



Planning Committee Date	06 September 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	22/04976/FUL
Site	26 Barton Road Cambridge Cambridgeshire CB3 9JZ
Ward / Parish	Newnham
Proposal	Change of use from student accommodation (class C2) to a children's nursery (class E(f)) and minor external works.
Applicant	Pembroke College
Presenting Officer	Mary Collins
Reason Reported to Committee	Third party representations
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Impact of noise on adjacent residential properties from outdoor play area2. Impact on highway safety3. Impact on character/appearance of conservation area
Recommendation	APPROVE subject to conditions.

1.0 Executive Summary

- 1.1 The application seeks planning permission for change of use from student accommodation (class C2) to a children's nursery (class E(f)) and minor external works.
- 1.2 The proposal would provide for improved access, range and quality of nursery facilities, is situated in close proximity to the people it serves and there is a local need for this provision.
- 1.3 Any noise disturbance to adjacent residential properties through the use of the outdoor play/teaching area in particular would be during the daytime hours and
- 1.4 Officers recommend that the Planning Committee APPROVE the application.

2.0 Site Description and Context

None-relevant		Tree Preservation Order	X
Conservation Area	X	Local Nature Reserve	
Listed Building		Flood Zone 1	X
Building of Local Interest		Green Belt	
Historic Park and Garden		Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	
Local Neighbourhood and District Centre		Article 4 Direction	

*X indicates relevance

- 2.1 The site is located towards the west of Cambridge, on the northern side of Barton Road. Barton Road (A603) provides onward connections to both the strategic road network via the M11 and the internal Cambridge Ring Road (A1134) via The Fen Causeway (A1134) and Newnham Road (A1134).
- 2.2 26 Barton Road, built at the end of the 19th century, is a three bay villa built of buff brick with red brick detailing, having a symmetrical front with two ground-floor canted bay windows and a number of feature chimneys. It has a two storey rear projection with a chimney. It is situated in a residential part of the West Cambridge conservation area. This and neighbouring plots in this area, were designed for large family residencies in generous gardens. The immediate character of the area retains an open verdant residential character, in spite of the heavy traffic on Barton Road.
- 2.3 26 Barton Road makes a positive contribution to the conservation area, and is situated adjacent to the grade II listed building, Five Gables, at 4 Grange Road
- 2.4 The site contains an existing building owned and operated by Pembroke College, providing student accommodation. An existing access is situated along the southern site boundary from the road.

- 2.5 The detached building is 2 storeys in height and sits centrally within the plot. The front section of the building contains a shared kitchen to ground floor along with 3 study bedrooms. At first floor there are a further 4 study bedrooms with a bathroom. The rear extent of the building contains separate accommodation now vacant, but previously occupied by the Hostel keeper. This includes living accommodation at ground floor with bedrooms and a bathroom at first floor. The building also has a small basement, accessible from the former Hostel keeper accommodation.
- 2.6 The site frontage includes a driveway with shingle parking areas, as well as a lawned front garden with boundary planting. Access to the rear garden is provided via a gate to the west of the building, and from the driveway to the east. To the north-east of the site there is a garage with lean-to, as well as a pair of sheds. The rear garden is laid to lawn with boundary planting. The entire plot is surrounded by close boarded fencing of varying heights.
- 2.7 The site is within the context of largely residential and College uses, with Barton Road characterised by this combination. To the north, east and west boundaries the site is met with large detached residential properties, with their garden areas abutting the site boundary. To the southern side of Barton Road are terraced residential properties, along with newly built student accommodation at Croft Gardens.
- 2.8 It is located within a Controlled Parking Zone (CPZ).

3.0 The Proposal

- 3.1 The application seeks change of use from student accommodation (class C2) to a children's nursery (class E(f)) and minor external works.
- 3.2 The proposed facility will provide 45 spaces. It will relocate the existing nursery provision at Owlstone Croft, which has 25 places. There will be 14 full time members of staff.
- 3.3 The majority of the proposed works are internal to the existing building, with the reconfiguration and upgrading of rooms. To the ground floor there will be spaces for under 2's and 2-3 year olds. There will also be a lobby area with toilets and a lift. At first floor there will be spaces for 3+ year olds, as well as staff areas including an office, meeting room, staff room and kitchen.
- 3.4 External alterations include a new entrance to the east elevation, connecting to a ramp which will provide disabled access to the building. To the rear of the building there will be the addition of a covered external space adjacent to the building, allowing for all weather outside play for children, surfaced with paving and probably artificial grass.
- 3.5 The existing site access will remain in its current location, with the gates set further back into the site to allow delivery vehicles to pull off the road before opening the gates. The works include resurfacing of the driveway in gravel.

There will be a gate for vehicles, and a separate gate for pedestrians and cyclists.

- 3.6 To the frontage of the building there will be 2 disabled parking spaces, allowing accessible parking for either staff or parents. In this area there will also be 16 visitor bicycle parking spaces, or 13 spaces with a cargo parking space. A larger area of bicycle parking is provided to the east of the building, with total spaces for 36 bicycles, or 31 with 2 cargo parking spaces.
- 3.7 The existing garage building will be renovated and utilised to provide storage facilities for the nursery. The sheds will be removed.
- 3.8 To the rear of the building there will be the addition of a covered external space adjacent to the building, allowing for all weather outside play for children.
- 3.9 Opening hours of the nursery would be Monday-Friday within the hours of 7:30am-6pm. The external play space would need to be accessible to children from 08:30am until close.
- 3.10 The application has been amended to address representations and further consultations have been carried out as appropriate.

