

Application Number	17/0838/FUL	Agenda Item	
Date Received	31st May 2017	Officer	Lorna Gilbert
Target Date	26th July 2017		
Ward	Coleridge		
Site	44 Clifton Road Cambridge CB1 7ED		
Proposal	Change of use from existing B2 (General Industrial) to D1 (Museum) with administrative, retail and food and drink space		
Applicant	Dr Sarah James 44, Clifton Road CAMBRIDGE CB1 7ED		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> It is considered the proposal will comply with policy 7/3 of the Local Plan 2006. <input type="checkbox"/> The change of use would not adversely harm neighbours' amenities or adversely affect highway safety.
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 Clifton Road Industrial Estate lies to the east of Hills Road and railway line. The estate is north of Cherry Hinton Road and west of Rustat Road, taking its access from Cherry Hinton Road. It comprises a spine road with some units facing the road itself and some in small courtyards served by spurs off the main road. The site is classified in the Cambridge Local Plan 2006 as a Protected Industrial Site for B1(c), B2, B8 uses only. Land to the east of the site is residential.
- 1.2 The industrial units are of varying sizes, consisting of flat roofed two storey buildings.

1.3 Unit 44 is located by a corner. To the north it borders Unit 45 and to the west Unit 43. The industrial estate signage indicates Unit 43 is occupied by Inder's Kitchen and unit 45 by Capital Valves Ltd. The Planning Statement explains that Unit 44 is presently unoccupied with the most recent tenant leaving in December 2016.

2.0 THE PROPOSAL

2.1 The proposal seeks the change of use of Unit 44 from B2 (general industrial) to D1 (museum) with ancillary administrative (B1), retail gift shop (A1) and food and drink cafe space (A3).

2.2 The building will be used as an interactive science centre and supporting staff/head quarter office, and will be known as Cambridge Science Centre. They previously occupied a premise at 18 Jesus Lane, Cambridge but the lease came to an end. A larger space is required.

2.3 The museum will employ 19 permanent members of staff and 10 casual workers.

2.4 The opening hours proposed are for staff Tuesday to Friday between 9am and 5.30pm and it will be open to the public between 9.30am and 5pm those days. At weekends it will open from 10am until 5pm and 5pm to 7pm for private parties.

3.0 SITE HISTORY

Recent history:

Reference	Description	Outcome
C/77/0592	Use of building for retail sales and hire depot (extension of period consent)	Approved
C/81/0782	Erection of light industrial and warehouse units (submission of reserved matters)	Approved
C/83/1044	Erection of 7 warehouse/industrial units	Approved with conditions
C/86/0573	Retention and use of building as shop, offices and store	Approved with

	(extension of period consent)	conditions
C/88/0381	Erection of building for the sale and hire of agricultural and horticultural machinery and general building contracting plant.	Approved with conditions

Relevant change of use planning applications at other units on Clifton Road Industrial Estate:

Unit 34 Clifton Road 14/1514/FUL	Change of use from industrial unit (B1/B2/B8) to a personal training suite	Approved November 2014
Unit 10 Clifton Road 15/0230/FUL	Change of use from B8 (warehouse) to sui generis fitness and training centre, rehabilitation and performance centre and health clinic providing osteopathic, physiotherapy and massage therapies.	Approved April 2015
Unit 47 Clifton Road 16/0682/FUL	Change of use from sui generis (gym) to B1c/B2/B8 use	Approved June 2016
Unit 31c Clifton Road 16/1643/FUL	Change of use from existing office use (B1) to leisure use (D2), comprising a martial arts training space and administrative space.	Approved November 2016

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 Plan 2006	Local	3/1 3/4 3/6 3/7 3/11 4/13 6/10 7/1 7/3 8/2 8/4 8/5 8/6 8/9 8/10 10/1

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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007) Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012) Planning Obligation Strategy (March 2010)
Material Considerations	<u>City Wide Guidance</u> Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge Landscape and Character Assessment (2003)

	<p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge and Milton Surface Water Management Plan (2011)</p> <p>Air Quality in Cambridge – Developers Guide (2008)</p>
--	--

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, the following policies in the emerging Local Plan are of relevance: Policy 20

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Comments dated 6th June 2017:

- 6.1 The applicant must provide a short Transport Statement explaining, inter alia, any changes in traffic generation (all mode) and parking demand resultant from the proposal.
- 6.2 Unless and until such information has been submitted the Highway Authority objects to the proposal as there is insufficient

information provided within the application to provide informed advice to the Planning Authority of the likely impact of the proposal upon the highway network.

