

## JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Joint Director of Planning and Economic Development

Date: 15 July 2020

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<b>Application Number</b>	19/1359/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	11 October 2019	<b>Officer</b>	Philippa Kelly
<b>Target Date</b>	30 July 2020 (with agreement)		
<b>Parishes/Wards</b>	East Chesterton		
<b>Site</b>	59 Cowley Road, Cambridge		
<b>Proposal</b>	Change of use from B1(c) light industrial to Class B1(a) office facility and associated works.		
<b>Applicant</b>	Stagecoach UK Bus.		
<b>Recommendation</b>	Approve subject to conditions.		
<b>Application Type</b>	Full application	<b>Departure:</b>	No

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<b>SUMMARY</b>	<p>The development proposed accords with the adopted development plans for the following reasons:</p> <ul style="list-style-type: none"><li>• The proposal will enable the re-use of an existing employment building within the area defined by Policy 15 of the Cambridge Local Plan as Cambridge Northern Fringe East and new railway station Area of Major Change.</li><li>• The proposed change of use is consistent with surrounding land uses and is not considered to prejudice either the potential future redevelopment of the land, or the protected mineral and waste uses, subject to appropriate mitigation measures.</li></ul>
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	<ul style="list-style-type: none"> <li>The proposals would accord with Policy 15 'Area of Major Change' of the adopted Cambridge Local Plan 2018 and would comply with the emerging North East Cambridge Area Action Plan, whilst also respecting the existing mineral and waste uses in the area protected by policies CS23, CS30 and CS31 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).</li> </ul>
<b>RECOMMENDATION</b>	<b>APPROVAL</b> subject to planning conditions.

## 1. SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located on the northern fringe of the City, on the north-western side of the Cowley Road Industrial Estate. It is approximately rectangular in shape and occupies an area of just under 0.5 hectares.
- 1.2 The site contains an existing steel framed building which is located centrally within the site, two outbuildings/workshops to the north of the main building, and three temporary storage containers to the rear. A gravel car park provides dedicated off-road vehicular parking. The site is currently vacant and was last used for car sales as the Vindis Volkswagen Car Showroom.
- 1.3 Vehicular access is provided via Cowley Road, from the eastern side of the site. The access leads to extensive gravel parking areas. Security fencing bounds the site.
- 1.4 The western boundary of the site abuts the Cambridge Water Recycling Centre (WRC). A dense tree/shrub boundary provides the common boundary along this side of the site. To the immediate north is 69 Cowley Road. On the opposite side of Cowley Road is the current head office of the Applicant (100 Cowley Road). The area contains a mixture of industrial, office and commercial land uses.
- 1.5 The site falls within the Cambridge Northern Fringe East and new railway station Area of Major Change, as defined by the Cambridge Local Plan (2018). It is also located within the Cambridge Airport Safeguarding Zone, Special Control of Advertisements Zone, and the following safeguarded sites / infrastructure zones as identified in the adopted Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan (2012):

W8N - Veolia, Cowley Road, Cambridge  
 W1F - Cambridge Northern Fringe East (Area of Search) (W8I)  
 W7I – Cambridge Waste Water Treatment Works  
 T1A - North of Chesterton Sidings, Cambridge (T2E)  
 T2C - Cambridge Northern Fringe (Aggregates Railhead)

1.6 The site is not located within a controlled parking zone.

## 2. THE PROPOSALS

2.1 The application proposes the change of use from B1(c) light industrial to Class B1(a) office, to enable the premises to be used as the head office of Stagecoach Cambus.

2.2 The supporting documentation indicates that the premises will provide for up to 20 full time members of staff. It is understood that the majority of staff will be relocated from the existing premises at 100 Cowley Road. The operating hours of the premises will be between 09.00am and 5.00pm Monday to Friday.