4.0 Relevant Site History

4.1 **None**

5.0 Policy

National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.1 **Cambridge Local Plan**

Policy 1: The presumption in favour of sustainable development

Policy 28: Sustainable design and construction, and water use

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 46: Student accommodation

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 58: Altering and extending existing buildings

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 71: Trees

Policy 73: Community, sports and leisure facilities

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.2 **Neighbourhood Plan**

South Newnham Neighbourhood Plan

Emerging plan has been published in accordance with Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 on 16th May 2023. The consultation period ran from 12th June until 30th July 2023.

Policy SNNP12 - Protecting Residential Amenity in South Newnham states:

All development proposals (including alterations, extensions, conversions, and infill developments) are expected to:

a) Not lead to unacceptable overlooking (loss or privacy an immediate outlook) or overshadowing (loss of daylight and sunlight). Proposals that incorporate extensive areas of glass directly facing neighbouring properties will not be supported.

b) Ensure existing and future occupiers are not exposed to unacceptable levels of pollution that may arise from the development. This can include noise, smoke, fumes, refuse and/or lighting during construction and occupation.

c) Ensure existing and proposed occupiers are not exposed to unacceptable levels of general disturbance arising from the development, through traffic movements to, from and within the site during construction and occupation. With respect to a), where there is a risk of an unacceptable impact on light amenity, a special light report should be commissioned including BRE, Right to Light and Shadow Studies. In all cases, applicants are strongly

encouraged to engage with occupiers in neighbouring properties at pre-application stage in order to help identify impacts on residential amenity and develop an appropriate scheme.

5.3 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022
Sustainable Design and Construction SPD – Adopted January 2020
Cambridgeshire Flood and Water SPD – Adopted November 2016
Landscape in New Developments SPD – Adopted March 2010
Trees and Development Sites SPD – Adopted January 2009

5.4 Other Guidance

West Cambridge conservation area

6.0 Consultations

6.1 County Highways Development Management – No Objection

Following revised Transport Statement and Travel Plan addressing the issues of crossing Barton Road, on street car parking, bollards, accident data etc, the proposed site layout is now acceptable to the Highway Authority. However, given the nature of the proposed development and its location in Cambridge the Transport Assessment Team within the County Council should be consulted on this application for comment on the Transport Statement and Travel Plan.

6.2 County Transport Team – No Objection

6.3 Conservation Team – No Objection

The main chimneys must be retained. Removal or reduction of the rooflights in the proposed veranda would be preferred. Retention of rear wing chimney would be preferred.

6.4 Streets and Open Spaces - No Objection

While it will be essential to ensure that the construction of the extended driveway is achieved without excavation or lowering of levels within the RPA, there are no formal objections to the proposal, subject to conditions requiring prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)

6.5 Environmental Health – Object

Noise from ASHPs have been known to harm local amenity and quality of life if poorly selected / located without acoustic mitigation.

Noise levels from plant and equipment associated with the application requires assessment to ensure local amenity is protected. It is required that the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background sound level (LA90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Whilst our requirements are for the rating level not to exceed the background sound level at the application site boundary, if the plant is roof mounted and nearby noise sensitive receivers are in closer proximity than the site boundary and / or the site boundary is afforded shielding from the application building parapet, the nearest noise sensitive receiver would be the required assessment location.

Additional information 15th March 2023.

Noise Assessment

Sweco have provided an updated acoustic assessment dated 7th March 2023 (reference: 65207534-SWE-XX-XX-T-U-0001) in which they have provided further information on potential noise mitigation at the site.

ASHP/Plant noise

Section 6 addresses plant associated with the proposed development and section 6.2.2 assumes that plant will only operate during nursery open hours (1hour extra either side) – 08:00 – 19:00hrs. Confirmation that plant (including the ASHP) will not be operational outside of these times is required.

Section 6.3 suggests that there may be other plant installed which hasn't been included in the noise assessment at this time. Further plant can be controlled by our standard plant condition if our other noise concerns can be adequately addressed.

Confirmation that the recommended height of the proposed ASHP barrier prevents line of sight from upper windows of overlooking residential properties is needed to ensure it will provide a level of sufficient acoustic attenuation to upper levels and whether this has been included within the acoustic calculations.

External play area

Section 7 addresses the noise impact of the proposed external play area using GCPs Sustainable Design and Construction SPD 2020 requirements and IEMA Guidelines for Environmental Noise Impact Assessment which are considered the best available guidelines in the absence of any specific impact assessment methodology. The assessment concludes that with the

proposed 2m barrier, there will still be a Significant Observed Adverse Effect Level (SOAEL) at the 1st floor nearby residential receptors.

Note that Table 18 and 19 state reference time is [08:00-19:00], however it is not clear if noise impact has been averaged over the entire time frame, or just for the 2 hours a day that the external play area will be used for. Clarification is needed on this as if noise has been averaged over 9 hours it is likely that the impact has been underestimated.

The 1st floor windows of the nearby residential receptors are understood to comprise of a bedroom and landing windows, and it has been suggested that these rooms are less sensitive as are less likely to be used during daytime hours. However, BS8223:2014 acknowledges daytime resting limits in bedrooms and the importance of having suitable conditions for concentration for study and work which is important for those who work from home, and we cannot discount this impact or have certainty that these rooms will not be used for either of these functions during the daytime hours.

A 3m barrier has been considered within the assessment, however with this height adjustment from the 2m barrier suggested originally, the levels are expected to remain roughly as predicted for the 2m barrier and therefore the impact at the upper windows will remain the same, although improvements have been shown at lower levels.

There are fundamental material planning considerations that should be addressed prior to determination and should not be conditioned. There needs to be a reasonable degree of certainty that they can be mitigated to an acceptable level and to secure a high quality design and a good standard of amenity and quality of life for nearby residential receptors.

