

APPENDIX D: SECTION 7 – SERVICES AND LOCAL FACILITIES (PART)

ISSUE: DEVELOPMENT AND CHANGE OF USE IN DISTRICT, LOCAL AND NEIGHBOURHOOD CENTRES

Policy 55 - Development and Change of Use in District, Local and Neighbourhood Centres

In these centres new A1 (shop) uses will be permitted if they are in proportion to the scale and function of the centre.

Proposals for other centre uses, as defined in Table 1, will be permitted provided:

- a. they complement the retail function and add to the vitality and viability and diversity of the centre;
- b. provision is made for an active frontage, such as a window display, which is in keeping with the character of the shopping area; and
- c. they would not give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems.

Changes of use from A1 to another centre use (as defined in Table 1) will be permitted where they satisfy the above criteria and additionally:

In district centres:

- d. A1 uses do not fall below 55% (measured as a proportion of the number of units within the 'A' Uses Classes in the district centre).

In local and neighbourhood centres:

- e. an appropriate mix and balance of uses is retained which will provide for the day to day needs of local people.

The loss of centre uses at ground floor level to non-centre uses will not be permitted, unless:

- f. it is demonstrated that the use is no longer viable, by evidence of active marketing for at least 12 months showing that the premises is not reasonably capable of being used or redeveloped for this use or another use which is acceptable in centres (Table 1).

Residential, student accommodation, offices and community facilities, are permitted in upper floors provided there is a suitable access and it would not inhibit the functioning of the ground floor use.

In district centres, small units should not be joined together to make a larger unit unless it can be shown that this would add to the vitality or viability of the centre.

Table 1: Uses suitable at ground floor level in centres

Centre uses	
Shops (A1 uses)	Hotels (C1 uses)
Financial and professional services (A2 uses)	Non-residential institutions such as healthcare, nurseries, schools, libraries and places of worship (D1 uses)
Cafés and restaurants (A3 uses)	Assembly and leisure (D2 uses)
Drinking establishments (A4 uses)	Certain 'Sui Generis' uses typically found in centres, including theatres, nightclubs, amusement arcades, launderettes, tattooists, beauty parlours.
Takeaways (A5 uses)	

SUPPORTING TEXT:

District centres are important in providing for day-to-day needs close to where people live and work. They are the second tier of the centres hierarchy, and characterised by the range of shops and facilities that they offer which would appeal to a larger catchment than local centres. All of the centres have a supermarket or large convenience store and most include other facilities such as a community centre, church, doctors surgery or library. The district centres also include a large range of services, including cafés, restaurants, pubs, takeaways, banks and estate agents.

The Cambridge Leisure Park district centre has a slightly different characteristic to the other district centres, in that it is predominantly leisure focused, although the centre as a whole includes three convenience stores and other shops and services on Hills Road. As a result the centre has a lower level of A1 uses than the 55% set out in the policy. As such there should not be any further loss of existing A1 uses through change of use following designation and additional A1 uses of a suitable nature and scale would be encouraged.

Although permission may be granted for the change of use of A1 shops to other uses acceptable in a centre, this is provided that the level of shops does not fall below 55% in the district centre. This is in order to maintain a predominant shopping focus in the district centres, whilst recognising that there should be flexibility in order to take account of market conditions and to maintain vitality and viability. Applicants should provide evidence with their application to show that the development would not result in the proportion of A1 uses in the district centre falling below 55%. The percentage of A1 units is measured as a proportion of the total number of units falling within the 'A' classes (i.e. A1, A2, A3, A4 and A5) within the centre. Change of

use to other uses such as residential or other commercial uses such as offices will not be permitted unless there are exceptional circumstances.

In order to encourage a diversity of uses within the district centres and to maintain their character, the plan resists the joining together of small units, which are often occupied by small independent traders, to make a larger unit. See policies in “Section 9. Cambridge City Centre, Major Sites and Areas of Change” which relate to other opportunities for improvement to be made to Mill Road and Mitcham’s Corner district centres.

Local and neighbourhood centres are particularly valuable in providing for every day needs, and need to be protected and enhanced. This network of centres is important in providing shops and facilities which can be accessed by foot and bike rather than having to travel by car.

Greater flexibility is provided in relation to new development and change of use in local and neighbourhood centres, to reflect the fact that a mix of uses is important in these smaller centres. Flexibility is also required in order to take account of market conditions and to maintain vitality and viability of the centres.

As centres are often surrounded by residential properties it is important that the potential effects of food and drink uses (Use Classes A3, A4 and A5), such as restaurants, pubs and takeaways is considered in relation to local amenity. In particular the cumulative effect with existing uses needs to be considered.

How the Policy Came About:

1. The National Planning Policy Framework requires that in drawing up Local Plans, local planning authorities should promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres. It is important to set policies which make it clear to developers what uses will be permitted in different locations.

2. The Issues and Options Report set out two potential options dealing with shopping in different types of centre. Option 136 was a general shopping policy that applies to all centres, with some variations in relation to change of use relating to the type of centre. Option 137 was to have separate policies for different types of centre. In both policy options the policy would cover:

- supporting vitality and viability;
- having an appropriate scale of new development according to the nature and scale of the centre;
- encouraging retail diversity and small shops;
- control over change of use from retail (A1) to other uses; and
- prevention of over-concentration of food and drink outlets.

3. The consultation showed clear support for Option 137, where there would be separate policies dealing with the City Centre, district and local centres, although there were some comments that the district and local centres could probably have shared policies. This approach was supported because it would clearly differentiate between the different types of centre and recognise their different role and functions.

4. It is proposed that a separate policy is produced for the City Centre, which will be in Section 9. Policy 55 meanwhile deals with district, local and neighbourhood centres. Although support was given to having a separate policy for each type of centre, it was found that this was very repetitive as many of the same principles apply to district, local and neighbourhood centres. In all centres there is a desire to maintain the predominantly retail function of the centre, but to allow some change of use to other uses suitable in a centre if they would add to vitality and viability, maintain an active frontage and in the case of food and drink uses not give rise to a detrimental effect on amenity. A different approach is proposed for change of use in district centres to local and neighbourhood centres, and this is made clear in the policy. This reflects the desire to keep a predominant retail presence within the district centres as these have a wider catchment than the local and neighbourhood centres where the balance of uses is more important.

5. The Sustainability Appraisal considered that Option 136, based on existing policies would likely result in consent of similar shopping provision as provided to date. Although this would provide greater support for diversity of shopping provision by restricting change of use from small shops to larger units and requiring that large shopping developments provide a proportion of small shops. Furthermore, the encouragement of housing development on upper floors should contribute to meeting the city's housing shortage and provision of smaller (1-2 bed) homes.

6. Option 137 would provide the opportunity to tailor change of use criteria appropriately at the city, district and local centre level; thus helping better address their different requirements more effectively. In particular this approach could protect and support provision of convenience shopping in district and local centres, an identified sustainability issue. Meeting local need more effectively should help reduce the need to travel and help mitigate climate change impacts.

7. The policy has been developed to take into account the sustainability benefits highlighted in the Sustainability Appraisal such as measures to maintain a diversity of shops, encourage housing in upper floors, and having different change of use criteria for the different types of centre.

Evidence from Shopping Survey

8. The Cambridge City Council Shopping Survey (2011/2012) and the draft Retail and Leisure Update have been used to identify the most suitable hierarchy of centres for the new Local Plan. Potential changes to the hierarchy were consulted upon at Issues and Options (2012) and Issues and Options 2 (2013). The policy setting out the hierarchy of centres will be contained in Section 2.

9. The number of units and proportion of A1 uses for the different types of centre, is set out below. This information is from the City Council's shopping survey (2011/12).

10. The policy in the existing Local Plan (6/7) requires that the proportion of A1 uses should not fall below 60% in the district and local centres. The Local Plan is not specific in how to calculate this and historically the percentage of A1 uses has been calculated as a proportion of those uses within the 'A' classes ie A1, A2, A3, A4 and A5. Although consideration has been given to whether the percentage should be a proportion of all uses in the centres (irrespective of their Use Class), this lowers the percentage of A1 uses considerably because of other uses which are commonly found in centres such as doctors surgeries, libraries, churches and community centres. These uses are D1 community uses and are very important within district and local centres but are protected under separate policies, which protect community facilities. It is proposed that the new Local Plan be much clearer in stating that the percentages are a proportion of the 'A' uses within the centre.

District Centres

11. This table shows % of A1 uses based upon total number of A1 to A5 units within the centre at ground floor level)

Centre	Type	No of units in 'A' classes	% A1
Arbury Court	D	16	69
Cherry Hinton High Street	D	28	64
Histon Road	D	9	78
Mill Road East	D	62	66
Mill Road West	D	77	65
Mitcham's Corner	D	53	57
Cambridge Leisure Park	D	21	38

The table includes vacant units recorded under the Use Class of the last known use. Those highlighted in grey are below 60%.

12. As demonstrated in the tables above, most of the district centres are still above 60% A1 uses, apart from Mitcham's Corner and the newly proposed district centre at Cambridge Leisure Park.

13. At Issues and Options 2 consultation, changes were suggested to the boundaries of some of the district centres, which lowers the percentage of A1 uses in some cases. See below for further details.

Local Centres

14. This table shows % of A1 uses based upon total number of A1 to A5 units within the centre at ground floor level

Centre	Type	No of units in 'A' classes	% A1
Arbury Road/Milton Road	L	16	75
Barnwell Road	L	8	50
Cherry Hinton Road East	L	13	46
Cherry Hinton Road West	L	20	60
Hills Road	L	23	70
Newnham Road	L	11	36
Trumpington	L	7	86

The table includes vacant units recorded under the Use Class of the last known use. Those highlighted in grey are below 60%.

Neighbourhood Centres

15. This table shows % of A1 uses based upon total number of A1 to A5 units within the centre at ground floor level

Centre	Type	No of units in 'A' classes	% A1
Adkins Corner	N	4	75
Akeman Street	N	4	75
Campkin Road	N	3	33
Chesterton High Street	N	18	67
Ditton Lane	N	5	80
Fairfax Road	N	3	100
Grantchester Street (Newnham)	N	6	100
Green End Road	N	4	75
King's Hedges Road	N	4	75
Norfolk Street	N	10	60
Victoria Road	N	5	40
Wulfstan Way	N	9	67
Carlton Way	N	3	67

Hawthorn Way	N	4	100
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16. The table includes vacant units recorded under the Use Class of the last known use. Those highlighted in grey are below 60%.

17. The policy in the existing Local Plan (6/7) requires that the proportion of A1 uses should not fall below 60% in the local centres and the majority are above this level. However, it has been found in the operation of this policy, that the use of percentages is difficult in the smaller centres, because the change in use of one unit has a much larger effect on the percentages than where there are a greater number of units, thus skewing the figures. For example, if there are 4 units in a centre, change of use of one of those units would have a 25% effect. It is for this reason that it is proposed to move away from the percentage based way of measuring the health of a local or neighbourhood centre, and to judge each application on the effect it will have on the vitality and viability of the centre as a whole based upon the mix and balance of uses.

Evidence in draft Retail and Leisure Study Update (2013)

18. The draft Cambridge Retail and Leisure Study Update (2013) looks at the retail hierarchy and states that there has been relatively little change in the overall health and retail composition of the district and local centres since the previous Retail and Leisure Study in 2008. The centres generally perform well against the national average in terms of their convenience goods and service provision and, with only a few exceptions, the centres generally have a low vacancy rate.

19. The study recognises that the council was looking at the potential to remove or reclassify certain centres and in some cases to redefine the centre boundary reflecting changes since the 2006 Local Plan. The study therefore makes recommendations for each centre and the justification behind this. The study suggests that one option would be for the council to define a new tier of 'Neighbourhood Centres' to include the smaller centres, which serve a more limited local catchment and perform more of a neighbourhood function. However, this change would be largely descriptive and in policy terms there would be little distinction in the approach to neighbourhood centres and local centres. The study goes on to say that irrespective of its definition these centres should be protected to ensure that they continue to adequately meet the day-to-day needs of their immediate local catchment.

20. It is proposed that the hierarchy includes a new tier of neighbourhood centres in line with the recommendations of the draft Retail and Leisure Study update. Neighbourhood centres will be those centres where there are 6 or less retail units, or where the units are scattered along a road or embedded within residential areas and serving a limited catchment. The proposed policy treats local centres and neighbourhood centres in the same way, and as set out in the draft Retail and

Leisure Study, this distinction is largely descriptive and a way of ordering the hierarchy.

21. The study also assesses the potential for new centres to be defined in the emerging Local Plan and identifies the potential for the Cambridge Leisure Park to function as a District Centre, for a new local centre to be defined as part of the Station Area development and for Carlton Way and Hawthorn Way to be defined as local/neighbourhood centres. Also for new local centres to be defined in major planned residential development at the NIAB site, University sites and Clay Farm site.

22. The assessment in the Retail and Leisure Study Update (2013) has been used to guide the changes to the hierarchy from the previous Local Plan (2006). There will be a policy, which defines the retail hierarchy in Section 2.

Issues and Options 2 Consultation

23. Consultation was carried out on whether some of the local centres should be reclassified as district centres i.e. Arbury Court, Cherry Hinton High Street, Histon Road (reclassified from local centres) and Cambridge Leisure Park (new classification). Also, changes to the boundaries of some of the district centres was proposed and shown on maps.

24. Consultation was also carried out on changes to the boundaries of some of the local centres and these were shown on maps. The boundary changes were mainly to incorporate centre uses at the edge of current centres and to exclude uses that weren't centre uses (such as residential), but currently within local centres. Although only a small number of representations were received, these were generally in support of the changes proposed to the hierarchy and the boundaries proposed.

25. A comment was received that Mill Road should be considered as one centre and not split between Mill Road East and West. The centres have been historically treated as two centres because they are physically separated by the railway line. Policy 70 will look at the whole of Mill Road. However, for the purposes of this policy, keeping the centres separate seems logical due to the physical separation and because it will give more control over change of use, as the two different parts of Mill Road have different characteristics.

26. There was some objection to the inclusion of Cambridge Leisure Park as a district centre, because the balance of uses is not typical of a district centre, with it mainly having a leisure function and there was concern that policies may restrict it's functioning. However, there was also support because the shops and other facilities at/near the Leisure Park are a very important resource for the increasing numbers of people who live reasonably close to the Park, and the very many who pass this spot on foot or bicycle every day and they should be protected. The supporting text of

the proposed policy recognises that this district centre is different to the others and that A1 uses should be retained and encouraged in order to provide a complementary retail function alongside the leisure facilities.

27. There was also concern about the proposed boundary at Trumpington centre and that this should not be extended because the centre focuses on the crescent of shops. The extension proposed seems logical because it also includes other important community facilities for local people such as the village hall, doctors surgery and a pub and would give these uses further protection. Another comment suggested that Waitrose should be included within the centre. Although Waitrose is considered edge of centre, it is not considered appropriate to provide additional protection for this use by including it within the local centre. If the foodstore was to relocate, due to the size of the site, another use such as housing may be more appropriate at this site rather than retail.

28. There was concern that the proposed extension to the district centre at No 1 Mitcham's Corner, would prejudice further development of the site for mixed use, but recognition that retail would be a suitable use on the frontage. It is proposed to maintain the extension to the centre proposed at Issues and Options 2, in order to recognise the council's desire that there be an active retail frontage. At this stage it would be too difficult to draw an alternative boundary on the map until planning permission has been granted for a use. However, the exact boundary can be refined in the next review of the Plan if development has taken place.

29. The final boundaries of the district, local and neighbourhood centres can be seen in Appendix G, and these will be included on the Local Plan Proposals Map.

30. Based upon these boundaries the proportion of A1 units in the district centres has been recalculated, as shown in the table below. This shows that three of the district centres have less than 60% A1 uses. It is therefore proposed that the percentage of A1 uses set out in the policy for district centres be 55%. This would provide some flexibility for change of use in the majority of the centres which would make them more resilient to market changes in line with the NPPF. However, it would still maintain retail as the predominant use.

District Centres including additional units identified in Plans

31. This table shows % of A1 uses based upon total number of A1 to A5 units within a frontage at ground floor level.

Centre	Type	No of units in 'A' classes	% A1
Arbury Court	D	16	69
Cherry Hinton High Street	D	31	58

Histon Road	D	9	78
Mill Road East	D	73	66
Mill Road West	D	79	62
Mitcham's Corner	D	56	57
Cambridge Leisure Park	D	21	38

Those highlighted in grey are below 60%

ISSUE: COMMUNITY AND LEISURE FACILITIES

Policy 56 - Community and Leisure Facilities

New Facilities

New or enhanced community 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.

New city-wide or city-regional community and/or leisure facilities should also:

- d. comply with the National Planning Policy Framework's sequential approach¹;
- e. demonstrate need for the proposal within the catchment area it is expected to serve;
- f. demonstrate they would not have a negative impact upon the vitality and viability of the City Centre, including its evening economy; and
- g. where possible include facilities open to the wider community into the proposal to enhance both access and range of facilities available.

Loss of Facilities

The loss of a facility or site, last in use as a community facility or leisure facility will be permitted if it is demonstrated:

- h. the facility can be replaced or relocated to at least its existing scale, range, quality and accessibility for its users within the new development. For leisure uses, it should satisfy peak period need; or
- i. the facility is no longer needed.

The redevelopment of school sites for other uses will be permitted only if it can be demonstrated that they are not required in the longer term for continued educational use.

Facilities Provided as Part of Development

Mixed-use development proposals which provide on-site community and/or leisure facilities will be permitted, where these are of a type appropriate to the scale of the development and to meeting the needs of future residents, employees and visitors.

¹ Paragraph 24 of National Planning Policy Framework

In the case of urban extensions and large scale regeneration schemes, this should be in the form of a new, dedicated community centre and, where necessary, education and childcare facilities. For medium and smaller-scale developments in the city, the facilities required will be at the neighbourhood or local level, usually a community house or room.