2.3 The application also proposes the following:

- Minor internal alterations to the building layout.
- Erection of palasade gates between the workshop buildings.
- Removal of the steel storage containers.
- Formalisation of car parking spaces within the site

2.4 The application is accompanied by the following supporting information:

- Application forms.
- Plans.
- Design and Access Statement.
- Odour Impact Assessment.

2.5 During the course of the application, additional information was received from the Applicant in respect of the relationship of the site with safeguarded sites as defined in the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

2.6 The application is referred to JDCC for determination, as it is in the ownership of Cambridge City Council.

## 3. SITE HISTORY

The application site was last used as a car showroom, office and vehicle maintenance workshop with associated car parking. It has a long planning history for business uses, dating back to the early 1970s. The most recent/relevant planning decisions are as follows:

Reference	Description	Outcome
09/0842/FUL	Erection of detached workshop building for motor vehicle servicing and repair.	Approved 12.11.2009

C/98/0580	Change of use from vacant land to car display and sales including the erection of a single storey building to provide showroom, workshop and ancillary office space.	APC Aug 1998
C/87/0984	Change of use from warehouse to business use (Class B1).	APC 1987
C/80/0674	The erection of offices, workshops, covered storage, open storage, maintenance bays and ancillary works	Approved Jan 1980
C/73/0882	The erection of vehicle depot including admin. offices maintenance workshops, vehicle parking container storage and liquid waste transfer facilities (with temporary storage tanks).	Approved Jan 1973

#### 4. PUBLICITY

Advertisement:	No
Adjoining Owners:	Yes
Site Notice Displayed:	No

#### 5. POLICY AND MATERIAL CONSIDERATIONS

##### Central Government Advice

National Planning Policy Framework 2019.  
 Planning Practice Guidance 2019.

##### Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development.  
 Policy 2: Spatial strategy for the location of employment development.  
 Policy 5: Strategic transport infrastructure.  
 Policy 14: Areas of major change and opportunity areas – general principles.  
 Policy 15: Cambridge Northern Fringe East and new railway Station Area of Major Change.  
 Policy 27: Site specific development opportunities.  
 Policy 35: Protection of human health and quality of life from noise and vibration.  
 Policy 36: Air quality, odour and dust.

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding Zones.  
Policy 38: Hazardous installations.  
Policy 40: Development and expansion of business space.  
Policy 41: Protection of business space.  
Policy 55: Responding to context.  
Policy 56: Creating successful places.  
Policy 80: Supporting sustainable access to development.  
Policy 81: Mitigating the transport impact of development.  
Policy 82: Parking management.

### **Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Site Specific Proposals Plan (2012).**

CS23: Sustainable Transport of Minerals and Waste.  
CS30: Waste Consultation Areas.  
CS31: Wastewater Treatment Works Safeguarding Areas.

### **Other Material Considerations**

Greater Cambridge Shared Planning Sustainable Design and Construction SPD (2020).  
Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste. Draft North East Cambridge Area Action Plan (AAP) including Issues and Options Consultation 2019.  
Odour Impact Assessment and Technical Guidance Note on Odour and Cambridge Water Recycling Centre (WRC) (March 2019).

## **6. CONSULTATIONS**

### **Cambridgeshire County Council, Highways Development Control Team**

- 6.1 **No objection.** No adverse effect upon the highway should result from this proposal should it gain benefit of Planning Permission.

### **Cambridgeshire County Council, County Planning, Minerals and Waste (CPM+W) Team**

Application as Amended (additional information received 29 June 2020)

- 6.2 **Removal of holding objection.** Comments. The statement provided by the Applicant does not specifically stipulate how the proposed use will not prejudice the safeguarded sites. The officer report to committee demonstrates the policy assessment and conclusion that the proposed office use (with the mitigation measures recommended by the Environmental Health officer being put in place), will ensure the minerals and waste uses are not put at risk in the future.