Comments dated 7th July 2017:

- 6.3 The applicant has put some notes in the Design and Access Statement, rather than provide the Transport Statement requested.
- 6.4 The notes make various statements about visitor numbers without referencing the basis upon which these assumptions are made.
- 6.5 Additional information to substantiate the assumptions is required.

Comments dated 3rd August 2017:

- 6.6 The applicant has provided the Transport Statement requested.
- 6.7 The notes provide sufficient information to satisfy the Highway Authority that no significant adverse impact upon the operation of the highway network should result should this proposal gain benefit of planning permission.

Environmental Health

Comments dated 16th June 2017:

- 6.8 Limited details have been provided on the extent of cooking on site to serve the proposed food and drink space. Due to the close proximity to residential properties, unabated odour from cooking has the potential to harm local amenity.
- 6.9 It is recommended that details are provided in accordance with Annex B and C of DEFRA *guidance on the control of odour and noise from commercial kitchen exhaust systems...* dated January 2005.
- 6.10 Details are also required on the proposed museum interactions and activities with regards to the potential for noise generation.
- 6.11 The proposed hours of opening area also required.

Comments dated 6th July 2017:

- 6.12 Environmental Health have been re-consulted on this application. The Design and Access Statement does not address the issues raised. As such, those previous comments remain relevant.

Comments dated 24th July 2017 following receipt of additional information to address Environmental Health's comments received on 10th July 2017:

- 6.13 The additional information is reasonable. Suggests a condition prohibiting amplified music.

Planning Policy

- 6.14 7/3 in the 2006 Local Plan needs to be looked at and the applicant would have to evidence the justification of the loss using the criteria.

- 6.15 The emerging plan reallocates the area for 550 dwellings and 2ha of employment and leisure related uses (Site M2 and Policy 20).

- 6.16 We have sent our modifications to the Inspector and when her response to these comes through these policies will have more weight.

- 6.17 Policy 20 requires an SPD for the Clifton Road site and that no major application for the area is submitted until this is completed and adopted.

Disability Consultative Panel (Meeting of 27th June 2017)

- 6.18 This proposal lacked detail in key areas such as the accessibility of the entrance, the Reception area and the quality of the accessible WC. Whether accessible parking provision had been considered was also unclear. Should this museum wish to accommodate school groups an alternative, more flexible location is recommended.

6.19 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 owner/occupier of the following address has made a representations:

- 36 Clifton Road

7.2 The representation can be summarised as follows:

- Concerns over the lack of parking space available on the site and surrounding streets.
- This is already a major issue with guests attending Unit 35, despite the owners best efforts to get people to park in the multi storey car park, we often find cars parked in the private bays on our property. It is especially bad during holiday periods, weekends and evenings.
- We require 24/7 access to our site.

7.3 The above representation is a summary of the comment that has been received. Full details of the representation can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representation 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. Disabled access
4. Residential amenity
5. Refuse arrangements
6. Highway safety
7. Car and cycle parking

Principle of Development

- 8.2 Policy 7/3 of the Local Plan 2006 (Protection of Industrial and Storage Space) is of relevance to this planning application. The policy reads:

Development, including changes of use, that results in loss of floorspace within Use Classes B1(c), B2, and B8 will not be permitted where the site is identified on the Proposals Map as a protected Industrial/storage site. Development, including changes of use, that result in a loss of floorspace within Use Classes B1(c), B2 and B8 elsewhere in the City will only be permitted if:

- a) there is sufficient supply of such floorspace in the City to meet the demand and/or vacancy rates are high; and either*
- b) the proposed development will generate the same number or more unskilled or semi-skilled jobs than could be expected from the existing use; or*
- c) the continuation of industrial and storage uses will be harmful to the environment or amenity of the area; or*
- d) the loss of a small proportion of industrial or storage floorspace would facilitate the redevelopment and continuation of industrial and storage use on a greater part of the site; or*
- e) redevelopment for mixed use or residential development would be more appropriate.*

- 8.3 The applicant has provided information in relation to this policy. It explains the latest annual monitoring report (2016) figures show there has been an increase of B2/B8 employment space across the city by 2,023sq.m. It also identifies planning permission in place for 159,513sq.m of B1-B8 uses that are currently under construction and 175,443sq.m of outline and/or reserved matters permissions for B1-B8 uses that have not been implemented.
- 8.4 Planning Policy has not objected to the change of use and the applicant has supplied information in relation to criteria (a).
- 8.5 The proposal then needs to meet either one criteria between b and e.