However, there are very limited options to mitigate and control noise from the external open air play area proposed and we have serious concerns about the suitability of this use in this location so close to existing residential premises. It is of our opinion that an external play area in this location with close proximity to residential properties is poor acoustic design and is likely to have an unacceptable adverse impact on the living conditions and quality of life / amenity of neighbouring properties in terms of noise. In addition, the calculations within the noise assessment provided do not consider the complex emotional response to the type of noise that the external play area will create. Additional noise penalties could be added to account for the sound characteristics associated with child play and we have concerns that this type of noise in close proximity to the neighbouring properties may draw negative attention and therefore the impact is likely to be greater than has been predicted.

Turley have provided a letter with further comments on the proposed scheme dated 16th May 2023.

The letter goes into further detail about both the proposed air source heat pump (ASHP) and external play area.

It has been confirmed that the height of the barrier around the ASHP will prevent line of sight and will provide a level of sufficient acoustic attenuation to upper levels, which has been included within acoustic calculations. The provision of an acoustic enclosure has been recommended to ensure noise impact is reduced to a suitable level. If the potential noise issues can be satisfactorily resolved regarding the external play area, we will be able to support this application with a recommended plant noise insulation condition.

External play area - Have received confirmation that the noise impact has been based on the worst case hour and not been averaged over a longer period, which is welcomed.

It has been noted within the letter supplied that there is there is a lack of research and guidance on calculating emotional responses from nurseries, and we appreciate that there is no specific good practice guidance as to how to assess and consider noise originating from nurseries. However, whilst the submitted noise assessment from Sweco (dated 7/03/23, reference: 65207534-SWE-XX-XX-T-U-0001) has attempted to assess the proposal, due to the lack of recognised appropriate methodology to assess such noise impacts, and the uncertainty around the efficacy of noise mitigation measures there is significant uncertainty that an adverse impact to the amenity and quality of life of neighbouring properties can be adequately mitigated and protected.

As previously mentioned, the noise assessment confirms that even with increasing the barrier to 3m, the expected impact at first floor levels would still be adverse as the levels remain roughly as predicted for the 2m barrier. Due to this, we still have concerns that if planning consent were granted, even with the recommended noise mitigation measures, the scheme is still likely to have an unacceptable adverse impact on the living conditions and quality of life / amenity of neighbouring properties in terms of noise.

Therefore, having considered all of the available information, it is recommended that this application is refused as it is unlikely that satisfactory noise levels can be achieved at nearby receptor locations to ensure a good standard of amenity and quality of life of nearby residents.

6.6 **Access Officer – No objection.**

This is a very good scheme. The hand rails are vital on ramp and steps, the architect can be redesign them in materials, colours, density, aesthetically as long as it conforms with the guidance given in Part M of the Building Regulations. Any double doors need to be electrically opened or be asymmetrical with one leaf being a minimum of 900 mm. Toilet doors should open outwards or slide and/or have quick release bolts are needed in case somebody collapses in the toilet. Some of the rooms should have hearing loops in. Good colour contrast to aid visually impaired children should be considered.

The use of colour can be important to help work wayfinding, i.e. yellow door room, red door toilet. Particularly children with learning difficulties.

6.7 **Third Party Representations**

Six representations have been received.

Those in objection have raised the following issues:

- Principle of development
- Residential amenity impact (impacts on privacy, noise and disturbance,)
- Highway safety

Barton Road is very busy and the constant heavy traffic could be dangerous to young children and their parents getting out of or into cars on the main road beside the proposed nursery, or trying to cross the road in heavy traffic to deliver or collect the children at nursery opening and closing times. The proposed driveway is in close proximity to a bus-stop, and the change would result in frequent clashes between buses using the stop and cars arriving to drop off and collect children from the nursery, as well as increasing risk to any children on foot.

Remain concerned about increased noise levels during the day and welcome measures such as limited window opening on the side of the building which faces our house. We spend the vast majority of our time in our large back room kitchen which directly faces 26 Barton Road, and worry our daytime peace will be impacted, particularly with under 2s due to be accommodated directly opposite. Perhaps thought can be given to this in the construction of the new fence to mitigate noise transmission please?

Staff kitchen upstairs will particularly impinge on privacy especially with the sink positioned at the window, as any users will directly look into windows and garden while using it. We ask that the sink is moved away from the window so that staff are not encouraged to stare at our property while working. We both work from home often and having people looking into our house will be unwelcome.

The width of 26 Barton Road is very narrow and the design of the buildings means that the outdoor areas are extremely close to the boundary with 2 Grange Road. Violation of a very long established, quiet residential area purely for the commercial benefit of Pembroke College.

This introduction of a commercial enterprise, with considerable noise potential, into an inappropriate site will destroy the beneficial aspects of a quiet residential area. The area of 2 Grange Road is bounded on two sides by main roads, with consequent traffic noise. The private part which is not overlooked is immediately adjacent to 26 Barton Road, this is also the quietest part of the garden, it is used extensively which will no longer be possible if this plan goes ahead.

They are also proposing to create a children's playground which will extend right up against the boundary with 2 Grange Road which for inclement weather will move to the covered area a mere 20 feet away. The noise and activity level if this plan goes will destroy the environmental benefit of our garden and will penetrate into the house destroying the scholastic atmosphere.

Proposed to site a heat pump, which according to the map is to be sited less than 10 feet from the boundary with 2 Grange Road, this is closer to our property than it is to the proposed nursery staff rooms.

This is a wholly undesirable proposal whose purpose is to benefit the staff of Pembroke College who may live anywhere in Cambridge, it is not as maintained a social enterprise but is a commercial activity. Its purpose is to increase the attractiveness of employment at Pembroke College, which may be very well for the College but would result in considerable loss of quiet living and of privacy and a detrimental change of character of this quiet and peaceful part of the neighbourhood. There is a perfectly good location for which planning permission has been obtained in the Rugby Club site, perhaps the main reason for the so-called disadvantage of the site is that the benefit will not accrue to Pembroke College.