Application as submitted

- 6.3 **Holding objection.** Comments. The site is located within consultation zones for safeguarded sites / infrastructure identified in the adopted Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan (2012). Policies CS23, CS30 and CS31 of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) relate to one or more of these sites.
- 6.4 In order to comply with the policies above it is requested that the Applicant is made aware of the safeguarded sites so that they may give consideration to the potential implications for / from their proposal and provide a response. Both the Applicant and the City Council as Local Planning Authority should satisfy themselves that the proposal is compatible with the existing safeguarded facilities; and that the requirements of the respective overarching policies have been met.

**Cambridge City Council, Environmental Quality and Growth,  
Environmental Health Team**

- 6.5 **No objection.** Comments. The proposed B1(a) use is more sensitive to malodours compared to light industrial use. The Applicants state that staff will be moved to the new premises, so will already be aware of and have some knowledge of potential odour impacts from the Cambridge WRC. This is a relevant factor in determining the acceptability of the proposals when they would otherwise be unacceptable when assessed against the Technical Note on Odour and Cambridge WRC.
- 6.6 Recommends conditions to mitigate and reduce potential adverse odour impacts from the nearby WRC and to take account of the change in sensitivity of the land use in terms of potential adverse odour impacts.
- 6.7 No other concerns (with regards to contaminated land, noise or lighting) due to the existing industrial nature of the surroundings, the low risk end-use of the proposals (with respect to contaminated land) and the fact that no significant material changes will be occurring on-site.

**7. REPRESENTATIONS**

- 7.1 None received.

**8. PLANNING ASSESSMENT**

- 8.1 From the consultation responses received and an inspection of the site and its surroundings, the key material considerations are:
- Principle of development (proposed change of use);
  - Protection of safeguarded sites;
  - Impact on site and surroundings;
  - Environmental considerations; and

- Highways issues.

### **Principle of Development**

- 8.2 The application proposes the change of use of the site from light industrial purposes (Use Class B1 (c) ) to office use (Use Class B1 (a) ). The Applicants are already an established business operation in the area, and the proposed use would be consistent with existing uses along Cowley Road. The proposed office use would also accord with the allocation of the wider area for primarily employment uses under Policy 15 of the Cambridge Local Plan (Cambridge Northern Fringe East and new railway station Area of Major Change).
- 8.3 Policies 40 and 41 of the Cambridge Local Plan which relate to existing business space are also of relevance in the consideration of the proposals. These identify a presumption against the loss of any employment uses outside protected industrial sites. Officers are satisfied that the proposed development does not conflict with these policies.
- 8.4 A framework for the planned development of areas of major change (including both general and site-specific requirements) is set out in policies 14 and 15 of the Cambridge Local Plan. Policy 14 recognises that not all development will be required to comply with the provisions of these policies, including small scale development. Given the size of the application site and the modest scale and nature of the proposals, officers are satisfied that the longer-term development of the area would not be prejudiced by the proposals, and no conflict with Policy 14 would arise.
- 8.5 Regard has also been had to the emerging North East Cambridge Area Action Plan (NEC AAP) which is currently in preparation by the Council. The Issues and Options 2019 Consultation Report proposes a number of key objectives for the area, including *'a place with a strong identity that successfully integrates into Cambridge, bringing economic growth and prosperity that is delivered with social justice and equality'*.
- 8.6 The application proposals are not considered to conflict with the emerging spatial vision as set out in the NEC AAP. The NEC AAP is currently at an early stage (consultation on the Regulation 18 plan launches on 27<sup>th</sup> July) and as such carries very limited weight. No issues of prematurity are therefore considered to arise.
- 8.7 On the basis of the above evaluation, the principle of the proposed development is considered acceptable and in accordance with Local Plan policies, subject to the consideration of the protection of safeguarded sites below, which includes both an assessment of the proposals and potential wider uses that may exist under a B1 (a) use.