- 8.6 In terms of criteria (b) the applicant explains that the current vacant B2 use would generate on average 8 employees. In contrast, the Cambridge Science Centre will create up to 29 jobs (19 permanent and 10 casual), which would lead to an increase of 21 jobs. In my view, this satisfies criteria b.
- 8.7 I do not consider it can be argued that the continuation of industrial and storage uses will be harmful to the environment or amenity of the area in criteria c.
- 8.8 I do consider the loss of a small proportion of industrial or storage floorspace would facilitate the continuation of industrial and storage use on a greater part of the site as under criteria d.
- 8.9 The emerging Local Plan intends to allow this area to be used for employment, leisure and residential uses. A relevant change of use application reference 16/1643/FUL was approved in November 2016, at 31C Clifton Road, Cambridge, for the change of use from office use (B1) to leisure use (D2), comprising a marital arts training space and administrative space. Planning Policy responded that *'the proposal to change the use of these units is acceptable. The overwhelming factor in coming to this opinion is the that the Council, in proposing to allocate this site for mixed uses, has already accepted the principle of the loss of industrial uses on this site. In this light, the fact that there is no evidence of marketing of these units to demonstrate that there is no ongoing need for them to remain in industrial use is not an significant concern'*.
- 8.10 Paragraph 21 of the National Planning Policy Framework 2012 states that *'in drawing up Local Plans, local planning authorities should:...support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.'* Paragraph 22 explains *'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the*

relative need for different land uses to support sustainable local communities.' The National Planning Policy Framework indicates some flexibility for a different use of allocated employment sites, such as at No.44 Clifton Road.

- 8.11 Policy 20 of the emerging Local Plan is not yet adopted but includes a policy relating to the Clifton Road Area of Major Change. It explains the principle land uses in the Clifton Road Area are a mix of Class B1(a) and B1(b) employment uses, leisure related uses, residential uses and open spaces. As the emerging Local Plan has not been adopted, most weight is given to the current Local Plan 2006. As Planning Policy has not objected to the change of use, I consider the proposal meets the relevant criteria of policy 7/3 of the Local Plan 2006, I consider the principle of the change of use is acceptable.
- 8.12 In my opinion, the principle of the development is acceptable and in accordance with policy 7/3 of the Local Plan 2006 and National Planning Policy Framework 2012 guidance.

Context of site, design and external spaces

- 8.13 The proposal is a change of use application and therefore external changes are not being proposed. Planning history shows that changes of use away from B1, B2 and B8 uses have been accepted at Clifton Road Industrial Estate at units 10, 31c and 34. I consider the proposed change of use to primarily D1 use would integrate well with the immediate locality and the wider City and complies with policy 3/4 and 3/7 of the Local Plan 2006.

Disabled access

- 8.14 The Disability Panel highlighted that there is a lack of detail about disabled access.
- 8.15 The agent has responded to the Disability Panel's comments in an email received on 13th September 2017. They explain that *'the site was chosen because of the ramp to the door, the wide entrance and the ability to build a disabled toilet. The applicants have also specifically designed their exhibit tables to accommodate a wheelchair underneath, they have planned a hearing loop for the new centre, and have a plan for deaf*

patrons fire evacuation. They are also reviewing a proposal to have quiet sessions for visitors with ASD'.

- 8.16 The proposed plans show the main entrance to the unit extends 1.8m wide and the site visit confirmed it has level access. The exhibition area and shop and café area are at ground floor and can be accessed by those in wheelchairs. The ground floor plan shows the introduction of a WC that is 5.5sq.m with a doorway of 0.9m wide, which opens outwards. In my view, this is an acceptable size for a disabled toilet. The first floor is served by stairs that leads to offices and kitchenette and additional WC. The Transport Statement explains one of the car parking spaces will be a disabled parking space.
- 8.17 I consider the information supplied is acceptable.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.19 The unit is located 18m from Regency Square, a residential block located across the road from the application site. The residential uses are located to the east of the application site. The surrounding uses to the north, west and south are occupied by units part of the Clifton Road Industrial Estate.
- 8.20 I do not consider the proposal would lead to a loss of light, privacy or outlook to neighbours' as it is a change of use application.

Noise and disturbance

- 8.21 I consider the separation distances between Unit 44 and residential units to the east is sufficient to avoid any unreasonable noise and disturbance issues caused by the change of use. There is also a road which separates the application site from the nearest residential neighbours.
- 8.22 An email from the agent dated 10th July 2017 provided additional information in response to Environmental Service's initial concerns. It confirmed that no cooking or food

preparation would take place on site. It also confirms there will be no use of noxious chemicals etc. It does confirm that it will be available for private children's birthday parties. Environmental Services accept the response to their queries but suggest a condition prohibiting amplified music as children's birthday parties are mentioned. I recommend a condition to ensure all windows and doors to the unit are kept shut in such a scenario.

Overspill car parking

- 8.23 A third party has raised concerns about the lack of car parking spaces available on the site and the surrounding streets. They mention that people attending other industrial units use private spaces at their industrial unit. It goes on to say they need 24/7 access to their site.
- 8.24 The Transport Statement explains there are six on site car parking spaces for Unit 44 and an enclosure for a bike rack (6 cycle bays). There is also scope to have an adjustable cycle rack on the front elevation for 10 bikes. The site is approximately 1 mile from the city centre and has good transport links to Cambridge train station and the Cambridge guided Bus Service which are around 10 minutes walk away. It is also around 5 minutes walk from regular bus services that serve Cherry Hinton Road and Hills Road. These roads also have cycle lanes. The nearest car parks are Cambridge Leisure and Cambridge Station. There is some on street car parking provision on Clifton Road.
- 8.25 Many of the school visitors will be delivered to the site and dropped off by coach. At their previous site, schools either walked to the centre or were dropped off by coach/minibus within walking distance.
- 8.26 The majority of visitors are expected on a Saturday when a number of the businesses on the business park are closed.
- 8.27 The Highways Authority finds the Transport Statement to be acceptable. I consider the site is well served by a variety of modes of transport and is close to bus and train links. It is also close to the multi-storey car park at Cambridge Leisure for those who travel by car. Many of the visitors will be children which will travel in groups from school which lessens the impact

on car parking spaces. I consider the proposal would not be detrimental to neighbours' amenities in terms of overspill car parking, considering the information provided to support the application. Anyone parking on a private forecourt does so at their own risk of a fine or clamping.

- 8.28 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.

Refuse Arrangements

- 8.29 The Design and Access Statement explains no hazardous chemicals will be used. There is sufficient space at the front of the unit for bin storage. However, I recommend a condition be attached for further information to be provided.

- 8.30 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/12.

Highway Safety

- 8.31 The Highways Authority considers that there will be no significant adverse impact upon the operation of the highway network should planning permission be granted.

- 8.32 I consider the Transport Statement has provided sufficient information with respect to highway safety.

- 8.33 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.34 Appendix C car parking standards of the Local Plan 2006 explains that museums and exhibition venues outside a Controlled Parking Zone explain car parking is done on merit. The proposal provides six on-site car parking spaces and one of these will be allocated a disabled car parking space. I consider the Transport Statement justifies the provision of car parking proposed.

8.35 Appendix D of the Local Plan 2006 sets out the cycle parking standards. It requires one space for every two members of staff and visitors on merit. The proposal is for up to 16 cycle parking spaces. The Transport Statement explains that at any one time there will be a maximum of 15 of members of staff on site. I consider the cycle parking provision to be acceptable. I recommend a condition for further details of the cycle parking.

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

9.0 CONCLUSION

9.1 It is considered the proposed change of use meets the criteria in Policy 7/3 of the Local Plan 2006 and would not adversely harm neighbours' amenities or adversely affect highway safety. Therefore I recommend the planning application be approved.

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 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. All windows and doors shall remain closed at Unit 44 Clifton Road, Cambridge if amplified music is played.

Reason: In the interests of residential amenity and to accord to policy 4/13 of the Local Plan 2006.

4. Details of the bin and recycle storage and waste management and bike storage arrangements shall be submitted to and agreed in writing by the Local Planning Authority. This shall include a block plan showing where they shall be located.

Reason: In the interest of neighbour amenities and highway safety and to accord to policies 3/7, 4/13 and 8/6 of the Local Plan 2006.

5. The premises shall be used for D1 (museum) with ancillary administrative (B1), retail (A1) and food and drink (A3) space 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)