6.8 Member Representations

Not applicable

6.9 Local Interest Groups and Organisations / Petition

South Newnham Neighbourhood Forum (SNNF) has made a representation objecting to the application on the following grounds:

This part of Newnham is a quiet residential area, with homes occupied either by families or students. The exception to this is the nursery at 8 Grange Road, and neighbouring residents report a significant amount of noise from the nursery when the children are outside. There has also been a noticeable increase in road traffic at drop-off and pick-up times. The proposed nursery at 26 Barton Road, is for 47 nursery places and 14 staff members, and this will add significantly to the noise levels in this area as the application includes an all-weather, covered outside play area within the small imprint of the garden, and the installation of a heat pump. Barton Road is a main arterial route into Cambridge and the traffic is very heavy during morning and afternoon rush hours.

The proposed nursery is not intended to cater primarily for local families but the staff of Pembroke and Queens' College, who will likely be coming from near and far, adding to the strain on the local road infrastructure when dropping off children and picking up children. There is nowhere safe to park in the immediate vicinity. There are some parking spaces along Barton Road Residents have contacted the Forum with their concerns and we are

objecting to this application on grounds of increased noise in a quiet residential area and the dangers posed on a busy road when dropping off and picking up children.

The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

7.0 Assessment

Principle of Development

7.1 Loss of C2 student accommodation

7.2 The proposal would result in a loss of C2 student accommodation use. Policy 46 predominantly focuses on the provision of student accommodation but does set out that where a loss is proposed, this will be resisted unless adequate replacement accommodation is provided, or it is demonstrated that the facility no longer caters for current or future needs.

7.3 It is understood that in the 1960s, the house operated as a College hostel with a Hostel keeper who looked after the students. Whilst the role of Hostel keeper became obsolete in the early 2000's the last postholder continued to occupy the rear section of the property until their retirement in 2021. The 7 study bedrooms make a very modest contribution to Pembroke College's accommodation offering and are a distance from the wider College. The rather isolated site does not therefore offer an ideal location for Pembroke College student accommodation. Following their acquisition of the Mill Lane site from the University of Cambridge and others, Pembroke College have been able to create a new development (18/01930/FUL) which includes the provision of student accommodation close to the main College campus. Whilst this will not house additional students, it does mean that the modest number of students currently accommodated within the hostel at 26 Barton Road, can be accommodated at Mill Lane.

7.4 Local need for Nursery Provision

7.5 With regard to the proposed (E(f)) children's nursery use, this is considered a community facility under Policy 73, with 'a crèche, day nursery or playgroup' listed in Table 8.2 Definition of community facilities.

7.6 Policy 73 of the Local Plan 2018 states that new or enhanced community, sports or leisure facilities will be permitted if:

- a. the range, quality and accessibility of facilities are improved;
- b. there is a local need for the facilities; and
- c. the facility is in close proximity to the people it serves.

Proposals for new and improved sports and leisure facilities will be supported where they improve the range, quality and access to facilities both within Cambridge and, where appropriate, in the sub-region.

- 7.7 This nursery facility is proposed in part to replace the nursery at nearby Owlstone Croft. This existing facility at Owlstone Croft is the subject of a planning application for the demolition of the nursery building, as well as part of outbuildings; partial demolition, refurbishment and extension of other existing college buildings and the erection of four accommodation blocks containing 60 rooms for postgraduate students; associated landscaping, car and cycle parking, refuse and other storage and new electricity substation within outbuildings. With reference to this site, planning permission has been refused and this application is currently at an Inquiry.
- 7.8 The proposed facility would be larger because in addition to taking on the 25 children from the existing nursery at Owlstone Croft (which is run by Wigwam on behalf of Queens' College), this nursery will also service the demand for nursery places from the Fellows and staff of Pembroke College and from other families within the Newnham area (as the existing Owlstone nursery does). There is no requirement for the places to only be available to children who live in the Newnham area. The facility would be in close proximity to the people it serves which would include staff and Fellows of Pembroke College regardless of where they live, as well as the Newnham community and would therefore address a local need. It is considered to be a sustainable approach to site a nursery close to this workplace. The facility would be a commercial enterprise, regardless of who uses it.
- 7.9 The 2023 Budget sets out plans for an extension to free childcare. This is from the current provision for 3–4-year-olds to include children from 9 months of age. This will take a staggered approach with free childcare for 2-year-olds as soon as April 2024, with an acknowledgement from the Government that there will need to be more providers to meet demand. The proposed nursery will help to meet this demand.
- 7.10 The proposal is compliant with Cambridge Local Plan (2018) policy 73.
- 7.11 **Design, Layout, Scale and Landscaping**
- 7.12 Policies 55, 56, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.
- 7.13 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 59 and the NPPF.
- 7.14 **Trees**
- 7.15 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to

mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

7.16 The application is accompanied by an Arboricultural Impact Assessment and Tree Protection Plan.

7.17 The Council's Tree Officer has advised that subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

7.18 **Heritage Assets**

7.19 The application falls within the West Cambridge Conservation Area. It is situated adjacent to the grade II listed building, Five Gables, at 4 Grange Road. The site is considered to be within the setting of this listed building.

7.20 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

7.21 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significant of a heritage asset should require clear and convincing justification.

7.22 26 Barton Road, built at the end of the 19th century, is a three bay villa built of buff brick with red brick detailing, having a symmetrical front with two ground-floor canted bay windows and a number of feature chimneys. It is situated in a residential part of the West Cambridge conservation area. This and neighbouring plots in this area, were designed for large family residencies in generous gardens. The immediate character of the area retains an open verdant residential character, in spite of the heavy traffic on Barton Road. The building makes a positive contribution to the West Cambridge Conservation area. Although this building has been student accommodation for some time, it still largely retains its outward original domestic character. The provision of the access ramp into the relocated entrance to the building would introduce an institutional feature. However, it is considered that as the ramp is set back from the frontage, there would be the opportunity for landscaping which would help to disguise the ramp and provide verdant screening which would mitigate the visual impact.

