of people with learning disabilities through the provision of services and activities, particularly in the area of arts and crafts. On the upper levels of the building are two floors of flats that are accessed from Humberstone Road.

1.2 The subject site is located within the De Freville Conservation area and within Controlled Parking Zone F.

2.0 THE PROPOSAL

2.1 Planning permission is sought for a change of use from Office (B1) to a Community Facility for local community groups and clubs (D2) and associated installation of roof lights.

2.2 This would entail creating 2 new community rooms, room 1 at approximately 50 square metres, room 2 at approximately 28 square metres and a kitchenette for use at meetings and events. These new facilities would be located at the front of the building. Three new disabled toilets, totalling 17.5 square metres are proposed. This would include a toilet hoist system and an adult changing bed facility for the use of people with multiple and profound disabilities.

2.3 The new facilities would be used as a meeting space for local community groups and clubs. Room 1 will be used as a 'dry' space, where various activities can take place such as meetings, rehearsals, drawing classes or gentle exercise classes, and Room 2 is being designed as a 'wet' room, for activities such as painting, and other arts and crafts.

2.4 The only physical external development would be two large roof lanterns in a flat roof section behind the residential units at the front.

2.5 The application is accompanied by the following supporting information:

1. Design and Access Statement (including Flood Risk Assessment)
2. Drawings
3. Details of Section 106 Grant

3.0 SITE HISTORY

Reference	Description	Outcome
15/0030/FUL	First floor wood store	Approved
C/63/0208	Office Extension	Approved

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 Local Plan 2006	3/1 3/4 3/7 4/11 4/13 5/12 8/2 8/10

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)
Material Considerations	<u>Area Guidelines</u> De Freville Conservation Area Appraisal (2009)

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 should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Urban Design and Conservation team

- 6.2 It is considered that there are no material Conservation issues with this proposal.

Environmental Health

- 6.3 This application specifies that the premises will be used for community groups and clubs, within the D2 use category. D2 use also includes indoor sports, gymnasiums, dance and music halls. These uses have the potential to harm local amenity and the quality of life for the surrounding environment if not carefully controlled.

D2 use and the use of the facilities as a community room may include amplified music use. It is currently unknown if the

building structure is of adequate acoustic design to contain music within the building structure. Therefore, I recommend a condition prohibiting the use of amplified music and impact generating noise activities until a full noise insulation assessment and adequate insulation scheme has been implemented and approved.

Hours of use

Hours of use have not been specified. I would recommend the following hours:

- Monday to Friday = 08:00hrs – 21:00hrs
- Saturday = 08:00hrs – 22:00hrs
- At no time during Sundays and Bank/Public holidays

External plant

Section 22 of the application form states there shall be no plant, ventilation or air conditioning installed on site. Therefore a plant noise assessment will not be required.

Conditions have also been recommended to control construction hours and to require windows and doors to be closed during community group functions.

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:

- 2 Belvoir Road
- 33, 34, 39, 42 Humberstone Road
- 1 property on opposite side of Humberstone Road – address not supplied

7.2 The representations can be summarised as follows:

- Humberstone Road is already a very congested road and parking restrictions do not apply after 5pm on weekdays and

all day on Sundays. This application will result in residents not being able to find a space on evenings/days classes are running.

- The intention of all users walking, cycling or using public transport is not realistic.
- Humberstone Road is of restricted width and extra traffic will add to congestion issues.
- Huge impact on Sunday parking when residents' parking does not operate.
- Rowan has a history of not adhering to agreements with regard to parking (only at the rear) and noise from use of power tools outside normal working hours.
- Machinery in the workshop should not be used during weekends.
- Clients coming and going from classes will create an unwanted level of noise.
- Inappropriate use in a residential area
- The application should not be determined until days and times of operation have been confirmed.

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 (and impact on Conservation Area)
3. Residential amenity
4. Highway safety and parking
5. Third party representations

Principle of Development

8.2 Policy 5/12 of the Local Plan supports the provision of new community facilities for which there is a local need. A need for additional facilities to serve the North Ward of the City has been identified and a Section 106 grant for community use of part of

the building has been secured on account of the benefits the use would bring to local residents.

- 8.3 As the proposal is designed to meet local needs, the principle of changing the use of the small ground floor offices into a D2 community use is acceptable. In my opinion the proposal is therefore compliant with Cambridge Local Plan (2006) policies 3/4, 5/12.
- 8.4 I would stress that, although grant funding has been secured for the proposal, the need for the facility is just one factor to take into consideration, and that the application needs to be assessed against other material planning criteria.

Context of site, design and external spaces (and impact on Conservation Area)

- 8.5 The only external changes associated with the proposal are the installation of rooflights. These would be sited in a flat roof section behind the main frontage of the building. They would each measure 1.5m wide x 4.5m long but, due to their position behind the main building, would not have a significant adverse impact on the street scene or the character and appearance of the Conservation Area.
- 8.6 In my opinion, the proposal is compliant with Cambridge Local Plan (2006) Policies 3/7 and 4/11.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.7 A number of local residents have raised concerns about the impact the use would have on their amenities due to noise disturbance from the use itself and arising from the extra traffic the use would generate.
- 8.8 The two rooms that it is proposed to convert from office to community use have a combined total floorspace of approximately 80 square metres. In response to the concerns raised, the applicant's agent has confirmed that it is intended the building would be used during the day and evenings by local community groups such as the sewing guild or photography

group and that it is not intended to make the space available for big events, parties or music evenings.