SUPPORTING TEXT:

For the definition of community facilities see Table 2. Leisure is also defined according to the definition provided in Table 2 and includes three broad categories 'Sports', 'Arts and Culture' and 'Entertainment'. The policy is applicable to both existing facilities and sites last used for community or leisure purposes, in order to avoid situations where these facilities are lost through demolition without any planned replacement facility.

Community facilities perform an important role by stimulating and supporting social cohesion and interaction. It is therefore important that new and replacement facilities support existing communities. These should also facilitate the growth of the City by providing sufficient capacity to accommodate community need and demand.

New and replacement community facilities should be, as far as reasonable and where possible, multi-functional.

Proposals for new and replacement facilities will be supported where there is a local need, demonstrated with a local needs assessment in particular where existing deficits in community or leisure provision have already been identified. The relocation of facilities that serve the whole city should be retained within the city (this can include areas within the continuous Cambridge urban area but outside the city boundary). This should minimise the need for existing facility users to have to travel beyond the city to access the new facility, unless it is demonstrated that a site with high public transport accessibility but outside the city will be easily accessible to Cambridge's residents. City and sub-regional scale facilities should, at the earliest possible planning stage consider opportunities to include additional community and, or leisure facilities accessible to the public in order to increase the public benefit of such schemes.

The requirement in the policy for loss of a facility over whether it is still needed will be tested by:

- a) The marketing of the facility/site for a minimum 12 months. Community and Sporting, Arts/Cultural or Entertainment Leisure facilities should be marketed for a similar category of the facility that will be lost (see "Table 2 List of Community Facility and Leisure Categories"); and
- b) The completion of an independent local needs assessment (funded by the applicant) demonstrating there is no longer a need for the facility. This should also include an independent requirements assessment (funded by the

applicant) detailing how comparable, alternative facilities of similar accessibility for its users can satisfy the existing need.

As part of any application involving the loss of a facility, developers will be expected to provide adequate evidence regarding the level of demand from other organisations providing a comparable facility, a lack of local need, accessibility to alternative facilities for users including the capacity of alternative facilities in order to justify the loss of a community facility. The following information will be required:

- c) details of site marketing attempts made to attract other community uses for which the premises are suitable, including details of all offers received; and
- d) demonstration of site accessibility to users by all means of transport including foot and cycle; and
- e) details of current or most recent use of facilities;
- f) evidence of spare capacity or agreement to accommodate displaced users at other equivalent community/leisure facilities with similar accessibility for users. For existing leisure facilities, in the absence of a robust district-wide needs assessment/capacity assessment, the applicant will be expected to carry out such an assessment at their own cost; and
- g) a local survey to establish the level of interest in and viability of the continued use of the premises as a community facility.

New and replacement city-wide and sub-regional facilities will need to demonstrate:

- h) a need for the proposal within the catchment area they will serve; and
- i) where facilities are located outside the City Centre, how these facilities will not have an adverse impact on the City Centre.

The conversion of existing community facilities to, or dual use as, performance and other cultural (D2) space where appropriate will be supported on their merits on a case-by-case basis.

It is important that when new developments generate the need for community facilities the need is met by on-site provision, where possible.

Childcare facilities include nurseries, integrated nursery centres, playgroups, crèches and child minding networks whether public or private. The provision of such facilities is important to increase economic activity rates, to minimise travel distances, to improve the quality of life of parents and children and to reduce social exclusion.

The provision of any community room or café should be marketed² for these purposes only (agreed in an applicable planning obligation) with any proposed community enterprise (e.g. a café) linked to the financial support and on-going operation of the community room/space provided. This should provide a flexible means of supporting new small-scale community spaces.

² Any asking price(s) and, or rental charge(s) should be commensurate to the type and size of the community facility.

Good quality leisure sport facilities support and encourage people to lead healthy lifestyles, raising the quality of life for local residents. Similarly, leisure art, cultural and entertainment facilities provide a vibrant and culturally diverse range of facilities not only for local people of different age groups, compatible with the City's cultural diversity but also for people who live outside Cambridge. These facilities also help attract people to the City as a place to work, study and live.

New leisure entertainment facilities outside the City Centre should complement and not compete with the City Centre. Therefore, such proposals outside the City Centre will require an independent impact assessment (funded by the developer) that assesses the likely impact of any new proposal on the City Centre. Where sports facilities are provided through educational development community use should be secured.

As part of any planning application the loss or replacement of an indoor sports facility, consideration will be given to outputs from Sport England's strategic planning tools such as the Facilities Planning Model and the Active Places Power website³ in assessing the impact of the proposed loss of the facility. Replacement leisure facilities must comply with the relevant sports design guidance and avoid any net reduction in leisure facilities.

DEFINITION OF COMMUNITY FACILITIES

Community facilities include:

- Uses falling within the category of Class D1⁴ 'Non-residential institutions' with the exception of university teaching accommodation. Core Class D1 uses include:
 - The provision of traditional and complementary medical or health services, except for the use of premises ancillary to the home of the consultant;
 - The provision of education;
 - A crèche, day nursery or playgroup;
 - Place of worship or religious instruction;
 - A community centre, public hall or meeting place; and
 - A public library.
- A local retail unit or public house.
- The following sub-categories of Class C2² 'Residential Institutions':
 - hospitals, residential schools, colleges or training centres; and
 - other uses that provide either a community service or a public utility such as facilities for the emergency services, public toilets and court buildings.

N.B. The lists of uses are not exhaustive.

Categories not included in the definition:

³ www.activeplacespower.com

⁴ Use Classes Order (as amended)

- Any facility on the Community Asset Register that is beyond the definition of a community facility. The Community Asset Register is a list of assets subject to Community ‘right-to-bid’ rules and is a separate process to the planning process.
- University teaching accommodation, language schools and tutorial colleges. Veterinary surgeries.
- Leisure sports and entertainment facilities, including arts and cultural facilities such as museums, performance venues and theatres.
- Outdoor sports and children’s play areas are addressed by open spaces and recreation policies, Section 6.
- Specialist housing, including residential care homes and nursing homes are dealt with in Section 5;
- Public houses which are covered by Policy 59.

TABLE 2 - LIST OF COMMUNITY FACILITY AND LEISURE CATEGORIES

Category of Provision	Example Uses (not exhaustive). A use may fall into more than one category depending on the area it serves.
Local	<ul style="list-style-type: none"> • A community or civic room.
Neighbourhood	<ul style="list-style-type: none"> • Community House - Typically the size of an average three bed house - or Community Hall • Primary School • Day Nursery
District	<ul style="list-style-type: none"> • Public Library • Primary Care Facility • Community Centre and other shared use/services buildings • Function Room • Secondary School • Place of Worship
City-wide	<ul style="list-style-type: none"> • Acute Health Care • Civic and Court buildings • Colleges and University

Leisure Category	Example Uses (not exhaustive)
Leisure Sports	Leisure sport facilities allow for supervised, organised or competitive sports, primarily indoors. Facilities include sports halls, boxing centres, badminton & squash courts, swimming pools (including those outdoor), gymnasiums, indoor bowling centres, indoor tennis centres, health and fitness centres.
Leisure Arts and Culture	Arts and cultural uses such as performance venues and theatres, cinemas, ten pin bowling alleys, punting stations, museums and galleries.
Leisure Entertainment	Nightclubs, snooker/pool halls, bowling alleys

How the Policy Came About:

32. The National Planning Policy Framework's Chapter 2 (Ensuring the vitality of town centres) recommends policies that support the viability and vitality of town centres. Chapter 8 of the National Planning Policy Framework (Promoting healthy communities) recommends policies that provide a balance of land uses within their area to encourage people to minimise journey lengths for leisure pursuits, amongst other uses, and increase the opportunity for community interaction with community members who might otherwise never meet. The National Planning Policy Framework, paragraph 70 states that planning policies should plan positively for the provision and use of shared spaces and community facilities.

33. Policy 56 represents option 168, 169,170,176,177 and 178. These were considered during the 'Cambridge Local Plan – Towards 2031 Issues & Options' consultation.

- Option 168: Protection of existing leisure facilities
- Option 169: New leisure facilities
- Option 170: Protection of existing community facilities
- Option 176: New community facilities; and
- Option 177: The provision of community facilities through new development
- Option 178: Support for arts and cultural activities

34. There was general support for the option of protecting leisure (Option 168) facilities however further clarification of the terms used were needed. Further consideration for the wider social and recreational needs of a community including consideration of accessibility was also needed. The policy criteria should consider stringent tests and consultation of existing and potential users of leisure facilities as well as facility use and the reasons behind current performance. The need to provide new leisure facilities in existing built-up areas was also raised as was the lack of recognition that alternative uses may outweigh retention of existing leisure facility. Community Asset Register sites should be applicable.

35. New leisure facilities (Option 169) should accompany growth with local need not defined by landowners and developers. Local opinions should take priority. Contributions to support the new facilities are essential. Access to the sporting facilities owned by University, colleges and schools to the public should be improved.

36. Proposals should also take into account their local environment to ensure they are sensitive to their location and the character of Cambridge. For new sport related leisure facility applications, the results of Sport England's planning tools should also be provided to help justify new sport facilities.

37. The Sustainability Appraisal supports this approach. The impact of any new facilities will be assessed to ensure they complement and not compete with the city

centre (assuming they are located outside the centre), to ensure the centre's vitality and vibrancy will not be adversely affected. This approach is consistent with the National Planning Policy Framework.

38. The recommendation is to pursue option 169 and ensure policy in the Local Plan will be applicable to all leisure facilities including arts and cultural proposals, local and sub-regional facilities unless a specific sub-regional policy exists. The Theatre Trust and Sport England were consulted on the proposed draft policies and the following points were raised regarding the definitions of community facilities and where sports and cultural facilities should be listed.

39. Sport England suggested that the definition of 'Leisure facilities' be tightened with regard to sports facilities. The reference to 'peak period' - for indoor sports facilities and outdoor intensive use facilities (e.g. floodlit all-weather pitches) is usually defined as weekday evenings as well as the weekend. The references to sub-regional facilities need to demonstrate more than a local need as they would probably serve more than just the immediate Cambridge area. They would need to be justified in the strategic context also.

40. While the protection of community facilities (Option 170) was supported, a number of concerns were raised and included the need to have a balance between intensification of facilities and local community needs. Any marketing period should be between 18 and 24 months. Access was also another issue raised and that access to new facilities remains the same as the previous facility. Comments placed particular emphasis on venues for use by various age groups for community activities. There was support for community interaction.

41. There were many different views on what should and should not be included in the definition of community facilities. The definition of community facilities should include sites on the Community Asset Registers, community kitchens, swap shops, free shops, tool libraries, charity cafés, local shops and pubs, private huts and places of worship, affordable community dance halls, boat clubs. The inclusion of educational facilities dependent on local needs along with highways and private places made open to the public.

42. A number of concerns were raised regarding existing deficits in community facilities with a need to improve existing communities facilities. It was also noted that shared facilities are not always possible due to conflicting demands and needs of community users. Option 176 and 177 were considered to be complementary. For clarity, the drafted policy draws together options 168, 169, 170, 176 and 177.

43. Consultation with the Head of Community Development and Development Management were concluded regarding the way in which small-scale (and often much lower rental value) community facilities can be provided onsite.

44. The problem evolves around encouraging local community groups managing the day-to-day running of small community rooms. These are often marketed as community facilities with community groups unable to compete with higher value community facilities such as dental practices or shops.

45. The policy would require the community space to be marketed to community groups at a commensurate price/rental charge. The policy would allow, through a S106 (legal) agreement a community enterprise to operate that generates income support and provides the day-to-day management of the community room. This should encourage the use of the community space in a sustainable manner.

46. The definition of Community Facilities has now been clarified with a proposed categorisation of facilities based upon location and the area a facility may generally serve. The categorisations should allow for more comparable replacement community facilities to be provided.

47. It should be noted that during the Issues and Options consultation the Theatres Trust explained that for cultural facilities that received subsidies the marketing requirement is not a suitable means of testing viability. Facilities that receive subsidies will therefore be exempt from any marketing requirement.

48. Other comments received during the public consultation included general support for Option 178 however further clarification is required and real demand for venue exists. Another idea suggested that public houses identified for redevelopment to be converted into arts and culture centres. Theatres should not be included in a description of leisure facilities but in cultural facilities. Viability may apply to leisure facilities but not with the same weight for cultural facilities. Option 178 should be linked to transport strategy. Facilities need to be protected and enhanced as the sub-region expands. Proven need for facilities is crucial. Opportunities for a legacy building should be taken as should the designation of a Cultural Quarters.

49. Protecting leisure facilities (Option 169) should help protect and enhance leisure facilities and is also likely to help improve the health and wellbeing of residents. In addition it should contribute to reducing inequalities in health through improved accessibility. Providing protection to leisure facilities will help address the potential loss of these to alternative development. Providing accessible leisure facilities will help minimise the need for people to travel helping reduce transport related greenhouse gas emissions and associated air quality impacts.

50. Supporting new and improved leisure facilities proposed in Option 169 will have benefits for communities and wellbeing, and improve accessibility and help reduce inequalities in health within Cambridge. By ensuring new facilities are to be an appropriate scale to the locality will help ensure the scale of development is sensitive to character and distinctiveness of that local area and help protect the city's townscape.

51. The Sustainability Appraisal considered Option 170 would ensure continued protection of existing community facilities and contribute significantly to addressing key community health and wellbeing issues. Only where comprehensive evidence is demonstrated would this option allow redundant community facilities to be redeveloped into other uses. This should minimise any potential adverse impact on local communities and add another level of protection against the loss of community facilities to other uses. The protection of existing facilities should help reduce the need for people to travel and enabling more people to access facilities by walking and cycling.

52. While Option 170 was supported, a number of concerns were raised and included the need to have a balance between intensification of facilities and local community needs. Any marketing period should be between 18 and 24 months. Access was also another issue raised and that access to new facilities remains the same as the previous facility. Comments placed particular emphasis on venues for use by various age groups for community activities. There was support for community interaction.

53. There were many different views on what should and should not be included in the definition of community facilities. The definition of community facilities should include sites on the Community Asset Registers, community kitchens, swap shops, free shops, tool libraries, charity cafés, local shops and pubs, private huts and places of worship, affordable community dance halls, boat clubs. The inclusion of educational facilities dependent on local needs along with highways and private places made open to the public.

54. The Sustainability Appraisal considered the impact of Option 176 on key issues relating to landscape and biodiversity as uncertain and would be dependent on a site-by-site basis. Enforcing the provision of community facilities through development (Option 177) may be a more certain method of delivery, as new facilities would be required where development leads to an increased demand for community facilities. However the timeframe for delivery may be longer than option 176. Conversely, provision through development may overlook areas in need that do not attract new development.

55. The Sustainability Appraisal considered the impact of option 176 on key issues relating to landscape and biodiversity as uncertain and would be dependent on a site-by-site basis. Enforcing the provision of community facilities through development (Option 177) may be a more certain method of delivery, as new facilities would be required where development leads to an increased demand for community facilities. However the timeframe for delivery may be longer than option 176. Conversely, provision through development may overlook areas in need that do not attract new development.

56. Option 178, maintaining facilities to support art and cultural activities will help Cambridge retain its position as an important cultural centre. This is likely to have a positive effect on the growth of tourism in the city. Enhancing existing facilities and supporting new opportunities for facilities will also contribute positively to the quality and vitality of the city centre.

57. The impact on landscape and biodiversity is uncertain, as it is dependent on the criteria used to source a suitable location for new facilities. Similarly the impact on transport will depend upon where new facilities are located.

ISSUE: ACCESS TO EDUCATION

Policy 57 - Education facilities

New or enhanced education facilities will be permitted if:

- a. the scale, range, quality and accessibility of education facilities are improved;
- b. they are located in the area they are expected to serve;
- c. they mitigate the impact of any associated residential development; and
- d. they comply with the strategic objectives of the Children's Services Authority.

The City Council will work with the Children's Services Authority to provide high quality and convenient local education services in all parts of Cambridge, but particularly in areas of population growth.

Developers should engage with the Children's Services Authority at the earliest opportunity and work co-operatively to ensure the phasing of residential development and appropriate mitigation is identified in a timely manner to ensure appropriate education provision can be secured.

Planning permission will be granted for new education facilities in locations accessible by walking, cycling and public transport, where this will meet an existing deficiency or support regeneration or new development.

Supporting Text:

Education in this section relates to early-years, primary, secondary and further education provision, for all children and young people, including those with Special Educational Needs and/or Disabilities, where residential elements may form part of the provision. Higher education and other types of education such as language schools are not included in this definition of education.

Easy access to good quality educational provision is important for supporting economic growth, developing strong sustainable communities, promoting economic prosperity and sustaining a high quality of life. It is therefore appropriate for new residential development to contribute towards the cost of education provision, either towards the expansion of existing facilities, or in some cases towards the funding of a new school, through planning obligations and the Community Infrastructure Levy as appropriate. Developers of residential sites should engage with the Children's Services Authority at the earliest opportunity to ensure appropriate education provision is delivered in a timely manner.

Cambridgeshire County Council is the local Children's Services Authority. It has the statutory duty, established through the Education Act 1996, to secure sufficient state-funded school places for all children and young people of statutory school age (5-16 years of age) who want one. The Childcare Act 2005 and Education Act 2011 introduced the duty to commission early years and post-16 provision respectively. The Education Act 2011 also changed the County Council's traditional role of providing school places into a commissioning role with enhanced emphasis on the County Council working in partnership with a wide variety of education providers.

To ensure consistency and equity in school place planning across Cambridgeshire, the County Council has adopted principles to underpin commissioning school places. Although recent legislative and policy changes have resulted in a different approach to education planning, the principles set out below remain appropriate:

- a) New schools should provide high quality education provision; and
- b) There should be minimal disruption to existing communities as a result of changes in provision; and
- c) Schools should play a central role in the communities they serve; and
- d) Schools should be located, where possible within the statutory walking distance of the communities they serve;
 - i) 2 miles for primary aged pupils (4-10 years old); and
 - ii) 3 miles for secondary aged pupils (11-15 years old) and
- e) Cambridge pupils should be able to attend a school in the city if they so choose.

In terms of primary education, the County Council has recently expanded a number of existing schools and built two new primary schools, Queen Emma Primary and the new East Chesterton Primary (opening in September 2013) to meet demand from both increased birth rates and new developments. The Council continues to work with education providers to identify means of securing the additional places needed to address existing and future basic educational need requirements across the City.

In terms of secondary provision, the County Council has identified significant pressure on existing secondary capacity in the City, as a result of recent housing development and demographic changes. The County Council is working with Cambridge's education providers to identify options for increasing capacity in the City up to 2018 with Trumpington secondary school scheduled to open in September 2015. From 2018, there is forecast to be further significant pressure on places. The County Council will, in partnership with existing providers undertake an extensive review of provision post-2018 to identify appropriate solutions for securing the additional capacity required.

The City Council will work with the County Council, as local education authority, to ensure that school places are made available to all new residents in appropriate locations and in a timely manner, including regular partnership reviews of where school places will be needed in the future. Educational facilities will be expected, where appropriate and/or possible, reflecting on the County Council's commissioning role, to also include provision for community use, for example through making multi-use facilities accessible to the wider community.

New education facilities should be located in highly accessible locations with good quality footpaths and cycleways to encourage sustainable travel to and from the school by teachers, parents and pupils.

How the Policy Came About

58. Paragraph 37 of the National Planning Policy Framework supports a balanced approach towards the provision of different uses to minimise journey lengths, including education. In addition, paragraph 72 supports a proactive, positive and collaborative approach to providing a range of education facilities in order to provide local people with a wide choice in education. The policy is needed because it is important that there is sufficient infrastructure to support both existing and new growth in Cambridge. This includes infrastructure for educational facilities. The policy should ensure the provision of high quality education facilities for young people in highly accessible locations.

59. While no specific option was consulted upon in the during the 'Cambridge Local Plan – Towards 2031 Issues & Options' consultation, comments were received from the County Council during the Issues and Options 2 Consultation. Their comments highlighted the needs and demands on education facilities with the proposed level of growth.

60. A draft policy was sent to the County's Children and Young People's Services, responsible for new education facilities in Cambridgeshire. Comments received have been applied to for the proposed justification.

61. The Sustainability Appraisal has not assessed this policy option, as it was not included in the Issues and Options document. However, the provision of educational facilities is considered to be a highly sustainable option because these will support the social role of sustainable development.

62. The County's Children and Young People's Services at Cambridgeshire County Council has indicated where new school provision is required to meet the needs of Cambridge. Cambridge City Council is currently working with the County's Children and Young People's Services at Cambridgeshire County Council and South Cambridgeshire District Council.

ISSUE: HEALTHCARE FACILITIES

Policy 58 - Healthcare facilities

New or enhanced healthcare facilities will be permitted if:

- a. The scale, range, quality and accessibility of healthcare facilities are to be improved;
- b. They are located in the area they are expected to serve, and
- c. Where possible and appropriate they are co-located with complementary services.

The Council will work with Local Commissioning Groups to provide high quality and convenient local health services in all parts of Cambridge, but particularly in areas of population growth.

Planning permission will be granted for new primary healthcare facilities in locations accessible by road, walking, cycling and public transport, where this will meet an existing deficiency, or support regeneration or new development.

Supporting Text:

The provision and location of community-based, out of hospital, health-care should aim to meet the needs of existing and new residents. The impact of household and student growth in the City should not worsen healthcare provision for existing residents.

It is essential that the planning process supports the provision of good local healthcare facilities of the right type and in the right locations. The provision and location of community-based, out-of hospital, health-care should aim to meet the needs of existing and new residents. The impact of household and student growth should not worsen healthcare provision for existing residents. Healthcare facilities, for the purposes of this policy, do not include teaching hospitals which are covered by "Policy 25 University Faculty Development".

Clinical Commissioning Groups (CCGs) are statutory bodies representing groups of GPs responsible for designing local health services in England. Every GP practice will need to be a member of a CCG. Local Commissioning Groups (LCGs) are smaller groups of GP practices with a focus on more local issues than the CCG. The Cambridgeshire and Peterborough CCG includes two LCGs who are responsible for patients in Cambridge City and South Cambridgeshire.

Over recent years there has been considerable change in the way in which health care and services is delivered with an ongoing shift away from hospital settings into community based settings, delivering services as close to home as possible. Advancements in medicine and technology have also had considerable impact on the way services are delivered and what can now be delivered outside of hospitals. These trends will continue over the years ahead.

The shift in location and delivery of services also requires more flexibility in planning agreements and the detailed planning and procurement of health facilities. One key principle that should be considered is the co-location of non-NHS community, voluntary sector and commercial spaces alongside primary and community care services if their addition accords with the philosophy of care and can improve affordability/accessibility.

Co-locating services may provide the following benefits: a focal point for the community; promotion of healthy lifestyles as part of an integrated health and community care approach; better connectivity with other services and opening up new possibilities for residents; increased building/site usage; the creation of a critical mass of linked services; increased convenience for users; improved funding and more sustainable transport links. Examples of co-located facilities include those already built in Cambourne and in the planning for Northstowe, Cambridge Southern Fringe and North West Cambridge.

How the Policy Came About:

63. Paragraph 37 of the National Planning Policy Framework supports a balanced approach towards the provision of different uses to minimise journey lengths. Paragraph 70 states that planning policies should plan positively for the provision and use of social facilities. This includes healthcare.

64. The policy is needed because it is important that there is sufficient infrastructure to support both existing and new growth in Cambridge. This includes infrastructure for healthcare facilities. The policy should ensure the provision of high quality healthcare facilities in highly accessible locations. While no specific option was consulted upon in the during the 'Cambridge Local Plan – Towards 2031 Issues & Options' consultation, comments were received from the NHS Cambridgeshire during the Issues and Options Consultation. Their comments highlighted the need to reduce health inequalities.

65. A draft policy was sent to the NHS Property Company and a representative of Cambridgeshire Association to Commission Health (CATCH) Local Commissioning Group (LCG) both of whom represented the now disbanded Cambridgeshire Primary Care Trust, which had responsibility until 1 April 2013 for new healthcare facilities in Cambridgeshire.

66. The Sustainability Appraisal has not assessed this policy option, as it was not included in the Issues and Options document. However, the provision of healthcare facilities is considered to be a highly sustainable option because these will support the social role of sustainable development.

67. The Cambridgeshire Joint Strategic Needs Assessment (JSNA) is the means by which local authorities, Primary Care Trusts and local partners describe the future health, care and wellbeing needs of the local populations and to identify the strategic direction of service delivery to meet those needs.

ISSUE: PROTECTION OF PUBLIC HOUSES

Policy 59 - Protection of Public Houses

The loss of a safeguarded public house including its site (listed in Table 3) will only be permitted if it can be demonstrated:

- a) the public house site is no longer needed within the community as a public house or other form of community facility. Applicants should provide evidence that the public house has been marketed for 12 months as a public house, free of tie and for alternative local commercial or community facility use, at a market price following an independent professional valuation (paid for by the developer) and that there has been no interest in either the free- or lease-hold either as a public house, restaurant or other use falling within the 'A' use classes or as a community facility falling within 'D1' use class; and
- b) all reasonable efforts have been made to preserve the facility (including all diversification options explored – and evidence supplied to illustrate this) but it has been proven that it would not be economically viable (by an independent assessment paid for by the developer) to retain the building or site for its existing or any other 'A' or 'D1' class use; and
- c) it has been otherwise demonstrated that the local community no longer needs the public house and alternative provision is available in the area.

The loss of any part of a public house, or its curtilage will be permitted if it can be demonstrated:

- d) the viability of the public house use will not be adversely affected, sufficient cellarage, beer garden, parking and dining/kitchen areas should remain to retain a viable public house operation; and
- e) the loss including associated development will not detract from the prevailing character and appearance of the area, including where the building is of merit, loss of detracting from any distinctive features of the pub.

SUPPORTING TEXT:

Public houses are an important part of Cambridge's culture and character, fostering social interaction and local community life, often the focal point of a neighbourhood or street. The quality of Cambridge's hostelrys are a key part of the City's quality of life. This underlines that pubs are an important part of the Cambridge economy, not just for the direct and indirect jobs they provide in the pub supplies, food and brewing industries, but in supporting the city's main industries and quality of life by attracting and providing a meeting place for students, academics, scientists and entrepreneurs, and in attracting office workers, shoppers and tourists.

The Cambridge Public House Study (2012) identified a relative undersupply of pubs in Cambridge compared to the national average and comparable towns, this is most apparent in the suburbs of the City. Pubs provide facilities/space for recreation and leisure activities including amongst others: pub quizzes, darts competitions, pool leagues, political and academic discussion and debate, live music performances, meetings of local interest groups and community events. Pubs are therefore much valued culturally important institutions that should be protected. The Cambridge Public House Study (2012) recommended a minimum public house capacity of 750 working age adults within a 400-metre catchment radius.

