

Application Number	17/1420/FUL	Agenda Item	
Date Received	6th September 2017	Officer	Mairead O'Sullivan
Target Date	1st November 2017		
Ward	Kings Hedges		
Site	Brookmount Court Kirkwood Road Cambridge CB4 2QH		
Proposal	Change of use application from B1(a) office use to a car licence testing centre (sui generis) use		
Applicant	Mr Matthew Cooper		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none">- The proposed use would not adversely impact on residential amenity- The cycle parking on site is considered acceptable for the proposed use
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The site lies within Brookmount Court; an industrial estate located to the west of Kings Hedges Road. The application relates to Units A and B. The site is not in close proximity to residential development. To the south east of the site is the Nuns Way Recreational Ground.

1.2 The site lies within a Protected Industrial Site.

2.0 THE PROPOSAL

2.1 The application seeks full planning permission for a change of use from B1(a) Office use to a car licence testing centre (sui generis) use.

- 2.2 The application does not propose any external changes to the building. 4 additional car parking spaces are proposed on site. No additional cycle parking is to be provided but there are 8 spaces available in the courtyard of the industrial estate which provide for the wider site.

3.0 SITE HISTORY

- 3.1 The site has an extensive planning history; none of which is relevant to the current application.

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	3/1 3/4 3/7
Plan 2006		4/13
		7/3
		8/2 8/6 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 (Annex A)
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

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 Management)

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

Environmental Health

- 6.2 No objection. A construction hours condition is recommended. The application form and proposed ground floor layout do not specify any additional plant. However, if external condensers are required for cooling a plant noise impact assessment shall be required. The hours of use specified within the application should be conditioned.

Access Officer

- 6.3 The access officer has requested some internal amendments. He suggest blue badge spaces be provided near the entrance.
- 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:

- Camcycle x2

- 7.2 The representations can be summarised as follows:

- Object to lack of cycle parking
- Although there may be no clients who cycle to site at the moment this may change in future
- No details of the existing cycle parking is available
- The lack of cycle parking in other DVSA sites is irrelevant
- The site is located near cycle infrastructure and request that appropriate provision is provided to employees

- 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. Disabled access
4. Residential amenity
5. Highway safety
6. Car and cycle parking
7. Third party representations

Principle of Development

- 8.2 Although the site lies within a Protected Industrial Site, the existing use as B1(a) is not a protected use. Policy 7/3 of the 2006 Local Plan and Policy 41 of the emerging plan seek to prevent the loss of floorspace within Use Classes B1(c), B2 and B8. The building was approved as Research and Development, and offices fall within the same B1 use class. The proposal would not conflict with policy 7/3 and there are no policies which resist the loss of B1(a) floorspace and as a result the principle of the loss of the office use is acceptable.
- 8.3 The proposed Sui Generis use as a car testing centre is considered comparable with the surrounding light industrial uses. The proposed use would employ 15 instructors. In my view, it would not result in a significant intensification of use of units A and B. As a result I am satisfied that the proposed use would be acceptable in principle.

Context of site, design and external spaces

- 8.4 The application does not propose any external changes to the building. The proposed use as a driving license testing centre would be appropriate for the area and does not conflict with the surrounding light industrial uses.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7

Disabled access

- 8.6 The applicant has responded to comments from the access officer. No changes, internal or external, are proposed to the building. Typically customers will not spend much time in the building. There is to be no reception and all other internal fixtures will be comparable to other testing centres nationally. Given the nature of the use, the DVSA has advised that disabled candidates are rare. 25 car parking spaces have been identified to serve the proposed use, out of the total provision for Brookmount Court. Spaces closer to the main entrance are allocated to other occupiers. If a candidate is unable to enter the building, special arrangements will be made in advance to meet them at their vehicle at their examination time.

- 8.7 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 3/7.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.8 The site lies within an industrial estate and the two units are not in close proximity to any residential uses. The proposed use would not represent a significant intensification of use of the site. I am satisfied that the proposal would not have any significant adverse impact on the residential amenity of nearby occupiers. Due to the location of the site, I do not consider the EHO conditions to be necessary.

Highway Safety

- 8.9 The Highway Engineer is satisfied that the proposal will not adversely impact on highway safety. I share this view.
- 8.10 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.11 The proposed use would be car based. The use would be solely for car license testing and no other functions. There would be no visitors. The candidate and their instructors would arrive at the testing centre by car. The only people who may wish to travel by bicycle or public transport are the examiners. There would be up to 15 examiners based on site. There are 8 cycle racks which serve the wider industrial estate located within the central courtyard. The instructors could avail of these if they were to cycle to the site.
- 8.12 Camcycle has objected to the lack of cycle spaces for the use. The proposed use is Sui Generis and therefore there is no policy requiring a particular number of cycle spaces for the use. In my view the 8 existing spaces would adequately serve the limited need for cycle parking associated with the car based use of the site. Additional cycle parking was suggested to be provided to overcome the objection. However, the landlord for the site does not feel these are necessary. I share this view and

consider that the use of the shared cycle stand would be adequate.

8.13 25 car parking spaces are to be provided for the proposed use; including two disabled spaces. This is considered to be adequate.

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

Third Party Representations

8.15 I have addressed the majority of the third party representation within the body of my report. I address any outstanding issues below.

Representation	Response
Object to lack of cycle parking	See paragraphs 8.11 & 8.12
Although there may be no clients who cycle to site at the moment this may change in future	I accept that the lack of cycle provision is based on the existing situation but consider that it would be unreasonable to require cycle parking for this car focused use.
No details of the existing cycle parking is available	The cycle parking is existing and serves the wider site. It falls outside the site edged red. In my view, details of these stands are not required
The lack of cycle parking in other DVSA sites is irrelevant	I accept that this may not be wholly relevant but the car testing use is clearly a car focused use with little need for cycle parking.
The site is located near cycle infrastructure and request that appropriate provision is provided to employees	As noted in paragraphs 8.12 & 8.12, I am satisfied that the cycle parking provision would be acceptable given the car orientated nature of the proposed use

9.0 CONCLUSION

- 9.1 The proposed change of use would not give rise to any significant adverse impact to the residential amenity of nearby occupiers. The proposed use would not have any significant adverse impact on highway safety. The proposed cycle parking arrangement is considered acceptable given the car based nature of the use.

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.