7.23 The Conservation Officer has advised that on balance the extension/alterations are acceptable.

7.24 The proposed extensions are to the rear and single storey in scale. The proposal has been amended to retain all four chimney stacks to the front section of the building retaining the symmetry of these features which is considered to contribute the character/appearance of the conservation area. The chimney to the rear section is to be removed, however this is of lesser significance and its removal would not warrant a reason for refusal.

7.25 It is considered that the proposal, by virtue of its scale, massing and design, would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Local Plan policy 61.

7.26 **Water Management and Flood Risk**

7.27 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.

7.28 The site is in Flood Zone 1 and is therefore considered at low risk of flooding.

7.29 The applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

7.30 **Highway Safety and Transport Impacts**

7.31 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.

7.32 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Access to the site would be as existing with gates set further back into the site to allow vehicles to park off the highway.

7.33 The application is supported by a Transport Assessment and Travel Management Plan and application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team. These documents have been amended following comments from Highways.

7.34 The Highway Authority requested further detail on how carers will be prevented from using the private motor car to access the site and felt that the proposed bollards were not acceptable. The Officer also felt that carers

could park legally on street, with the need to cross the road being to the detriment of highway safety.

- 7.35 With regards to the car access element, Highways have requested assurance that all potential future operators of the nursery would be willing to maintain the nursery as a 'car-free' site, as per the initial proposal, just in case the operator changes in the future. A written statement of assurance between Pembroke College and Queens' College, has been submitted. All operators of the site would be bound to ensure the same 'code of conduct' for parents. This position has been confirmed in the Transport Statement and Travel Plan submitted. The references to bollards within the Transport Statement have also been removed. Highways also commented on the interpretation of the accident data, requesting that the analysis of collision data be extended to offset the potential impact of COVID-19 lockdowns. Typically, the latest available five-year period is utilised in a collision assessment (2017-2022), but in response to highway comments 2015 and 2016 have now been included within the analysis for robustness. The conclusion remains that the number and severity of collisions is relatively low.
- 7.36 There are bus stops in close proximity to the existing access to the site and opposite, as well as a cycle lane between the highway and the public footpath. There have been recent works on Barton Road to create new / improved cycle lane and this has reduced the width of the main roadway. Third Party objectors have expressed concern that because Barton Road is very busy, the constant heavy traffic could be dangerous to young children and their parents getting out of or into cars beside the proposed nursery or trying to cross the road and there may be clashes between buses using the stop which would increase risk to any children on foot. This stretch of Barton Road has no on street parking and has double yellow lines. Parents/carers cannot use this highway immediately outside the application site for dropping off/picking up. The only cars which would be permitted to access and park within the site are two Blue Badge Holders. The gates to the site are to be relocated further back into the site to allow cars to draw clear off the public highway and footpath. As such it is considered that there would be no a danger to road safety in particular to pedestrians as a result of car drivers trying to stop/wait on this highway and there would not be a detrimental impact on road safety through conflict between cars using the site and buses. The public footpath would be kept clear of vehicles. As only two cars would be accessing the site there would not be any additional harm to users of the footpath.
- 7.37 Pembroke College, in partnership with Queens' College, have given assurance that any future operator of the nursery proposed at 26 Barton Road will not permit users (except for Blue Badge holders) to park or drop-off/pick up children using motor vehicles. There are available on-street car parking spaces opposite the proposed development so parents/carers could park legally on street. Highways have commented that this would, however, require parent/carers and children to cross Barton Road which would be to the detriment of highway safety. However, there is a pedestrian crossing on

Barton Road, close to the junction with Grange Road which parents/carers will be encouraged to use to access the opposite side of the road.

7.38 A condition requiring a plan for active management of unauthorised parking by parents during pick up / drop off core times, including the designation of traffic marshals will be attached to ensure this is carried out. A condition is also required to ensure that the Travel Plan is implemented, fully adhered to, monitored, and reviewed after 6 months of operation, as well as condition restricting on-site parking to Blue Badge holders only.

7.39 Subject to conditions, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

7.40 **Cycle and Car Parking Provision**

7.41 Cycle Parking

7.42 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis. The requirement is for 2 spaces for every 5 members of staff, 1 visitor space per 5 children and an area to be provided for the parking of cargo bicycles/trailers. To the frontage of the building there will be 2 disabled parking spaces, allowing accessible parking for either staff or parents. There would be 16 visitor bicycle parking spaces, or 13 spaces with a cargo parking space. A larger area of bicycle parking is provided to the east of the building, with total spaces for 36 bicycles, or 31 with 2 cargo parking spaces. There would be 14 staff.

7.43 6 spaces would be required for staff. 9 visitors' spaces are required. There would be 44 cycle spaces in total, 13 visitor cycle parking, 31 other cycle spaces and three cargo parking spaces. 16 cycle parking spaces will be provided at 26 Barton Road for staff. These spaces are all located within the secure area to the east of the building. In addition, there is cycle parking provided for staff at the shared college sports facility on Barton Road. At present, there are 58 cycle parking spaces at the shared college sports facility on Barton Road, which is approximately 1.2km to the west of 26 Barton Road. Surveys show that only 27% of these spaces are typically utilised; therefore, there are ample parking spaces available for the staff to utilise.

7.44 Car Parking

7.45 Car parking Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Car-free and car-capped development is supported provided the site is within an easily walkable and

cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.