The policy adopts a flexible policy approach, suggested in the 2012 study, which allowed pubs to change use to other 'A' class uses, such as shops, professional services and restaurants, and in turn for such uses to change back to pub use where there is a market. This provides flexibility for those pubs which are struggling to change to alternative business uses while retaining the vibrancy and use of the site as local commercial community facility which could be returned to pub use in the future if there were a change in the market.

It is important that public houses are not lost due to deliberate neglect, in particular those of heritage value. In cases where a planning application concerns a heritage asset and there is evidence of deliberate neglect of or damage then the deteriorated state of the heritage asset will not be taken into account in any planning decision.

When considering proposals for the development of part of a pub, its car parking areas, dining, cellarage and, or public house gardens, the Council will require evidence to support any such proposals. This should explain how the development proposal will support and not undermine the viability of the pub.

The developers will need to provide an independent professional assessment (funded by the developer) by a professional RICS valuer with expertise in the licensed leisure sector and who is also not engaged to market the property. Any proposals to convert or redevelop a former public house site (listed in Table 3) subsequently converted to a different 'A' use to a non-A use, will still be subject to "Protection of Public House".

The list of Safeguarded Public House Sites will be monitored on an annual basis and recommendations for updating it made in the Annual Monitoring Report.

Table 3 - List of Protected Public House Sites

Pub Site	Address	Ward
The Brook	25 Brookfields	Romsey
The Carlton Arms	Carlton Way	Arbury
The Corner House	231 Newmarket Road	Abbey
The Dobblers Inn	184 Sturton Street	Petersfield
Earl Of Beaconsfield	133 Mill Road	Romsey
Five Bells	126 - 128 Newmarket Road	Abbey
The Fleur De Lys	73 Humberstone Road	West Chesterton
The Golden Hind	355 Milton Road	Kings Hedges
Green Dragon	5 Water Street	East Chesterton
The Haymakers	54 High Street, Chesterton	East Chesterton
The Jenny Wren	80 Campkin Road	Kings Hedges
The Med	Perne Road	Coleridge
The Milton Arms	205 Milton Road	West Chesterton
The Portland Arms	129 Chesterton Road	West Chesterton
Queen Edith	Wulfstan Way	Queen Ediths
The Ranch	100 Histon Road	Arbury
The Red Bull	11 Barton Road	Newnham
Robin Hood	1 Fulbourn Road	Cherry Hinton
The Rock	200 Cherry Hinton Road	Coleridge
The Rosemary Branch	503 Coldhams Lane	Cherry Hinton
The Royal Standard	292 Mill Road	Romsey
The Seven Stars	249 Newmarket Road	Abbey
The Ship	Northfield Avenue	Kings Hedges
Six Bells	11 Covent Garden	Petersfield
The Tally Ho	77 High Street, Trumpington	Trumpington
The Tivoli	16 Chesterton Road	West Chesterton
The Unicorn	15 High Street, Cherry Hinton	Cherry Hinton
(former Volunteer)	60 Trumpington Road	Trumpington
The Wrestlers	337 Newmarket Road	Abbey
The Alexandra Arms	22 - 24 Gwydir Street	Petersfield
The Alma	26 Russell Court	Trumpington
(former Ancient Druids)	Napier Street	Market

The Bakers	176 East Road	Market
Baron Of Beef	19 Bridge Street	Market
The Bird in Hand	73 Newmarket Road	Market
(former Blackamoors Head)	205 Victoria Road	Arbury
The Burleigh Arms	9 - 11 Newmarket Road	Market
The Cambridge Blue	85 - 87 Gwydir Street	Petersfield
The Carpenters Arms	182 - 186 Victoria Road	Arbury
Castle Inn	36 - 38 Castle Street	Castle
Champion Of The Thames	68 King Street	Market
Clarendon Arms	35 - 36 Clarendon Street	Market
The County Arms	43 Castle Street	Castle
Devonshire Arms	1 Devonshire Road	Petersfield
The Elm Tree	Orchard Street	Market
The Emperor	21 Hills Road	Petersfield
The Empress	72 Thoday Street	Romsey
The First and Last	18 Melbourne Place	Market
The Flying Pig	106 Hills Road	Trumpington
The Free Press	7 Prospect Row	Market
The Geldart	1 Ainsworth Street	Petersfield
The Grapes	19 Histon Road	Arbury
The Hopbine	11 - 12 Fair Street	Market
King Street Run	86 - 88 King Street	Market
Kingston Arms	33 Kingston Street	Petersfield
Live And Let Live	40 Mawson Road	Petersfield
(former Locomotive)	44 Mill Road	Petersfield
Man on the Moon	2 Norfolk Street	Petersfield
The Maypole	20A Portugal Place	Market
The Mitre	17 - 18 Bridge Street	Market
The Old Spring	1 Ferry Path	West Chesterton
Panton Arms	43 Panton Street	Trumpington
The Punter	3 Pound Hill	Castle
The Salisbury Arms	76 Tenison Road	Petersfield
Sir Isaac Newton	84 Castle Street	Castle
The Snug	170 East Road	Market
St Johns Chop House	21-24 Northampton Street	Castle
St Radegund	129 King Street	Market
The Tram Depot	2 - 5 Dover Street	Market
The Waterman	32 Chesterton Road	West Chesterton
The White Swan	109 Mill Road	Petersfield
The Zebra	80 Maids Causeway	Market
All Bar One	36 St Andrews Street	Market
The Anchor	Silver Street	Market
The Avery	69 - 73 Regent Street	Market

Baroosh	8 Market Passage	Market
The Bath House	3 Bene't Street	Market
The Boathouse	14 Chesterton Road	West Chesterton
The Castle	37 St Andrews Street	Market
The Cow	Corn Exchange Street	Market
(former Cross Keys)	9 Saxon Street	Trumpington
d'Arrys Cookhouse	4 King Street	Market
The Eagle	Bene't Street	Market
Earl Of Derby	129 Hills Road	Trumpington
Fort St George	Midsummer Common, Victoria Avenue	Market
The Fountain Inn	12 Regent Street	Market
The Granta	14 Newnham Terrace	Newnham
The Great Northern	1 - 3 Station Road	Petersfield
The Green Man	55 High Street, Trumpington	Trumpington
Las Iguanas	Quayside	Market
The Jolly Scholar	1 King Street	Market
The Mill	14 Mill Lane	Market
The Oak Bistro	6 Lensfield Road	Trumpington
(former Old Orleans)	Miller's Yard, Mill Lane	Market
Penny Ferry	110 Water Street	East Chesterton
The Pickerel Inn	30 Magdalene Street	Castle
Prince Regent	91 Regent Street	Market
Quinns Pub	20 Downing Street	Market
Red Lion	20 Mill End Road	Cherry Hinton
The Regal	38 - 39 St Andrews Street	Market
Revolution	3-8 Downing Street	Market
(former Slug & Lettuce)	34 - 35 Green Street	Market
The Snug	67 Lensfield Road	Trumpington
Travellers Rest	Huntingdon Road	Castle
The Unicorn	22 Church Lane	Trumpington

How the Policy Came About

68. The National Planning Policy Framework in Chapter 1 (Delivering sustainable development) recommends policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. The same document's Chapter 2 (Ensuring the vitality of town centres) of the National Planning Policy Framework recommends policies that support the viability and vitality of town centres. Chapter 8 (Promoting healthy communities) of the National Planning Policy Framework recommends policies that increase the opportunity for community interaction with community members who might otherwise never meet. Paragraph 70 of the National Planning Policy

Framework states that planning policies should plan positively for the provision and use of shared spaces and community facilities.

69. Five options regarding public houses were consulted upon and are listed below:

- Option 171 - Public Houses: Market led approach
- Option 172 - Protection for all Public Houses
- Option 173 - Safeguarding Public Houses
- Option 174 – Extend safeguarding of public houses to former public houses
- Option 175 – Allow flexible re-use of public houses

70. Concerns about this option were raised over its effectiveness, as it would not require developers to establish a public house's viability as a pub business. Although it is also argued that a viable business would not close and the protection of some public houses would be futile. Strong public opposition to this option remains with concern for the protection of community facilities. Concern remains over the effectiveness of the market forces option to establish that the premises were not viable as a pub business.

71. The Sustainability Appraisal considers this option could have a significant adverse effect on community spirit and the vibrancy and vitality of local neighbourhoods as well as having the potential to harm Cambridge's character, and subsequent appeal to tourists. However, the conversion of unviable public houses into alternative uses could help improve the character and appearance of local neighbourhoods. In general, the Sustainability Appraisal identified a number of uncertain effects against the majority of sustainability topics. The protection of public houses from higher value uses would protect these facilities. However, this option could result in redundant public houses remaining unused. Buildings, which are dilapidated or boarded up, can have a negative effect upon the appearance of an area.

72. While there was support for this approach to avoid communities becoming isolated this option would not be able to force closed public houses to remain open. This option would not be a true reflection of current market trends and would lead to an increase in disused pubs that may never reopen. Option 172 would need to protect the site rather than the use otherwise public houses could simply become a restaurant before changing into an alternative use. Finally, as with option 171, doubts about this option have been raised over its effectiveness, as it would not provide a clear means by which developers could establish that the premises were not viable as a pub business. The Sustainability Appraisal supported this option as it balanced the need for some protection from higher value uses with the need for flexibility where the existing use as a public house is found to be unviable. The pre-application consultation requirement with local residents should help ensure any new use is in keeping with the needs and character of the local area.

73. This approach would provide developers with a clear and objective way in which to establish viability, using an independent valuation for the marketing of the site. For local communities, this option would provide safeguards against the unnecessary closure of viable public houses and help to identify the value associated with a public house. This will allow planning decisions to consider the value of the existing public house use and that of any alternative proposal that will result in the permanent loss of the public house. Evidence of diversification will demonstrate that the business has attempted to adapt to changing circumstances.

74. Option 174 risks creating uncertainty for properties and, or businesses which may have once occupied an historical public house site. The proposed list of safeguarded public houses sites are those that were public houses in July 2006, the date when the current Local Plan was adopted. This ensures consistency between the Local Plan 2006, the National Planning Policy Framework and the emerging new Local Plan.

75. The difficulty of applying safeguarding measures to former public houses not on the list of safeguarded public house sites is exemplified in the following situation where a restaurant is gradually established in a former public house building. If a public house already served food it may already have had a kitchen with extractor fans etc. in order to provide food. Overtime, it would be permissible for the pub to turn into a restaurant without formerly requiring planning permission. It is therefore difficult to determine when a public house changed into a restaurant unless some form of audit took place or specific planning permission was granted indicating a different use was now in operation. Anecdotal evidence may suggest when a pub became a restaurant however this could not be relied upon as a means of determining its date of conversion. This means it is difficult to establish when a public house stopped being a public house and changed use legitimately into a different use without planning permission. It would therefore be reasonable to only apply the proposed safeguarding guidance to those public house sites on the safeguarding list.

76. Option 175 would allow public house sites with some flexibility to diversify beyond public house use while retaining the potential for its original use to return.

77. The approach pursued is to develop options 173 and 175, into a policy in the Local Plan which clarifies the rigorous criteria that should be satisfied to determine if the loss of a public house site is acceptable or not. The option will be applied to a list of safeguarded public house sites (provided with this option) in order to provide much greater clarity regarding the policy's application. The list of safeguarded sites represents premises that were public houses in July 2006, the date when the current Local Plan was adopted. This ensures consistency between the Local Plan 2006, the Interim Planning Policy Guidance on the Protection of Public Houses in the city of Cambridge, the National Planning Policy Framework and the new Local Plan. This list

includes pubs with unimplemented planning permissions, former public houses that are either in an alternative use (i.e. a restaurant) or are simply closed and where the public house use could potentially return. The list of safeguarded public house sites provides a suitable benchmark that will be updated periodically to ensure it remains accurate. Public house sites that are redeveloped for uses that prevent the return of the public house use will be removed from the list. Similarly, new public houses will be added to the list. Any applications involving the loss/conversion/development of these public house sites will be determined in accordance with the new policy.

78. With regard to public house amenity spaces such as car parks and gardens, large outdoor spaces attached to pubs will be subject to similar pressures for residential development as for large private dwellinghouse gardens or other open spaces. The relevant policy safeguarding public houses will also include reference to the circumstances where the loss of any amenity space including car parking would be acceptable.

79. The Sustainability Appraisal raises concerns about the option proposing no protection for public houses in Cambridge. This could have a significant adverse effect on community spirit and the vibrancy and vitality of local neighbourhoods. Similarly, this option could result in a loss in Cambridge's character, and subsequent appeal to tourists. However, where pubs are demonstrably no longer viable or cannot successfully continue to trade as a public house then conversion into alternative uses may provide opportunities for local scale redevelopment and contribute to improved public realm. The option proposing the protection of all public houses could also have an uncertain effect against the majority of the sustainability topics. In affording some protection from higher value uses, the positive role of public houses in communities would be maintained. However, it could result in redundant public houses remaining unused. Buildings, which are dilapidated or boarded up, can have a negative effect upon the appearance of an area.

80. Option 173 ensures some protection from higher value uses but offers flexibility where the existing use as a public house is found to be unviable. This is likely to help address issues relating to community and wellbeing through the continued provision of community space, and should help contribute to creating vibrant and inclusive communities. The proposal to undertake pre-application consultation with local residents should help ensure any new use is in keeping with the needs and character of the local area.

81. By extending option 173 to include former public houses, option 174 is likely to help protect the vibrancy and vitality of local areas by maintaining community space provision. The protection of such facilities from higher value uses may bring about a beneficial economic effect, for instance through safeguarding tourism. By using the criteria of option 173 to assess the need for protection against community

requirements, this option should ensure that protective measures are balanced against the need to tackle deprivation through conversion / redevelopment in certain areas of the city.

82. Option 175 is likely to provide the necessary flexibility for the public housing market to expand as well as contract, resulting in similar effects to option 174 on community well being and the economy. However, the effect of this option across the city is uncertain, as it may distort the market by creating too many A-uses and restricting the creation of residential units, which has an uncertain effect on issues such as tackling deprivation.

83. Evidence used in the development of this policy includes:

- Cambridge Public House Study (2012);
- Interim Planning Policy Guidance on The Protection of Public Houses in the City of Cambridge (2012);
- Appeal decisions:
 - The Unicorn, 15 High Street, Cherry Hinton, APP/Q0505/A/11/2167572;
 - The Carpenters Arms, 182-186 Victoria Road, APP/Q0505/A/12/2168512;
 - The Plough, High Street, Shepreth, Royston, APP/W0530/A/11/2167619;
 - Royal Standard, 292 Mill Road, APP/Q0505/A/12/2174210;
 - Rosemary Branch, 67 Church End, APP/Q0505/A/12/2183797.

APPENDIX 1: Development Management Guidelines

New Facilities

Local need should be evidenced with a local needs assessment to establish the demand for the proposed facility.

New city-wide or sub-regional facilities

New city-wide or sub-regional community or leisure facilities should be located in accordance with the national⁵ sequential test. Proposals for these, often large-scale facilities, will need to demonstrate a high level of need and support from the area it will serve. Developers will be expected to provide:

- a) Adequate evidence of city/regional need and support; and
- b) Demonstration of site accessibility to users by all means of transport including foot and cycle; and
- c) Details of how other uses, including other community activities could be incorporated into the proposal to enhance both access and range of facilities available; and

Demonstration of the use of the national sequential test in considering sites for development will be required.

Loss of Facilities

Proposals for either replacement or relocated facilities should demonstrate:

- a) equal or improved site accessibility to users by all means of transport including foot and cycle; and
- b) sufficient spare capacity or agreement to accommodate displaced users at other equivalent community/leisure facilities with similar accessibility for users. For existing leisure facilities, in the absence of a robust district-wide needs assessment/capacity assessment, the applicant will be expected to carry out such an assessment at their own cost; and
- c) through local consultation, the level of interest in and viability of the continued use of the premises as a community/leisure facility.

The reference to 'peak period' refers to the expected busiest period of operation for the particular type of leisure facility. For example, for indoor sports facilities and outdoor floodlit all-weather pitches, the peak period is usually defined as weekday evenings and at the weekend. For nightclubs this would be Friday and Saturday evenings from 10pm until closing time.

In order to demonstrate that a facility (excluding a public house or public house site) is no longer needed, the facility and site should be marketed according to the marketing strategy requirements listed below:

⁵ National Planning Policy Framework, Paragraph 24

PROTECTION OF PUBLIC HOUSES

Proposals involving the loss of a public house site should demonstrate:

- a) the public house site has been marketed according to the marketing strategy requirements listed below;
- b) how all reasonable diversification efforts have been considered under Public House Viability Appraisals listed below; and
- c) the local community no longer needs the public house and alternative provision is available in the area by following the guidance under Public House Community Consultation and Catchment Assessment listed below.

Marketing

Any marketing exercise relating to facility or site should follow the appropriate marketing strategy requirements.

Community and Sporting, Arts/Cultural or Entertainment Leisure facilities should be marketed for a similar category of the facility that will be lost (see "Table 3 - List of Community Facility and Leisure Categories").

Marketing exemptions

While economic viability may apply to commercial leisure facilities, there are some leisure facilities/uses that are supported by external funding and their on-going operations do not rely on being commercially profitable, such as a theatre or a public swimming pool. Facilities and uses that are not run as a commercial operation and rely on external funding will therefore be exempt from the marketing requirement as this will not provide an appropriate means of testing viability, given their reliance on external funding/subsidies.

