

Application Number	18/1520/FUL	Agenda Item	
Date Received	1st October 2018	Officer	Mary Collins
Target Date	26th November 2018		
Ward	Market		
Site	11 Napier Street Cambridge CB1 1HR		
Proposal	Change of use of existing first floor staff accommodation to bed and breakfast (11no rooms)		
Applicant	Mr Songlin Guo 11 Napier Street Cambridge CB1 1HR		

SUMMARY	The development accords with the Development Plan for the following reason: The proposal accords with policy 76 as the Safeguarded Public House would be protected. The proposal accords with policy 12 as the proposal retains A3 use at ground floor level. The proposal would not have a detrimental impact on residential amenity.
RECOMMENDATION	APPROVE

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is a restaurant at the end of Napier Street, close to the Grafton Shopping Centre. The building is one-and-a-half storeys, detached, and has been extended at roof level by way of zinc clad box dormers. Napier Street is predominantly residential in character although there are commercial premises within close proximity along Fitzroy Street and within the Grafton Centre.
- 1.2 It is not Listed or a Building of Local Interest but is located just outside the Central Conservation Area. The site falls within the

controlled parking zone and the City Centre. The building is the former Ancient Druids Public House which was constructed around 1984 and is identified as a Protected Public House by the Cambridge Local Plan 2018.

- 1.3 The building is next to the cycle route which follows the service road at the back of the Grafton Centre (from Fitzroy Lane, across the bottom of Christchurch Street to the bottom of Napier Street) and after the pinch point between 11 Napier Street and the Grafton Centre, crosses the yard at the end of Wellington Street and emerges on East Road next to the vehicle entry to the Grafton Car Park.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for change of use of existing first floor staff accommodation to bed and breakfast (11no rooms). This would be used in conjunction with the current use of the ground floor as a restaurant.
- 2.2 The application originally proposed to also change the use of the ground floor restaurant to B & B use. During the course of the planning application, the proposal has been revised to retain the existing restaurant use at ground floor level and the proposed manager's flat in the basement has been removed from the proposal.
- 2.3 A vertical jet cowl will be fitted to the flue termination point to the eastern elevation of the building to serve the new extract equipment to the kitchen.
- 2.4 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
18/1295/FUL	Wooden bin store, wooden cladding to front and rear entrances, glass canopy,	Permitted

	handrails and associated landscaping, including trellis.	
17/1395/FUL	Installation of dormers to front and rear elevations, insertion of additional roof windows to south and north elevations and new window and door to basement office. External basement access stair and guarding's/balustrading. Sub division of existing staff accommodation to form nine bedrooms. Installation of extract flue on rear elevation (Part retrospective).	Permitted
17/1386/S73	Section 73 application to vary condition 2 of 16/1951/FUL (removal of fenestration at low level and replacement with masonry wall) to show retrospective changes in fenestration of the ground-floor west elevation including door positions, window design and additional zinc cladding only.	Permitted
16/1951/FUL	Removal of fenestration at low level and replacement with masonry wall.	Permitted

4.0 PUBLICITY

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

5.0 POLICY

- 5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2018 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2018	1 12, 35, 36 55, 56, 58, 59, 76, 77, 81, 82

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2019 National Planning Policy Framework – Planning Practice Guidance from 3 March 2014 onwards Circular 11/95 (Annex A)
Material Considerations	<u>City Wide Guidance</u> Cycle Parking Guide for New Residential Developments (2010)
	<u>Area Guidelines</u> Cambridge City Council (May 2007) – Sustainable Design and Construction: Grafton Area of Major Change SPD (December 2018)

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 Demonstrate that a disabled space can be provided within the location shown clear of the adopted public highway. This has

since been demonstrated through the submission of amended plans.

Following implementation of any Permission issued by the Planning Authority in regard to this proposal the residents of the site will not qualify for Residents' Permits (other than visitor permits) within the existing Residents' Parking Schemes operating on surrounding streets. This should be brought to the attention of the applicant, and an appropriate informative added to any Permission that the Planning Authority is minded to issue with regard to this proposal.

The amended drawings submitted on 17th April 2019 do not change the Highway Authority response of 29th November 2018.

Conservation team

- 6.2 It is considered that there are no material Conservation issues with this proposal.

Environmental Health

- 6.3 The development proposed is acceptable subject to conditions relating to:

- Construction hours
- Fume filtration/extraction
- Noise insulation scheme
- Collections and deliveries
- Plant design and installation controlled by a compliance condition requiring that works are carried out in accordance with the details provided in the Noise Impact Assessment.

Waste

- 6.4 Suggest at the very minimum a 360l bin for general and another for recycling, both collected weekly, on-top of the bins above for the resident/manager. These would need to be presented on the road for collection on the day/s agreed as the bin store is too far from the road for the refuse operators to access.

Access Officer

- 6.5 Double doors will need to be powered or be asymmetrical with one leaf being at least 900mm and having an opening force of less than 20N.
Plan for accessible room required
Needs a blue badge marked parking space
A lift serving all floors would be preferable.
Hearing loop where appropriate
Colour contrast décor and signage to help visually impaired visitors

CAMRA

- 6.6 Object. The former Ancient Druids could once again be viable as a pub. The application to convert it to a bed and breakfast facility would deprive the local community of this possibility.

Cadent

- 6.7 Cadent have identified operational gas apparatus within the application site boundary. Recommend an informative note for the Applicant is attached if minded to approve this application.

Policy Team

National Policy (NPPF)

- 6.8 National policy in the NPPF includes the presumption in favour of sustainable development at the heart of the planning system. This sets a clear expectation on planning authorities to plan positively to promote development and create sustainable communities.

Public Houses

- 6.9 Public houses support the social and economic roles of sustainable development. They are a unique part of British culture and help support social and cultural well-being by providing a place for social interaction within a community as well as creating local employment opportunities. A thriving local pub sector is therefore important to achieving sustainable development.

- 6.10 Paragraph 20 of the NPPF sets the strategic priorities for the area in the local plan including the provision of community facilities and cultural infrastructure.
- 6.11 Paragraph 81 of the NPPF supports policies that set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth and other local policies for economic development and regeneration. While paragraph 85 encourages policies and decisions which support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 6.12 Paragraph 91 of the NPPF supports places that promote the opportunity for meetings between members of the community who might not otherwise come into contact with each other. The public house has long been an established part of the community, one that people want to have access to and one that promotes social interaction. It is therefore a valid local planning policy objective to retain public houses in order to provide such places for social interaction.
- 6.13 The NPPF, para 92, encourages a positive approach towards the delivery and “use of community facilities (such as local shops, meeting places, public houses and places of worship) ... to enhance the sustainability of communities and residential environments;”
- 6.14 In summary, the NPPF seeks to support sustainable communities. In this context, public houses may be valued for their role in supporting local economies; in providing a local facility for social interaction; and in retaining an intrinsic part of the settlement’s cultural and historic heritage. The NPPF states that local authorities should plan positively for the provision of community facilities such as public houses, guard against their unnecessary loss, and ensure that policies are flexible enough to allow such facilities to modernise and be retained for the benefit of the community (paragraph 92).

Tourism development

- 6.15 The Bed and Breakfast proposal is considered to be tourism development and hence is considered a main town centre use.

As the site is within the city centre, it's location for Bed and Breakfast use is considered to be acceptable in principle.

The Cambridge Local Plan 2018

Loss of a Safeguarded Public House Site

- 6.16 The recently adopted (18 October 2018) Cambridge Local Plan 2018 contains: Policy 76: 'Protection of public houses'; the list of protected public houses sites applicable to Policy 76 in Appendix C; and the accompanying guidance in Appendix K: 'Marketing, Local Needs Assessment and Viability'. The former Ancient Druids public house site on Napier Street is included on the list of protected public houses sites.
- 6.17 Policy 76 allows for safeguarded public house sites to oscillate amongst 'A' and 'D1' Class Use Types when it has been proven that the site is no longer needed for public house use. Any proposal that involves the loss of an A4 use must first satisfy a number of tests to demonstrate the site is no longer viable/needed, capable of diversification and the local community have been properly consulted with the potential loss of the public house. The tests are as follows:
1. The site needs to be properly marketed for A4 use at a commensurate market rent/price as explained in Appendix K.
 2. An assessment of realistic diversification options need to be provided where the site offers some form of diversification potential. This may include ancillary B&B which is linked to the A4 pub business.
 3. Adequate consultation with local people within the vicinity of the public house site.

No information has been provided explaining how the proposal complies with Policy 76. Alternatively, if the proposal was amended to include an A4 use with an operator in place to run it as such, the revised proposal would comply with Policy 76. The proposal already includes a manager's flat for the bed and breakfast proposal; this could be used by the same manager to operate the public house business subject to any other requirements to make the proposal acceptable in planning terms.

New visitor accommodation

- 6.18 The Cambridge Local Plan 2018 also contains Policy 77: 'Development and expansion of visitor accommodation'. The Bed and Breakfast would also apply to this policy; and while the type of visitor accommodation (i.e. Bed and Breakfast) is not specifically supported by Policy 77, the site's location is support in that it is in an area of mixed-use and is within walking distance of bus route corridors with good public transport accessibility.

The former Ancient Druids Public House site

- 6.19 The pub site is located within the north eastern periphery of the city centre adjacent to the Grafton Shopping Centre. The site is located within the Fitzroy/Burleigh Street/Grafton Area of Major Change designated by Policy 12 in the Cambridge Local Plan. The site is a safeguarded site, which has the intention of allowing the site's use to oscillate amongst 'A' and 'D1' Class Use Types when it has been proven that the site is no longer needed for public house use. The public house itself has in recent years been used as a restaurant.
- 6.20 Since the pub closed, there has been substantial new development built along Newmarket Road which has helped to reinvigorate the area's appeal. Examples include: Anglia Ruskin University's recent acquisition of Compass House on the corner of Elizabeth Way roundabout; two new hotels built along Newmarket Road totalling 340 rooms, with another 90 room hotel proposed close by to these. More residential and student accommodation units have been granted planning permission and built in and around Newmarket Road, nearby. Other developments under construction include new office space at 122 - 128 Newmarket Road (Planning ref. 17/1225/FUL) involving the re-opening of the Five Bells public house for A4 use as a gaming bar.
- 6.21 While there are other public houses in the area, each public house provides a variation in local service and therefore caters to different parts of the community while providing a degree of competition for local people. This means they create a vibrant and appealing destination by providing a competitive range of local facilities. This is exemplified by The Corner House public house hosting a small, performance venue and The Wrestlers

providing Thai food. The rebuilt Five Bells is expected to have gaming theme to it. The Burleigh Arms is currently a gastro pub with a large beer garden.

- 6.22 These public houses help the area retain its attractive and vibrant appeal as a location to visit throughout the day and evening for people to meet and socialise in. The site's retention as a viable public house site is essential to ensure this area is able to serve and support the day-to-day needs of a growing local community.

Fitzroy/Burleigh Street/Grafton Area of Major Change

- 6.23 The recently adopted Grafton Area of Major Change SPD also highlights the substantial investment expected in this part of the city centre outlined in Local Plan Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change. This area is supported as a location for expansion and/or redevelopment for retail and leisure use (A1, A2, A3, A4 and D2), with residential and student accommodation on upper floors.

- 6.24 The SPD, available from the City Council's website¹ identifies three key objectives which sit above the statements of guidance, development parameters and illustrative guidance in Chapter 5 of the SPD. There are:

1. Integration and permeability through better streets and spaces
2. A balanced and successful destination - the SPD encourages the strengthening of the area for retail, and greater diversification as a destination for the city - for residents, visitors, workers and students.
3. Flexibility and phasing - In practical terms, it is vital that any proposals for the area are set in context of the longer-term strategy for the area.

There should be evidence from the owners of the Grafton Shopping Centre that the proposal will not conflict with the longer term proposals for the area's reconfiguration.

¹ <https://www.cambridge.gov.uk/grafton-area-of-major-change-masterplan-and-guidance-spd>

Proposed Bed and Breakfast use (C1 class use)

- 6.25 A number of public houses provide 'Bed and Breakfast' type accommodation as a means of diversifying and supporting the main public house/A4 use. These include The Carpenter's Arms on Victoria Road, the recently refurbished The Waterman on Mitcham's Corner, The Earl of Derby on Hills Road. The mix of public house and Bed and Breakfast uses are considered compatible.

Conclusion

- 6.26 No information has been provided explaining how the proposal complies with Policy 76. CAMRA should be notified about this planning application because the site is a safeguarded public house with potential for its use to be re-introduced.
- 6.27 The site has significant potential to re-introduce a public house use, based upon its proximity to a recently rejuvenated Newmarket Road and its location within the Grafton Area of Major Change. However, evidence should be provided from the owners of the Grafton Shopping Centre that any proposal will not conflict with the longer term proposals for the area's reconfiguration.
- 6.28 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Councillor Tim Bick has commented on the application.

- Concerned that the cycle route bordering the south of the building is respected and maintained uncluttered in the event of any approval.
- Consider that the following proposed features are inconsistent with continuation of the cycle way and should be removed by amendment or specifically conditioned against:
 - Cycle racks along this southern frontage or to obstruct it at either end.

- Waste/recycling bin storage along this southern frontage or to obstruct it at either end.
- Use of the southernmost vehicle parking space on the east side of the frontage (which has until now been prohibited for parking and should continue that way)

7.2 The owner/occupier of the following addresses has made a representation:

- 17 Christchurch Street

7.3 The representation can be summarised as follows:

- Public right of way and cycle access between 11 Napier Street and rear of the Grafton should not be obstructed.
- Parking spaces to rear should not obstruct this route.
- Bin storage location and arrangements need to be clarified.
- The parking bay that obstructs the pedestrian and cycle route should be removed. The route may not have been adopted by the Highways Authority, but it was an integral part of the Planning process when the Grafton was under consideration. This section of the route is in place of that part of Fitzroy Street and Blucher Row that disappeared under the Grafton. The Council's Access Officer ought to be concerned about this too. The parking space, combined with the adjacent ramp constructed when the Grafton was altered, make a pinch point very difficult for wheel chair use.

8.0 ASSESSMENT

Principle of development

- 8.1 The application site is located within the north eastern periphery of the city centre adjacent to the Grafton Shopping Centre. It is located within the Fitzroy/Burleigh Street/Grafton Area of Major Change designated by Policy 12 in the Cambridge Local Plan.
- 8.2 Policy 76 of the Cambridge Local Plan 2018 relates to the 'Protection of public houses' and includes a list of protected

public houses sites in Appendix C. The property is the former Ancient Druids public house site on Napier Street and is included on the list of protected sites.

8.3 Policy 76 states that the loss of any part of a public house, or its curtilage will be permitted if it can be demonstrated that:

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

8.4 The existing building has been in restaurant use since circa 2008. At this time there was a permitted change of use from Class A4 Drinking establishments to A3 restaurant, so the established and permitted use of the existing building is as a restaurant rather than a pub.

8.5 Given that the lawful use of the site is as a restaurant, the proposal does not therefore result in the loss of a public house. Notwithstanding this, I consider that there would be sufficient dining and kitchen areas and potentially basement areas for cellarage to retain a viable public house operation in the future.

8.6 Policy 77 relates to the Development and expansion of visitor accommodation'. Whilst the type of visitor accommodation (i.e. Bed and Breakfast) is not specifically referred to in Policy 77, the site's location is in an area of mixed-use and is within walking distance of bus route corridors with good public transport accessibility.

8.7 The Grafton Area of Major Change SPD highlights the substantial investment expected in this part of the city centre outlined in Local Plan Policy 12: Fitzroy/Burleigh Street/Grafton Area of Major Change. This area is supported as a location for expansion and/or redevelopment for retail and leisure use (A1, A2, A3, A4 and D2), with residential and student accommodation on upper floors.

The continued use of the ground floor as restaurant use which was secured as an amendment to the original proposal would be in accordance with this policy as A3 use is appropriate within this area.

- 8.8 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policies 12, 76, 55, 56 and 58.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.9 The use of the first floor of the premises for bed and breakfast accommodation would not be detrimental to the amenities of surrounding properties. Environmental Health Officers are satisfied that subject to compliance, the proposed extraction system to the kitchen and associated would not adversely impact on surrounding properties.
- 8.10 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan 2018 policies 35, 36, 56 and 58.

Parking and highway safety

- 8.11 Bed and Breakfasts require one cycle parking space for every 2 members of staff and 2 spaces for every 10 bedrooms.
- 8.12 There has been conflict between the requirement for the provision of a disabled parking space and keeping the cycle way, which is in close proximity to the southern side and eastern end of the existing restaurant building, clear of obstructions. Revised drawings have been received showing no cycle parking to the southern side of the building which removes the obstruction to the cycle way.
- 8.13 The Access Officer has requested that a Blue Badge parking space is provided. I will attach a condition regarding the final layout of the cycle and parking spaces.

9.0 CONCLUSION

- 9.1 The continued use of the ground floor as restaurant use would protect the site of the safeguarded public house and sufficient dining and kitchen areas and basement. The associated use at first floor level of Bed and Breakfast accommodation would be one which would be a compatible with the ground floor restaurant use and acceptable at first floor level within the city centre.

10.0 RECOMMENDATION

APPROVE subject to the following conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

4. The plant and associated equipment as stated within the Noise Impact Assessment, (Reference 11NS180928), prepared by MAS Environmental Ltd and dated 28th September 2018 shall be fully implemented prior to the bring into use of the first floor and shall be maintained in accordance with the approved details thereafter.

Reason: To protect the amenity local amenity in accordance with Cambridge Local Plan 2018 Policy 35.

5. Collections from and deliveries to the premises shall not be made outside the hours of 0700-2100 Monday-Saturday and 0900-1700 on Sundays and Bank/Public Holidays.

Reason: To protect the amenity local amenity in accordance with Cambridge Local Plan 2018 Policy 35.

6. Prior to first use, details of the final scheme of noise insulation including:

- Glazing specifications per room based on the results of the Noise Impact Assessment and
- Proposals for and details of the alternative ventilation system to be installed in the noise impacted rooms. The alternative ventilation scheme will need to be capable of providing at least 2 air changes per hour in the individual rooms.

shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be fully implemented before the use hereby permitted is commenced.

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

7. Prior to the first occupation/use of the development, details of equipment for the purpose of extraction and filtration of odours shall be submitted to and approved in writing by the Local Planning Authority. The approved extraction/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such.

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

8. Prior to the first use of the development hereby permitted, an accessible car parking space shall be provided to allow a car to park free of the highway and the cycle route. The parking area shall be laid out in accordance with the approved details and retained thereafter.

Reason: To ensure satisfactory provision for the parking of vehicles (Cambridge Local Plan 2018 policies 56 and 82).

9. Prior to the first use of the development hereby permitted, details of the bin store facilities shall be submitted to and approved by the Local Planning Authority. The bin store shall be provided in accordance with the approved details and retained thereafter.

Reason: To ensure satisfactory provision for the secure storage of bins (Cambridge Local Plan 2018 policy 56).

10. Prior to commencement of the use, full details of facilities for the covered, secure parking of bicycles for use in connection with the development shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details before the development is occupied or the use commences and shall be retained in accordance with the approved details thereafter.

Reason: To ensure appropriate provision for the secure storage of bicycles (Cambridge Local Plan 2018 policy 82).

INFORMATIVE: A premises licence may be required for this development in addition to any planning permission. A premises licence under the Licensing Act 2003 may be required to authorise:

- The supply of alcohol
- Regulated entertainment e.g.
- Music (Including bands, DJ's and juke boxes)
- Dancing
- The performing of plays
- Boxing or wrestling
- The showing of films
- Late Night Refreshment (The supply of hot food or drink between 23:00-05:00)

A separate licence may be required for activities involving gambling including poker and gaming machines.

The applicant is advised to contact The Licensing Team of Environmental Health at Cambridge City Council on telephone number (01223) 457899 or email Licensing@cambridge.gov.uk for further information.

INFORMATIVE: To satisfy the plant sound insulation condition, the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc (collectively) associated with this application should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

Tonal/impulsive sound frequencies should be eliminated or at least considered in any assessment and should carry an additional correction in accordance with BS4142:2014. This is to prevent unreasonable disturbance to other premises. This requirement applies both during the day (0700 to 2300 hrs over any one hour period) and night time (2300 to 0700 hrs over any one 15 minute period).

It is recommended that the agent/applicant submits an acoustic prediction survey/report in accordance with the principles of BS4142:2014 "Methods for rating and assessing industrial and commercial sound" or similar, concerning the effects on amenity rather than likelihood for complaints. Noise levels shall be predicted at the boundary having regard to neighbouring premises.

It is important to note that a full BS4142:2014 assessment is not required, only certain aspects to be incorporated into an acoustic assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; sound sources and measurement / prediction points marked on plan; a list of sound sources; details of proposed sound sources / type of plant such as: number, location, sound power levels, sound frequency spectrums, sound directionality of plant, sound levels from duct intake or discharge points; details of sound mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full sound calculation procedures; sound levels at a representative sample of noise sensitive locations and hours of operation.

Any report shall include raw measurement data so that conclusions may be thoroughly evaluated and calculations checked.

INFORMATIVE: As the premises is intended to be run as a food business the applicant is reminded that under the Food Safety Act 1990 (as amended) the premises will need to be registered with Cambridge City Council. In order to avoid additional costs it is recommended that the applicant ensure that the kitchen, food preparation and food storage areas comply with food hygiene legislation, before construction starts. Contact the Commercial Team at Cambridge City Council on telephone number (01223) 457890 for further information.

INFORMATIVE: Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.