### **Protection of Safeguarded Sites**

- 8.8 The application site falls within consultation zones for safeguarded sites as identified in the adopted Cambridgeshire and Peterborough Minerals and

Waste Site Specific Proposals Plan (2012) which are protected through policies contained in the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011). No specific reference is made to the safeguarding policies in the application submission. In the absence of this information, the County Council initially raised a holding objection on the basis that it was not possible to evaluate whether the proposed office use will be compatible with the existing safeguarded facilities – specifically the Cambridge WRC, aggregates railhead with the associated railway line use, and wider waste uses at the Veolia site.

- 8.9 During the course of the application, an Odour Impact Assessment was provided by the Applicant, which relates to the odour impacts arising from the WRC. This is considered in detail in the Environmental Considerations section of this report. The County Council is satisfied that with relevant conditions (as recommended by the Environmental Health Officer), the development proposals should not prejudice the WRC with regard to odour.
- 8.10 With regard to the relationship with other safeguarded sites, officers note the existing industrial nature of the surroundings, and that the Applicant already operates from premises close to the application site. They will therefore be aware that these sites are in active use and have the potential to create noise and disturbance. Officers also note that the Council Environmental Health Officer has raised no concern regarding potential noise impacts.
- 8.11 In the interests of safeguarding against future users of the site prejudicing the operation of the safeguarded sites, the Applicant was asked to provide a statement to confirm their awareness of the relationship of the site to the aggregates railhead and railway line. This information was received on 29 June 2020. Upon receipt of this information, and on sharing the draft officer policy assessment text from this report, the holding objection was removed by County Planning Minerals and Waste Officers.
- 8.12 Nonetheless, given that this is not a personal permission to Stagecoach, consideration has also been given to wider office uses that could operate within the B1 (a) Use Class as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended), so that all potential office uses are assessed in line with the development plan, to ensure that this use is capable of being acceptable in planning policy terms. For the avoidance of doubt, Use Class B1 (a) includes the use as an office, other than a use within Class A2 (financial and professional services).
- 8.13 Officers are of the view that the proposal is compatible with the existing safeguarding facilities and that the requirements of the relevant planning policies have been met. This consideration extends to the full office uses that can take place within Use Class B1 (a) as set out above, and not just to Stagecoach on the basis that they already work in the area, to ensure that none of the possible office uses would prejudice the mineral and waste uses protected in this area. The proposals with the proposed odour mitigation measures set out in proposed conditions 3 and 4, would also accord with paragraph 182 of the National Planning Policy Framework (2019) which seeks

to ensure new development can be integrated effectively with existing facilities and appropriate mitigation is secured before the development has been completed (the 'agent of change' principle). On this basis, the proposal is considered acceptable with regard to safeguarded sites.

### **Impact on Site and Surroundings**

- 8.14 The application proposals include external works including the removal of existing storage containers from the site, and the installation of security gates. These changes are modest and are considered acceptable within the context of the site and its wider surroundings. On this basis, the proposals accord with policies 55 and 56 of the Cambridge Local Plan 2018.

### **Environmental Considerations**

#### Impact on Prospective Occupiers - Odour Impacts

- 8.15 In October 2018, the Council commissioned an 'Odour Impact Assessment' for the Cambridge Recycling Centre (WRC). This was published in March 2019 alongside a technical guidance note, following endorsement by Members. These documents are a material consideration in determining planning applications (including change of uses) in the vicinity of Cambridge WRC.
- 8.16 The application proposes the change of use of the building to B1(a). The Odour Impact Assessment technical guidance note identifies such uses as sensitive, which would not normally be permitted in this area. However, there are other material considerations that need to be considered in this instance. This includes the fact the site already has a lawful use as a car showroom and office, and the premises could continue to operate for this purpose, irrespective of potential odour impacts from the WRC.
- 8.17 The circumstances of the Applicant are also of relevance. Stagecoach, as Applicants and the future occupiers of the building, are already an established business operation in the area with premises at 100 Cowley Rd. Stagecoach state in the supporting documentation that their intention is to move staff from 100 Cowley Road to the application site. It is therefore clear that the Applicants are already aware of and will have some knowledge of the potential odour impacts from the WRC, and therefore may be more resilient and have a greater risk tolerance. Nonetheless the assessment by officers, and mitigation measures proposed by the Environmental Health Officer, have focused on the office use rather than the Applicant, as this is not a personal permission.
- 8.18 In accordance with advice offered by the Environmental Health Officer, it is considered reasonable to request details of odour mitigation inside the building, to reduce impact to future office workers. A relevant condition has been recommended (**Condition 3: Odour mitigation scheme**). A planning condition has also been recommended which restricts the use of external areas (**Condition 4: Restriction on outside use**), in the interests of

protecting human health. On this basis, the proposals accord with Policy 36 of the Cambridge Local Plan (2018) and guidance contained within the Odour Impact Assessment (March 2019).

#### Impact on Existing Amenity

- 8.19 The site is located over 500m from the nearest residential property, within an established light industrial and commercial development area. The proposed hours of use of the building can be controlled by planning condition **(Condition 5: hours of use)**. The proposal is not considered to raise issues of concern regarding impact on the amenity of neighbouring occupiers.
- 8.20 With appropriate mitigation in place, and conditions as described above, officers are satisfied that the proposals are compliant with Cambridge Local Plan (2018) policies which seek to protect human health and amenity.

### **Highways Issues**

#### Highway Safety

- 8.21 The proposals will not have an adverse effect on the existing transport network and the Highway Authority has raised no objection. The proposal is therefore compliant with Cambridge Local Plan (2018) policies 80 and 81 which seek to ensure the transport impact of new development is acceptable.

#### Parking

- 8.22 The application site includes an extensive area for car parking, which provides for parking for up to 108 vehicles, including five disabled bays. The supporting documentation confirms that there will be no net increase in the number of car parking spaces to be provided.
- 8.23 The application proposals do not include provision for dedicated cycle parking facilities on-site. The Applicant has confirmed that one of the outbuildings on the site could be converted for use as a secure storage facility for staff bicycles. A relevant condition has been recommended **(Condition 6: Cycle Parking)**.
- 8.24 On the basis of the above evaluation, and subject to securing the cycle parking condition as referred to above, the proposals are acceptable with regard to highways issues, and are in accordance with the adopted Cambridge Local Plan (2018).

## **9. CONCLUSION**

- 9.1 The site is located in an area which contains a mix of commercial and industrial uses. The proposed use will enable the re-use of an existing employment building, would not be out of keeping with existing activities, and would not prejudice the wider regeneration of the area. It would also not

prejudice the protected mineral and waste uses subject to appropriate mitigation measures. On this basis, the officer recommendation is one of approval.

## 10. RECOMMENDATION

**APPROVE** planning permission, subject to the following conditions:

### 1. Time

The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

**Reason:** In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

### 2. Development in accordance with approved plans

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. Odour mitigation scheme

Prior to the use hereby permitted commencing, an odour mitigation scheme for external odours and a timetable for delivery / implementation, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specifically address and mitigate the impacts of external odours arising from the Cambridge Water Recycling Centre on future occupiers of the development and provide a suite of mitigation measures. Natural / passive building ventilation is prohibited and the scheme shall include details of a building mechanical ventilation system with odour control filtration / abatement incorporated for the purpose of extraction and filtration / abatement of external odours associated with the wastewater treatment works. The details shall include location of air intake and outlet points, specifications and drawings (including location plans) for the odour control technology to be installed, ventilation rates and an Odour Management Plan for the building, which should incorporate full details of the maintenance and repair requirements for the odour control system. The odour mitigation / odour control scheme shall be installed in accordance with the approved scheme and timetable before the use hereby permitted is commenced and shall be retained and maintained thereafter as such.

**Reason:** To protect human health and maintain the future operation of the Cambridge Water Recycling Centre, in accordance with policies 15 and 36 of