- 7.46 The proposal does not provide on-site parking facilities for staff or parents, other than the disabled space provision. The scheme will be car-capped with the intention that staff and parents will either walk or cycle to the site. Pembroke College, in partnership with Queens' College, have given assurance that any future operator of the nursery proposed at 26 Barton Road will not permit users (except for Blue Badge holders) to park or drop-off/pick up children using motor vehicles. With respect to offsite parking for staff, it has been agreed that car parking provision of 10 spaces will be provided for staff at the 65-space shared college sports facility on Barton Road, which is approximately 1.2km to the west of 26 Barton Road. From the sports facility, staff will walk or cycle to 26 Barton Road, the route will be signposted to staff in the Travel Plan and utilises quiet routes and a toucan crossing point on Barton Road.
- 7.47 Subject to conditions, the proposal is considered to accord with policy 82 of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

7.48 **Amenity of adjacent residential properties**

- 7.49 Policy 35 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces. Policy 35 also guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance.

The emerging Policy SNNP12 of the neighbourhood plan states:

All development proposals (including alterations, extensions, conversions, and infill developments) are expected to:

a) Not lead to unacceptable overlooking (loss or privacy an immediate outlook) or overshadowing (loss of daylight and sunlight). Proposals that incorporate extensive areas of glass directly facing neighbouring properties will not be supported.

b) Ensure existing and future occupiers are not exposed to unacceptable levels of pollution that may arise from the development. This can include noise, smoke, fumes, refuse and/or lighting during construction and occupation.

- 7.50 Operational Impacts (Noise) from plant and use

- 7.51 The Council's Environmental Health team have assessed the application and have expressed concern regarding noise from the operation of the proposed air source heat pump (ASHP) as well as the noise impacts from the proposed use of the external play area. Third Parties have also objected to the proposal regarding the impact of noise from the external play area.

- 7.52 It has been confirmed that the height of the barrier around the ASHP will prevent line of sight and will provide a level of sufficient acoustic attenuation to upper levels of adjacent residential properties. The provision of an acoustic enclosure has been recommended to ensure noise impact is reduced to a suitable level. In this respect Environmental Health Officers are able to support the ASHP with a recommended plant noise insulation condition.
- 7.53 Environmental Health Officers consider the noise impact from the external play area will be from impulsive noise events from children shouting / screaming. Impulsive events are most likely to trigger emotional reactions from neighbours and cause annoyance. Noise from a nursery play area would not be determined as noise without character, previously termed "anonymous noise" (e.g. traffic noise). The noise would attract attention and be distinguishable. BS8233:2014 states "*Noise has a specific character if it contains features such as a distinguishable, discrete and continuous tone, is irregular enough to attract attention, or has strong low-frequency content, in which case lower noise limits might be appropriate*".
- 7.54 It has been noted within the supporting letter supplied that there is there is a lack of research and guidance on calculating emotional responses from nurseries. Environmental Health have also noted that there is no specific good practice guidance as to how to assess and consider noise originating from nurseries.
- 7.55 Boundary fences are proposed to be installed as part of the scheme to the north, east and western boundaries of the site and are understood to be 2m above ground level. This would provide sufficient acoustic reduction to the rear gardens and outdoor amenity space to both 2 and 4 Grange Road and to ground floor living accommodation. However, there will be insignificant acoustic reduction for residents at first floor level. The noise assessment has been based on BS4142, which applies specifically to the assessment of industrial and commercial noise. However, while the practice has been effective in assessing such forms of noise, the EHO has specifically noted that the noise likely to arise from the proposed use would be variable, and the assessment therefore provides no comfort that noise could be appropriately mitigated from.
- 7.56 The noise assessment confirms that even with increasing the barrier to 3m, the expected impact at first floor levels would still be adverse as the levels remain roughly as predicted for the 2m barrier. Due to this, Environmental Health Officers have concerns that if planning consent were to be granted, even with the recommended noise mitigation measures, the scheme is still likely to have an unacceptable adverse impact on the living conditions and quality of life / amenity of neighbouring properties and it is unlikely that satisfactory noise levels can be achieved at nearby receptor locations to ensure a good standard of amenity and quality of life of nearby residents.

- 7.57 The 1st floor windows of the nearby residential receptors are understood to comprise of a bedroom and landing windows. Although these rooms are less likely to be used during daytime hours, BS8223:2014 acknowledges daytime resting limits in bedrooms and the importance of having suitable conditions for concentration for study and work which is important for those who work from home. There is no certainty that these rooms will not be used for either of these functions during the daytime hours.
- 7.58 Notwithstanding the above, it is important to note that the predicted noise levels and impacts are only expected to occur during the use of the external play areas. The external play areas will not be in use during the evening or night-time when the ambient noise levels are lower. It can be argued that during daytime hours there may be other disturbances to occupants of these first floor rooms.
- 7.59 Therefore, it is considered that the actual real-world impact on the surrounding areas is likely to be considerably less significant than the worst-case predictions that are presented in the reports.
- 7.60 The nursery opening hours have been detailed as 07:30 – 18:00. A condition restricting hours of use would be attached. It is considered that it would be unreasonable to restrict the use of the outdoor spaces given there are 45 children and a limited amount of space. Outdoor space is a key part of the children's learning and is something that Ofsted recognise as being extremely beneficial for children's development.
- 7.61 It is considered that any excess noise from the children could be managed by staff. By virtue of their age and development, the children are unlikely to be excessively loud. Any potential noise source, i.e. from babies crying or children screaming/crying would not be sustained, as it is in the interest of the nursery to retain a peaceful environment for the benefits of all the children in their care. However, it is accepted that it is unrealistic to expect children to play quietly and there is the possibility that they could be noisy.
- 7.62 Due to the close proximity to these neighbouring residential properties, it is recommended by Environmental Health Officers that the playrooms located at the shared residential site boundary with 2 Grange Road, have an alternative ventilation system to open windows to allow windows to be kept closed during noisy internal events whilst obtaining an adequate ventilation rate for the staff and children. However, the applicant has confirmed that, this cannot be achieved as to prevent overheating, the sash windows need to open 100mm at the bottom with the top of the sash dropped to its furthest extent, with around 45% of the glazed area open. Given the noise impact would be mitigated at ground floor level, this is considered acceptable.
- 7.63 A condition requiring a Noise Management Plan will be attached.
- 7.64 The use of the premises will be restricted via a condition to Class E (f), as a children's nursery only. This is because there are some uses in this class which would require additional assessment in terms of impact on amenity

of the adjacent residential occupiers. Each very different use with varying complex environmental impacts contained within class E must be adequately controlled to protect local amenity and quality of life. The main uses within the class E category with the greatest potential for impact on the surrounding environment from an environmental health perspective beside “creche, day nursery or day centre” are likely to be the “sale of food and drink”, “indoor sport, recreation and fitness” A condition will be attached to ensure that there is not unrestricted use of the building as Class E.