Marketing Strategy Requirements

STANDARD REQUIREMENTS FOR ALL FACILITIES AND SITES, INCLUDING PUBLIC HOUSE SITES

Developers should note the following generic requirements of any marketing requirement for a facility or site and the specific requirements for specific uses/sites:

- a) Details shall be provided of the company/person who carried out the marketing exercise;
- b) The Marketing process should last for at least 12 months, unless a focussed marketing strategy has been pre-agreed in writing with the local planning authority, in which case only 6 months is required;
- c) The facility/site should be marketed for the existing or most recent use and not under a generic 'all options' use;
- d) The marketing exercise should be sufficiently thorough and utilise all available forms of advertising media and therefore include as a minimum:
 - i) A For Sale/For Rent Signboard;

- ii) Advertisements⁶ in the Local Press;
 - iii) Advertisements² in appropriate trade/charity/leisure magazines/journals;
 - iv) Advertisements² on appropriate trade/charity/leisure websites;
 - v) Advertisements² through both national and local estate agents (including their websites); and
 - vi) A targeted mail shot or email to an agreed list of potential purchasers. Evidence of all sales literature (and in the case of a signboard, dated photographs) will be required.
- e) Copies of all details of approaches and offers should be provided together with full reasons as to why any offer has not been accepted;
 - f) Any attempts to sell the business at a price which reflects its current use should relate to the business in its entirety, and not to parts of it, for example the buildings without the associated garden or car park.

SPECIFIC REQUIREMENTS CORRESPONDING TO SITE/LAND USE

Community Facilities (not public houses/public house sites)

The asking price/rental charge⁷ should be pre-agreed in writing with the local planning authority following independent valuation (funded by the developer) by a professional RICS valuer with expertise in the community facilities sector and who is not engaged to market the property.

Given the range of uses that could be considered as a community facility, it is important that the site is marketed for equivalent community facilities that the site could support. Buildings/sites should therefore be marketed for community facilities appropriate to the category of community facility. For example, a 'neighbourhood' (category) facility such as a retail unit should be marketed as a retail unit as well as other 'neighbourhood' community facilities such as a small-scale community or civic rooms. A district facility such as a crèche should be marketed as a crèche and other district community facilities such as a dentist or veterinary practice. More than one type of facility may fall into more than one category within the hierarchy. The type of community facilities included in any marketing campaign should be pre-agreed in writing with the local planning authority.

The provision of any community room or café should be marketed⁸ for these purposes only (agreed in an applicable planning obligation) with any proposed community enterprise (e.g. a café) linked to the financial support and on-going operation of the community room/space provided. This should provide a flexible means of supporting new small-scale community spaces.

⁶ Adverts should contain a similar amount of detail as a property listing by an estate agent.

⁷ The asking price(s) should be based on the valuation of the site based upon its most recent use or, in the circumstance of new community facilities should be commensurate to the type and size of the community facility. Any asking rental charge(s) should be commensurate to the type and size of the community facility.

⁸ Any asking price(s) and, or rental charge(s) should be commensurate to the type and size of the community facility.

Public houses/public house sites

The asking price⁹ should be pre-agreed in writing with the local planning authority following independent valuation (funded by the developer) by a professional RICS valuer with expertise in the licensed leisure sector and who is not engaged to market the property.

Both freehold and leasehold options should be made available without a 'tie' requiring the purchase of drinks through the vendor and without restrictive covenants that would otherwise prevent re-use as a public house such that other pub operators, breweries, local businesses or community groups wishing to take over the premises and trade it as a pub are not excluded.

As part of the community consultation exercise (refer to Public House Community Catchments and Consultation), the public are to be informed about the marketing strategy and allowed the opportunity to put together their own bid.

Leisure sites

The asking price¹⁰ should be pre-agreed in writing with the local planning authority following independent valuation (funded by the developer) by a professional RICS valuer with expertise in the leisure sector and who is not engaged to market the property.

Leisure venues or sites should be marketed for D2 leisure use and sui generis uses that are comparable to the original leisure use (Sporting, Arts/Cultural or Entertainment). For example, squash courts should be marketed for D2 leisure use and other leisure sports facilities including its original sports use. A nightclub venue should be marketed for D2 leisure use and leisure entertainment facilities including its original nightclub use.

⁹ The asking price(s) should be based on the valuation of the site as a trading pub without tie. Although the pub site should be marketed as a site for a pub, or alternative A and D1 class uses, it is considered unreasonable to ask for a valuation to agree a price for such a wide range of uses.

¹⁰ The asking price(s) should be based on the valuation of the site based upon its most recent use. Although the site should be marketed as a site for its most recent use, D2 leisure or comparable sui generis uses, it is considered unreasonable to ask for a valuation to agree a price for such a wide range of uses.

Public House Viability Appraisals

Developers should note the following in terms of the provision of data to help the local authority determine whether the public house is no longer economically viable as a commercial community facility:

- a) A commercial viability study should accompany any application for redevelopment or change of use.
- b) As a part of this study, evidence is required in the form of at least the last three trading years of audited accounts.
- c) All reasonable efforts have been made to preserve the public house (including all diversification options explored) and evidence supplied to illustrate that it would not be economically viable to retain the building or site for its existing or any other 'A' use class. Examples of the initiatives or proposals that could be explored are as follows:
 - i) Adding a kitchen and serving food with or without a dining area, or improving the existing food offer;
 - ii) Making the pub, garden, food offer more 'family-friendly';
 - iii) Providing events and entertainment such as quiz nights, amplified or nonamplified live music, comedy/cabaret nights;
 - iv) Hiring rooms out or otherwise providing a venue for local meetings, community groups, businesses, youth groups, children's day nurseries;
 - v) Provision of bed & breakfast or other guest accommodation;
 - vi) The setting up of micro-brewery;
 - vii) Sharing the premises with other businesses;
 - viii) Providing smoking shelters;
 - ix) Providing Tourist Accommodation on upper floors (i.e. a Bed & Breakfast option);
 - x) Providing a local shop or services (such as a post office) in part or all of the premises; and
 - xi) Altering opening hours;
 - xii) Offering take-away food and off-licence services.

Note that this list is not exhaustive and not all ideas will apply to every public house. Diversification should initially focus on ways to retain the public house use before changing the site to alternative 'A' uses.

- d) Details should also be provided of any changes to the public house in the period that corresponds with the trading information plus 1 year beforehand (so 4 years in total) that may have impacted on the business. For example:
 - i) Did the opening hours alter so that the pub opened less often or less frequently?
 - ii) Were any facilities (e.g. kitchen, darts board, pool table etc) removed or regular events (e.g. quiz) cancelled?
 - iii) Was space for meetings redeveloped or were any local groups told they could no longer use the space?

Note that this list is not exhaustive and the local planning authority may seek evidence through standard community consultation procedures.

- e) The local planning authority will require evidence that demonstrates that the public house has been operated positively i.e. that it has not been run poorly to facilitate redevelopment. Applicants should be aware that local people/customers will provide anecdotal evidence in response to neighbourhood consultations on any planning application submission.
- f) With regard to the evidence mentioned in respect of diversification options, changes to the public house and how it has been operated, the local planning authority will require written evidence. This could take the form of a Statutory Declaration undertaken by the owner/manager (or a written report) together with supporting documents such as letters from customers/suppliers/staff, invoices for works carried out, dated photographs to allow a comparison of facilities.

Public House Community Consultation and Catchment Assessment

Applicants should note the following in terms of carrying out community consultation as part of an independent local needs assessment. The consultation exercise should:

- a) Notify all residents, businesses and residence associations (in order to take account of employees who might visit the pub) within a 400m radius of the public house site about the relevant proposal;
- b) Gather all the opinions and comments of all consultees on the loss of the existing or former public house facility. The results of this exercise shall be submitted to the local planning authority as part of the application submission.
- c) Complete the consultation at least 6 months before any related planning application is formally submitted.

Developers are required to carry out an assessment of the needs of the local community for community facilities to show that the existing or former public house is no longer needed and whether adequate alternative provision is available in the area to provide at least one pub per 750 working age adults within a 400m catchment radius.

DELIVERY AND MONITORING

Policy 55 – Development and Change of Use in District , Local and Neighbourhood Centres

- The health and composition of the district, local and neighbourhood centres will be monitored by the annual shopping survey.

Policy 56 – Community and Leisure Facilities

- Proposals that deliver new types of community and leisure facilities will be monitored. Given the varied 'use class' of community facilities, the change in net floorspace for 'D1' and sui generis uses that fulfil a community or leisure use role will be monitored on a regular basis.

Policy 57 – Education Facilities

- The number of new education facilities granted planning permission will be monitored on an annual basis.

Policy 58 – Healthcare Facilities

- The number of new healthcare facilities will be monitored on an annual basis.

Policy 59 – Protection of Public Houses

- As part of the Council's annual monitoring of planning developments, the Annual Monitoring Report will record the number of public houses that are operating as a pub in March (for the monitoring period). The list of safeguarded sites will also be updated. If new public houses are established then these should be assessed for inclusion. Similarly, where development has occurred on a safeguarded site that prevents the public house use returning (e.g. where a public house has been demolished and replaced with residential flats) then this site would be removed from the list of safeguard sites. It should be noted that a safeguarded site with unimplemented planning permission would not be removed from the list of safeguarded sites until the planning consent has been implemented.