8.9 No information has been provided within the application regarding potential opening hours other than that the applicants wish to rent the rooms out for the proposed use for approximately 30 hours a week. The Environmental Health team has raised no in principle objections to the use in terms of potential noise nuisance to local residents. This is providing the hours are controlled to prevent the use operating late at night (and not at all on Sundays/Bank Holidays). Conditions have also been recommended to prohibit amplified music (unless a noise assessment and any required mitigation works have been undertaken), to control construction hours and to require windows to be closed when used for functions. Rowan has confirmed, as set out in the application form, that no machinery would be operated in connection with the proposed use. In my opinion, the majority of the conditions recommended by Environmental Health would ensure the intensity of use would be controlled to such a level that the use would not result in significant adverse harm to the amenities of local residents. In addition, due to the very wide-ranging nature of the D2 use class (which includes music halls, bingo halls etc), I would also recommend a condition restricting the use to that specified in the application. Providing these conditions are imposed, I do not consider a condition requiring windows to be closed is necessary or reasonable, as I feel the other conditions would be sufficient to mitigate the harm arising from the operation of the use.

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 5/12.

Highway Safety and Parking

8.11 Concerns have been voiced from neighbouring properties regarding the potential for this new community use to create extra traffic, with consequent highway safety and congestion implications. Humberstone Road has residents permit holders only parking Monday to Saturday 9am to 5pm. It also is a single lane two way road with a row of on-street parking either side of the carriageway.

8.12 Rowan supplied some additional information regarding the proposed parking situation stating:

'Parking for staff, volunteers and local residents would remain the same with residents' parking restrictions Monday to Saturday. Residents' parking excludes Rowan staff and volunteers and non-residents from parking in the street and because of this we encourage everyone to not use cars. Currently 13 of our regular staff and all our volunteers' cycle, walk or use public transport. Because of the parking issue we will be encouraging local people using their local community facilities to do the same or to use the designated and ample pay and display areas.

Parking in the street has not been an issue in the evenings provided one accepts that a parking may not always be available directly outside ones premises.'

8.13 This use would not gain any new residents' permits for vehicle parking spaces. As the proposed use would mainly cater for locally run clubs, it is considered the majority of users would be aware of the existing vehicle parking situation and would therefore consider alternative transport. Distances these local users would travel mean, in my opinion, walking and cycling are viable alternatives. Furthermore, due to its location on Humberstone Road, these new facilities are very geographically accessible to residents of East and West Chesterton, Arbury and Kings Hedges. While it is understood some potential users may be unable to use these modes, Rowan already successfully caters for many with a physical disability and floorspace/operation wise this application represents a small percentage of floorspace of the overall premises. It is therefore considered highway safety will not be compromised by the occasional drop-off when compared to the current situation.

8.14 No Sunday use of the proposal will be conditioned. Therefore there will be no additional pressures on on-street parking on these days when the residential parking permits are not in force.

8.15 The Highways Authority has been consulted and has raised no concerns regarding highway safety, vehicle parking and cycle parking.

8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/2 and 8/10.

Third Party Representations

Concern	Response
Parking outside permit hours	8.12 – 8.14
Unrealistic that people will use other modes of transport	8.12 – 8.13
Use of machinery	8.9
Unacceptable noise	8.14
Highway safety	8.11 – 8.16
Sunday parking	8.14
Rowan has a history of not adhering to agreements	Not applicable to determining this application. Any condition not adhered to will be subject to enforcement.

Conclusion

8.17 The proposed D2 Community Use for local clubs and hobby groups is considered beneficial for the surrounding population and no unacceptable detrimental impacts are envisaged to the conservation area, highway safety or the amenity of local neighbouring dwellings in terms of parking and noise.

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. The premises shall be used as a community facility for local community groups and clubs and for no other purpose (including any other purpose in Class D2; 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, 4/13 and 8/2)

4. Any use of the premises which involves the use of amplified music and/or the generation of impact noise shall not begin until full particulars and details of the airborne noise / impact noise insulation for limiting the transmission of noise are submitted in writing for consideration by the Local Planning Authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall not be altered.

Reason - To protect the amenities of nearby residents/occupiers -Cambridge Local Plan 2006 policy 4/13

5. The use hereby permitted shall not operate outside the hours of 08:00hrs - 21:00hrs Monday to Friday, 08:00hrs - 22:00hrs Saturday and at no time during Sundays and Bank/Public Holidays.

Reason: In order to preserve the amenity of the locality in accordance with Policies 3/4 and 4/13 of the Cambridge Local Plan 2006.

6. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 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)

7. **INFORMATIVE:** Please note Resident or Visitor Permit Parking will not be available to patrons of this hereby approved Community Facility.