7.65 The principle of development has been accepted and there is an identified need for the nursery places. The recommendation of Environmental Health Officers to refuse is on the basis of the harm to amenity, and not adverse impacts to human health, which has a higher threshold. The consideration of impacts to amenity in respect to noise from children is a subjective matter.

7.66 The type of relationship proposed with surrounding residential properties is seen elsewhere in the city and given that the outdoor play area would only be used during the day, the impact would be for short periods throughout the day. The benefits of the proposal are considered to outweigh the harm to amenity.

7.67 The wider context further demonstrates the mix of uses, with College sports grounds particularly prevalent in this area, including Newnham and Gonville & Caius Sports Grounds to the east, St Catharine’s and Pembroke Sports Grounds to the south as well as Queens’ College and Robinson College Shared Sports Grounds to the west. There are also existing children’s nurseries in the area, including Monkey Puzzle Day Nursery to the north at 8 Grange Road and Millington Road Nursery to the south (behind Croft Gardens).

7.68 Impact on amenity of neighbouring occupiers in terms of overshadowing, overlooking or overbearing.

7.69 **24 Barton Road**

7.70 This property adjoins the application site to the east. Concern has been expressed that the staff kitchen upstairs will particularly impinge on privacy especially with the sink positioned at the window, as any users will directly look into windows and garden while using it. Request that the sink is moved away from the window so that staff are not encouraged to stare at our property while working. There are already windows at first floor which face this property, which serve bedrooms to the student accommodation. However, a condition is recommended that this window is obscurely glazed.

7.71 **2 Grange Road**

This property adjoins the application site to the west. The proposed extensions to the rear are sufficiently sited away from the boundary.

7.72 **4 Grange Road**

7.73 This property adjoins the application site to the north. The proposed extensions to the rear are sufficiently sited away from the boundary.

7.74 Subject to conditions, the proposal adequately respects the amenity of its and is considered that it is compliant with Cambridge Local Plan (2018) policies 35 and 58.

7.75 **Biodiversity**

7.76 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70.

7.77 There is no requirement for Biodiversity Net Gain in this instance. However, a condition will be attached to ensure that biodiversity enhancements such as bat and bird box installation, hedgehog connectivity, and other enhancements are incorporated into a scheme in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022) and delivered on site.

7.78 Taking the above into account, the proposal is compliant with policy 70 of the Cambridge Local Plan (2018).

8.0 **Planning Balance**

8.1 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

8.2 The proposal would provide much needed nursery places in a sustainable location. It would provide a community facility and would be in accordance with Policy 73 of the Cambridge Local Plan 2018.

8.3 The proposed works to enable the change of use of the building to the nursery use are minor, and largely internal. It is considered that the proposals will deliver a high-quality scheme that will continue to accord with the character and appearance of the conservation area. The proposal is compliant with policies 58 and 61 of the Cambridge Local Plan 2018.

8.4 The harm to highway safety from the location and use of the building and safety of the children and parents/carers can be mitigated through measures outlined in the Parking Management Plan and the Travel Plan. The proposal is in compliance with policies 80, 81 and 82 of the Cambridge Local Plan 2018.

- 8.5 Noise from the proposed ASHP and the use of the site be mitigated through acoustic fencing. The noise from the use of the outdoor learning/play areas would have an impact on the upper floors to adjacent residential properties, at 2 and 4 Grange Road. These upper floor rooms may be used for sleeping/resting or home working though the day. However, during the day, any occupiers of these rooms may be disturbed by other activities, and it is accepted that there is a different background of noises during the daytime. It is therefore considered that any harm that may be perceived as resulting from the development, would be outweighed by the benefits of the development. Noise insulation mitigation measures would ensure that harm through the use of the site is minimised as far as possible and the proposal would be in compliance with policy 35 of the Cambridge Local Plan 2018.
- 8.6 Members will need to take a reasoned view on the predicted noise levels and potential disturbance to the upper floors of adjoining residential properties in terms of real-world impacts and must weigh these against the benefits of the proposed development for the local community.
- 8.7 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

9.0 Recommendation

9.1 Approve subject to:

-The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers.

10.0 Planning Conditions

1. 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.

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. Prior to any works being carried out adjacent to retained trees root protection areas and in accordance with BS5837 2012, a phased tree

protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Reason: To satisfy the Local Planning Authority that trees to be retained will be protected from damage during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 4 Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager and the arboricultural consultant to discuss details of the approved AMS. A report of this meeting will be submitted to the tree officer for approval.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 5 The approved tree protection methodology will be implemented throughout the development and the agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: To satisfy the Local Planning Authority that trees to be retained will not be damaged during any construction activity, including demolition, in order to preserve arboricultural amenity in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 6 If any tree shown to be retained on the approved tree protection methodology is removed, uprooted, destroyed or dies within five years of project completion, another tree shall be planted at the same place and

that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

Reason: To satisfy the Local Planning Authority that arboricultural amenity will be preserved in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan 2018 Policy 71: Trees.

- 7 Prior to the occupation of the change of use, a scheme of ecology enhancement shall be supplied to the local planning authority for its written approval. The scheme shall include details of bat and bird box installation, hedgehog connectivity, and other enhancements as applicable and in line with the Greater Cambridge Biodiversity Supplementary Planning Document (2022). The approved scheme shall be fully implemented within an agreed timescale unless otherwise agreed in writing.

Reason: To provide ecological enhancements in accordance with the NPPF 2021 para 174, Cambridge Local Plan 2018 policy 70 and the Greater Cambridge Shared Planning Biodiversity SPD 2022.

- 8 There should be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

- 9 No operational plant, machinery or equipment shall be installed until a scheme of insulation/mitigation as required has been submitted to and approved in writing by the local planning authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

Reason: To protect the amenity of nearby properties (Cambridge Local Plan 2018 policy 36).

- 10 No development above ground level, shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out as approved.

These details shall include proposed finished levels or contours; hard surfacing materials; boundary treatment; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting);

Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. The maintenance shall be carried out in accordance with the approved schedule. Any trees or plants that, within a period of five years after planting, are removed, die or become in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2018 policies 55, 57 and 59)

- 11 Prior to first occupation of the development, hereby permitted, or commencement of the use, full details of facilities for the covered, secure parking of bicycles including cargo cycles/trailers, for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include the means of enclosure, materials, type and layout of the cycle store. A cycle store proposed with a flat roof shall include plans providing for a green roof. Any green roof shall be planted / seeded with a predominant mix of wildflowers which shall contain no more than a maximum of 25% sedum planted on a sub-base being no less than 80 millimetres thick. The cycle store and green roof as appropriate shall be provided and planted in full in accordance with the approved details prior to occupation or commencement of use and shall be retained as such.

Reason: To ensure appropriate provision for the secure storage of bicycles, to encourage biodiversity and slow surface water run-off (Cambridge Local Plan 2018 policies 31 and 82).

- 12 Prior to the first use of the development, hereby permitted, the Badge Parking Spaces shown on plan reference 47C shall be provided on site in accordance with the approved drawing. The car parking spaces shall be provided in accordance with the approved drawings and shall be retained thereafter.

Reason: To ensure that provision is made for disabled and inclusive parking. (Cambridge Local Plan 2018 policy 82)

- 13 There shall be no parking of motor vehicles on the premises at any time by staff or parents other than by Blue Badge holders.

Reason: In the interests of highway safety. (Cambridge Local Plan 2018 policy 81)

- 14 Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), the use hereby permitted shall not be used for any other purpose than as a creche/nursery (Class E(f)) within Class E 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 or re-enacting that Order with or without modification).

Reason: To ensure that the uses are appropriate to residential amenities and the suitability of its use within this location in accordance with Policy 55, 56, 35, 36 and 73 of the Local Plan 2018.

- 15 There shall be no more than 45 children in attendance daily at the nursery hereby permitted at any point during its operation.

Reason: To limit the impacts of noise and traffic from a use that, at a greater intensity, would give rise to impacts not considered as part of this application, in accordance with policies 35 and 81 of the Cambridge Local Plan 2018.

- 16 The nursery (Class E(f)) hereby permitted shall not operate except between the hours of 07:30 am to 18:00 pm Mondays to Fridays and at no time on Saturdays or Sundays or Bank or Public Holidays.

Reason: To protect the amenity of neighbouring property from impacts of noise and activity in accordance with policy 35 of the Cambridge Local Plan 2018.

- 17 The Travel Plan dated February 2023, Project Code: 06215 shall be implemented in full and monitored as approved upon the occupation of the development. A baseline survey will be undertaken 6 months post occupation of the property and the results submitted to the Local Planning Authority. Following the baseline survey, travel surveys shall be undertaken annually to measure the effectiveness of the TP against the baseline conditions.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

- 18 Prior to the commencement of development, as part of a parking management scheme to ensure highway safety, details are required of the measures / mechanisms that will be in place to ensure active management of unauthorised parking by parents during pick up / drop off core times and to ensure there is no conflict between pedestrians and cyclists entering the site.

The scheme should include details of:

- o The designation of one staff member as traffic marshal to greet and manage users of the nursery at peak times and remind parents not to use the bus stop or highway for informal pick-up / drop-off and to use the pedestrian crossing when using on road parking spaces opposite.
- o Complaints procedure for residents, with contact details for site manager.
- o details on reviewing and updating the plan when necessary.

Reason: To ensure the safety of highway users and users of the nursery. (Cambridge Local Plan 2018 Policies 81 and 82).

- 19 Prior to the operation of the premises as approved, the applicant shall provide a Noise Management Plan (NMP) for approval by the Local Planning Authority. The NMP shall include details on (but not be limited to);

- o management and control of access to external areas, including numbers of children using the areas at any one time and hours of use of the external areas,
- o Staff ratio per child whilst children playing outside and how they would be supervised,
- o how excessive noisy behaviour will be controlled/managed, and how children will be taught/reminded of the effect of noise on neighbours,
- o confirmation that there will be no amplified music / voice on the premises,
- o confirmation that there will be no musical activities or use of percussive, hard wheeled and other potentially noisy toys etc in the external areas,
- o complaints procedure for residents, with contact details for site manager, and
- o details on reviewing and updating the NMP when necessary.

The NMP shall be implemented and retained as approved thereafter.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan (2018) policy 35).

- 20 Prior to the occupation of the development, hereby permitted, the first-floor side facing windows to the kitchen, in the east elevation and shown on drawing no. 86, shall be obscure glazed to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent to a level of 1.7 metres above internal floor level and shall be non-openable below 1.7 metres. The glazing shall thereafter be retained in perpetuity.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 58).

- 21 No construction or demolition work shall be carried out and no plant or power operated machinery 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, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs