

Application Number	19/0046/FUL	Agenda Item	
Date Received	17th January 2019	Officer	Mary Collins
Target Date	14th March 2019		
Ward	West Chesterton		
Site	The Tivoli 16 Chesterton Road Cambridge CB4 3AX		
Proposal	Alterations and repairs to building including reinstatement of frontages and side walls, bricking up of some openings, replacement windows and fire escape. Creation of second floor element and enclosed roof terraces to first and second floor. Part change of use of the existing building to recreational uses.		
Applicant	City Pub Group		

SUMMARY	The development accords with the Development Plan for the following reasons: It accords with policy 61 as it preserves the character and appearance of the Castle and Victoria Conservation area. It accords with policy 72, as it includes compatible uses at all floors within a District Centre. It accords with policy 73, as it provides new sports and leisure facilities which are open to the wider community and enhance both accessibility and the range of facilities available. It accords with policy 76 as the Safeguarded Public House would be protected The proposal would not give rise to a detrimental effect, individually or
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	cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems. The proposal would not be detrimental to the amenities of neighbouring properties.
RECOMMENDATION	APPROVE

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The Tivoli, 16 Chesterton Road, is a former cinema that has been used most recently as a public house before the site suffered a fire in 2015. It has since been boarded up but not rebuilt. The Tivoli is identified as a protected public house and is on the list of protected public houses sites in Appendix C of the Cambridge Local Plan 2018.
- 1.2 The building is currently empty and the flat roof of the rear element of the building has been completely removed following the fire. The art-deco frontage of the building remains largely in place. The site is a rectangular plot which extends from the south side of Chesterton Road down to the bank of the River Cam. The south-side of this section of Chesterton Road is formed of predominantly two-storey buildings with a range of commercial uses. To the north of the site are a number of commercial units including Staples and Evans Cycles. The surrounding area is formed of a mixture of commercial buildings which frequently include residential accommodation above.
- 1.3 The site falls within the Castle and Victoria Road Conservation Area, Flood Zones 2 and 3, an Air Quality Management Area and Controlled Parking Zone. The site also lies within the Mitcham's Corner Development Framework SPD (2017) area and Mitcham's Corner District Centre. The River Cam to the south is designated as a County Wildlife Site. Jesus Green to the south of the site is identified as Protected Open Space.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for alterations and repairs to the building including reinstatement of frontages and side walls,

bricking up of some openings, replacement windows and fire escape.

A second floor element is proposed with an open roof terrace. The proposal includes a part change of use of the existing building to recreational uses.

The building would have an extended lift shaft and stairwell with some rooftop plant.

The building is proposed to be used as follows:

- Basement at riverside level level – Shuffleboards and associated bar area
- Ground floor – bar server and food concession
- First floor – 2 no. 9 hole (crazy) golf courses with the floor space extending into the existing balcony area facing the river with a cinema bar at the Chesterton Road end.
- Second floor external terrace to the river end with a screening room and events space within the building to the Chesterton Road end.
- VIP open roof terrace and Yoga Studio to Chesterton Road end.

2.2 The application is accompanied by the following information:

1. Drawings
2. Design and Access Statement
3. Noise Impact Assessment
4. Preliminary Ecological Appraisal & Bat Report.
5. Heritage Statement
6. Odour Control Assessment

3.0 SITE HISTORY

Reference	Description	Outcome
05/1126/S73	Section 73A application to vary condition 05 of planning permission C/0138/95 in order to extend opening hours to 0800 to 0030 hours Mondays to Saturdays and Sundays.	Granted 12.1.2006

10/1025/FUL	Erection of retractable canopy forming smoking shelter to front elevation.	Refused 27.01.2011
12/1250/FUL	Opening up of existing basement and garden to form additional dining area, including reinstatement of original fire escape stair.	Granted 7.12.2012
17/1771/FUL	Demolition of existing structure, retention of original facade and returns. Construction of seven 1-bed apartments and nine 2-bed apartments and creation of self contained unit on ground floor for A1, A2, A3 or A4 use (in the alternative).	Refused 13.03.2018

4.0 PUBLICITY

4.1	Advertisement:	Yes
	Adjoining Owners:	Yes
	Site Notice Displayed:	Yes

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 Plan 2018	Local	1, 6, 22, 28, 31, 32
		35, 36
		55 56 58 61
		69, 70, 72, 73, 76, 79
		82

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

	National Planning Policy Framework 2019 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A) Cambridge City Council (May 2007) – Sustainable Design and Construction Biodiversity Checklist for Land Use Planners in Cambridgeshire and Peterborough (March 2001). Cambridge and Milton Surface Water Management Plan (2011)
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6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Control)

- 6.1 Following the submission of the revised Construction and Traffic Management Plan on 28th January 2019, the amended information is sufficient to overcome the Highway Authority's original request that the application be refused. Therefore, as long as the amended Construction and Traffic Management Plan is one of the documents approved by the Planning Authority if it is minded to grant planning permission the request that the application be refused is withdrawn.

Conservation team

- 6.2 The development proposed is acceptable subject to the imposition of the conditions requiring the details outlined below.

- Joinery
- Windows
- All glass to be installed in doors / windows / screens, etc

The proposals for this building are supported in Conservation terms. The frontage of the building is to be refurbished which will enhance the character of the building and therefore that of the

streetscape in the conservation area. The new arched window is acceptable in that it is a reinstatement of what was originally built. Details of it and the other new windows on the north elevation should be submitted for written approval to ensure that they are appropriately detailed and glazed for this prominent building.

The windows and doors to the rear are also supported as being appropriate to the design of the building and views of it from Jesus Green.

The additions at roof level are not considered to have any undue impact on either the building or the Protected Open Space opposite, Jesus Green.

One concern is that there does not appear to be a designated external area for smokers. Will this be provided? If customers have to stand at the front of the building, suitable receptacles will be needed to ensure that cigarette ends and packaging are not randomly dropped in the street which would have an effect on the character of the local area.

Disability Consultative Panel

- 6.3 Level access. As the building has been gutted by fire, there is a ready opportunity to make the building more readily accessible by relocating the lift. There is no reflection of this in the submitted plans, and there would be no wheelchair access to areas of all of the upper floors, including none at all to the roof terrace, as the design stands. This is not acceptable.

Access Officer

- 6.4 Platform lifts are only a remedial measure. They often cannot be independently used. The proposed lift because of the design would mean basically no wheelchair or scooter user could use it as it would be impossible to manoeuvre out once you had reached the lower ground floor.
- No step free access to cinema bar
 - Golf course must be wheelchair accessible
 - On 2nd floor route between lift and screening room should be sheltered
 - Lift must serve roof terrace and all of roof terrace must be accessible.

Drainage

- 6.5 The proposals are for a refurbishment of an existing building and the footprint if the building is not changing. A small green roof is proposed to provide a small degree of betterment. Part of the building is also affected by flooding from the River Cam. Flood resilient construction is required for this part of the building. The proposals are acceptable subject to condition requiring the submission and approval of a scheme for flood resilient /resistant construction and details of the green roof.

Environmental Health

- 6.6 No objection following submission of a revised noise impact assessment report RSK (297344-04(01)) dated June 2019, subject to the following conditions:

- Construction hours
- Collection during construction
- Hours of use
- The use hereby approved shall not operate outside the hours of 07:00 – 00:00 Monday to Saturday, 07:00 – 23:00 on Sundays.
- External terrace hours of use
- External music
- Doors and windows closed
- Noise insulation condition
- Noise Insulation Scheme Post Construction Completion, Commissioning and Testing Report
- Collections & deliveries
- Plant noise condition
- Odour filtration / extraction

Nature Conservation Projects Officer

- 6.7 Basically content that the ability to survey the structure is compromised by the fire damaged condition. Supports the ecology report recommendations and request that there is no external lighting of the river Cam County Wildlife Site and that the building incorporates an integral bat roosting tube close to the river frontage aspect.

6.8 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

Object:

- 1 Riverside Court
- Ashton Legal, On Behalf Of 1-8 Riverside Court And 24 And 24 A-H Chesterton Road

Support:

- 82 Chesterton Road
- 15 Corona Road
- 32 Greens Road
- 8 Pretoria Road
- Friends of Mitcham's Corner

7.2 The representations can be summarised as follows:

Object

- There is a history of attempts to obtain permission for windows to be opened overlooking the river and fortunately the Council has always resisted on the grounds that the noise disturbances and opportunities to allow overlooking would cause significant harm to the residential amenity of No 1 Riverside Court
- Opportunities for overlooking and noise nuisance.
- Noise nuisance from open terrace on the second floor.

Support

- There is considerable relief that it will retain its former use as a pub and eating place and that façade can be restored.
- The features would contribute to the local business and local community views available across the river.

- This looks to be a development that is keeping with the environment and enhances the character of Mitcham's Corner.
- The alterations and repairs to the Tivoli seem positive.
- Please can you include the engagement of local organisations who represent people with disabilities, such as wheelchair users, those with hearing and sight impairment, and/or sensory sensitivities re: ease of access; type of lighting; how sound reverberates etc. This would help the Tivoli to be a place that is inclusive and welcoming to all within the community.

Camcycle

The proposed employee cycle parking area is far too small to contain two Sheffield stands as drawn. The area currently labelled as 'cycle parking for staff' only has room for a single Sheffield stand. The applicant should either try to enlarge this space or look elsewhere in the building for employee cycle parking space.

Regarding the visitor cycle parking at the front of the building, the installation of 'two tier' cycle stands is unacceptable under the Local Plan Policy 82 Appendix L and impractical as a matter of course for pub cycle parking. Consider 'high-low' stands to be a pragmatic alternative here provided that they meet the specifications laid out in paragraph L.20 of the Local Plan Appendix L.

Strongly recommend that the applicant work together with the city to install additional cycle parking stands along the street, such as by replacing some existing pay-and-display spaces with cycle stands. Note that the Greater Cambridge Partnership is already in the process of installing some additional street cycle parking around the city centre and could potentially be a partner in a subsequent phase of cycle parking installation

Accordingly, request that the City Council seek the agreement of the applicant for a commuted sum to fund the shortage in cycle parking provision that would ordinarily be required under the Local Plan

- 7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

Principle of development

- 8.1 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 Tivoli and is included on the list of protected sites.
- 8.2 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.
- 8.3 In my opinion the existing premises have A4 use. Notwithstanding the introduction of recreational uses such as a screening room, golf course and bowling alley activities, the main use will be as a drinking establishment and would be licensed as such. The primary source of income is from sale of alcoholic and non-alcoholic drink.
- 8.4 Given that the building is over four floors with the main use as a drinking establishment, I am of the opinion the proposal does not 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.
- 8.5 In my opinion the proposal is compliant with Cambridge Local Plan 2018 policies 76.
- 8.6 Policy 72 states that within the boundary of district centres, proposals for other centre uses other than A1 use will be permitted provided:
- a. they complement the retail function and maintain or add to the vitality, 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.
- 8.7 The application site is within the Mitcham's Corner District Shopping Centre. Drinking establishments (A4 uses) and Assembly and leisure (D2 uses) are other uses which are considered suitable on all floors in district centres and in accordance with this policy. The property has an active frontage with Chesterton Road and is in keeping with character of the shopping area.
- 8.8 Policy 73 states that 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.
- 8.9 The proposal would be in close proximity to local residents and visitors to Cambridge and would provide a range of leisure activities such as shuffleboard, golf and bowling as well as a screening area. These facilities would be open to the wider community and enhance both accessibility and the range of facilities available.
- 8.10 I am of the opinion that in respect to policies 72 and 73 the proposal would add to the vitality and viability of the district centre, including its evening economy; the facilities would be open to the wider community and would enhance both accessibility and the range of facilities available. The proposal is in a sustainable location with good public transport accessibility
- 8.11 With respect to whether the proposal would give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems, I am of the opinion that this would not be detrimental and can be controlled by conditions. I will assess this later in this report under neighbour amenity from paragraphs 8.16 onwards.

8.12 Policy 79 states that proposals for new visitor attractions within the city centre will be supported where they:

- a. complement the existing cultural heritage of the city;
- b. are limited in scale; and
- c. assist the diversification of the attractions on offer, especially to better support the needs of families.

8.13 The application site is with the Mitcham's Corner District Centre with the City Centre to the south and on the opposite side of the river. As such I do not consider this policy relevant however the application site would have easy links to the city centre.

Context of site, design and external spaces Impact on the Conservation Area

8.14 The building is a prominent building within the conservation area and the local centre and has been empty and is in a state of disrepair. The external changes are minimal with the introduction of the rooftop terrace. The rooftop terrace is set back from the front elevation of the building and there would be minimal views of it from street level. The proposed external changes to the building would enhance the appearance of the conservation area by bringing this building back into use. As set out in paragraph 6.2 of this report, the Conservation Team supports the proposal.

8.15 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 58 and 61.

Residential Amenity

Impact on amenity of neighbouring occupiers

8.16 The application site adjoins a residential property at 1 Riverside Court which is situated to the east and the garden of which wraps directly between part of the rear elevation of The Tivoli and the river. This property also has windows which face towards the side elevation of The Tivoli.

8.17 This garden at 1 Riverside Court is already highly visible from the public realm, from the river and Jesus Green opposite and as a result of its riverside location does not afford any private outdoor space for this resident. To the east of the application

site is 18 Chesterton Road which is currently the subject of an application for planning permission for the erection of a mixed use scheme comprising 11 flats and 2 retail units following demolition of existing buildings at 18, 18a, 18b and 18c-d Chesterton Road. This scheme proposes a balcony to the western side facing The Tivoli.

- 8.18 The roof top VIP terraced area would be enclosed with high 1.7 metre high glazed screening to the perimeter which would restrict the ability to look over towards adjoining residential properties with views directed rearwards towards the river and the other proposed terrace to the rear section of the building. The existing side walls would be built up to a height of 2 metres above roof level to screen the lower terrace from view from both the east and the west. The glazed screen to the river end would be set back behind the side walls by 1.25 metres which would reduce the ability to look sideways and downwards into the adjoining garden.
- 8.19 I am of the opinion that the glazed screens to the eastern side of the rooftop terrace would prevent loss of privacy to the existing residential properties and the proposed flats to the east through overlooking. The screens however must be positioned so that there are minimal gaps between panels to avoid views though these gaps and must be constructed in an obscure material.
- 8.20 To the east facing side elevation of The Tivoli, existing openings are to be blocked with only fire doors and fire escape stairs serving the development and therefore there would be in my opinion no detrimental loss of privacy through overlooking.
- 8.21 To the rear elevation of The Tivoli, the existing windows are to be fitted with new glazing. These openings currently overlook a small section of the garden belonging to 1 Riverside Court which wraps directly between part of the rear elevation of The Tivoli and the river.
- 8.22 At the lowest (basement) level, (which is effectively riverside level to the rear), the window would serve the room accommodating the shuffleboard tables with its associated bar area.

- 8.23 To the ground floor (effectively the first floor to the rear and river end) the window would serve the seating area with 143 covers at first floor level. The windows would be fixed and would be set back behind the reveal of approximately 0.60 metres.
- 8.24 To the first floor (effectively the second floor to the rear and river end) the windows would serve the indoor 9 hole golf course and the glazed balcony area would be incorporated into this indoor space and accommodate this use. This window would be fixed and non openable. The east facing side of the first floor glazed balcony is proposed to be fitted with obscure glazing and be to a height of at least 1.7 metres high and would restrict sideways views eastwards towards 1 Riverside Court.
- 8.25 There would be no views from the second floor terrace to either the east or west as this is contained within a high perimeter wall with views directed rearwards towards the river. The glazed screen to the rear would be set back from the rear by approximately 1.2 metres behind the reveal created by the side wall. This would reduce the ability to look sideways from the point.
- 8.26 There is unlikely to be overlooking from the basement level due to the position of the window. I appreciate that the use of the lower section of the building would have a leisure use introduced but I am of the opinion that this does not differ substantially from the recreational use as a public house. However a condition could be attached to ensure that the part of the window that directly overlooks the adjoining garden is obscurely glazed.

Noise

- 8.27 The adjacent neighbour at 1 Riverside Court has expressed concern regarding loss of amenity through noise from the use of the proposed open terraces. Following concerns raised by Environmental Health Officers, the applicants have submitted a revised "noise impact assessment report" (297344-04(01)) dated June 2019.
- 8.28 Environmental Health have assessed the revised noise impact assessment and are satisfied that the hours of operation are reasonable including the assurance that external areas and

terraces will close at 22:00hrs and be empty of customers and staff and this will be required by condition.

- 8.29 The applicant has stated that no external amplified music will be provided to/on the terraced areas and this would reduce noise impact from the use of these outdoor areas. With respect to noise breakout from other doors and windows, during internal amplified events, external doors will remain closed and access to the second floor terrace would be from the first floor staircase and therefore Environmental Health Officers are satisfied that sound breakout from the opening of doors for ingress/egress from the second floor internal space into the second floor terrace would be minimal.
- 8.30 A proposed acoustic lobby to be installed on the eastern façade to serve the second floor internal space would minimise noise breakout from the second floor access, if used as a secondary access point.
- 8.31 Further mitigation measures are proposed to minimise noise spillage from the use of the outdoor terraces. This includes the provision of a 2.5m high brick wall around the second floor terrace perimeter (North, East & West elevations) with a 1.8m glazed barrier overlooking the river (South elevation). The revised impact assessment predicts minimal noise impact with the implemented mitigation measures. Environmental Health Officers consider this prediction is reasonable but request a condition is attached regarding noise insulation and the final acoustic design for all aspects of the development prior to commencement of works to ensure that this is acceptable.
- 8.32 With respect to plant noise, the noise predictions are acceptable however to demonstrate that the proposed rating level is not exceeded, Environmental Health recommend a plant condition to provide full details of the plant prior to installation with. with calculations to demonstrate that the proposed rating level is not exceeded.
- 8.33 Environmental Health Officers are satisfied that subject to the recommended conditions which are detailed at paragraph 6.6 of this report and future submission of details and compliance with these conditions that the use of the building and the outdoor terraces and associated plant would not have a detrimental impact on surrounding residential properties through noise.

- 8.34 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 58 and 35.

Inclusive access

- 8.35 The applicant has been advised of the comments from the Access Officer regarding inclusive access to all areas of the building. The applicant has commented that the renovations will result in considerable improvements to accessibility within the building. The building has been fire damaged however the lower floors are structurally sound so are able to be re-used with refurbishment and repair and without unnecessary substantial rebuilding work.

The introduction of the new lift shaft provides wheelchair access to the main roof terrace and all areas, apart from the upper roof terrace and cinema bar. Care has been taken to balance accessibility with impact on heritage assets. The rooftop is the most visible element of the building and works at this level have therefore been kept to a minimum. Access to the upper terrace would require additional height to incorporate the lift shaft and housing of effectively another storey which would be particularly prominent in views of the building.

- 8.36 I am of the opinion that the proposal would provide increased accessibility to this existing building and is in accordance with policy 56. The detailed matters of accessibility would be dealt with under a Building Regulations application.

Highway Safety

- 8.37 Following the submission of an amended Construction and Traffic Management Plan, the Highways Authority is satisfied that the proposal would not have a detrimental impact on highway safety.
- 8.38 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 80 and 81.

Car and Cycle Parking

- 8.39 I will recommend that a condition is attached to secure 'high-low' stands to the front of the building and for staff cycle parking areas to be provided to meet the specifications laid out in paragraph L.20 of the Local Plan Appendix L. The Tivoli currently has no cycle parking so there would be a benefit.
- 8.40 With regard to the request by CamCycle for the applicant to pay a commuted sum to fund the shortage in cycle parking provision, I do not consider this request to be proportionate in this case however the applicant's attention will be drawn to the need to make some contribution to cycle parking provision.
- 8.41 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 82.

Flood risk

- 8.42 A small green roof is proposed to provide a small degree of betterment. Part of the building is also affected by flooding from the River Cam. I will recommend that a condition is attached requiring the submission and approval of a scheme for flood resilient /resistant construction and details of the green roof as requested by the Sustainable Drainage Engineer.
- 8.43 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policy 32.

Ecology

- 8.44 The application site is next to the river Cam County Wildlife Site. The application has been accompanied by a Preliminary Ecological Appraisal & Bat Report.
- 8.45 I will recommend that conditions recommended by the Nature Conservation Projects Officer are attached to ensure that the building incorporates an integral bat roosting tube close to the river frontage aspect, that there is no external lighting of the river Cam County Wildlife Site and the recommendation of the ecology report are adhered to.
- 8.46 In my opinion the proposal is compliant with Cambridge Local Plan (2018) policies 69 and 70.

9.0 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. There shall be no collections from or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

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

5. The use hereby approved shall not operate outside the hours of 07:00 - 00:00 Monday to Saturday, 07:00 - 23:00 on Sundays.

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

6. The external terraces including rooftop terraces shall only be used by patrons and staff between the hours of 07:00 - 22:00hrs Monday to Sunday and shall be clear of patrons and staff outside these hours. Any waste / glass removal required and the cleaning of these areas including the clearance and the movement of any tables and seating / chairs shall only be undertaken during these times only.

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

7. Acoustic / unamplified music and the playing of amplified music / voice within the external terraces including the roof top yoga studio is prohibited subject to the submission of an acceptable noise impact assessment and insulation scheme for approval by the local planning authority.

The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

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

8. Apart from the external doors to the main ground floor entrance lobby onto Chesterton Road all external doors and windows serving the premises as approved shall be kept closed at all times during the playing of internal unamplified and amplified music / voice.

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

9. Prior to the commencement of works associated with the development hereby approved, a noise insulation / mitigation scheme or details of other relevant noise control measures as appropriate, in order to minimise the level of noise emanating from the premises, including noise from activities and uses within the internal and external spaces, shall be submitted in writing for approval by the Local Planning Authority. The scheme / details shall have regard (but not be limited to) the following:

- Level and type of music / voice - acoustic / unamplified and amplified
- Sound system setup with in-house fixed sound system incorporating noise limiting control / device set to the satisfaction of the Local Planning Authority;
- Music noise cut-off devices to any external doors;
- Noise egress, airborne, structural and flanking sound via building structural elements;
- Building fabric, glazing, openings and ventilation systems acoustic performance including detailed composite acoustic performance calculations of external facades and noise prediction to nearby noise sensitive receptors with special consideration of low frequency noise characteristics / components of music;
- External terrace screening / balustrade / barrier acoustic performance and use of acoustically absorbent finishes to external hard reflective surfaces
- Adequate alternative ventilation should be provided to ensure external doors and windows remain closed;
- Premises entrances / exits (including details of acoustic lobbies) and any associated external spaces and patron noise;
- Noise management plan for external patron noise to include a complaints management and handling procedure;
- All other noise insulation / mitigation proposals not detailed above (such as perimeter walls / barriers / screens)

The noise insulation / mitigation scheme as approved shall be fully constructed and implemented before the use hereby permitted is commenced and shall be fully retained thereafter.

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

10. Before the use hereby permitted is commenced a post construction completion, commissioning and testing report for the noise insulation scheme, to include the acoustic performance testing /monitoring, shall be submitted to and approved in writing by the local planning authority.

The post construction completion, commissioning and testing report shall demonstrate compliance with the Noise Insulation Scheme (as approved / required by condition 9 respectively) and shall include; airborne and structural acoustic / sound insulation and attenuation performance certification / reports for the various elements of the scheme, the consideration and inspection of the standards of workmanship (including quality control) and detailing of the sound insulation scheme and any other noise control measures as approved. Details of the full noise insulation scheme sound performance testing and monitoring including, noise limiting control / limiter device level setting and certification to the satisfaction of the LPA will be required.

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

11. All service collections / dispatches from and deliveries to the approved development including refuse / recycling collections during the operational phase shall only be permitted between the hours of 07:00 to 22:00 Monday to Friday and 08:00 to 13:00 on Saturdays. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

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

12. Prior to the installation of plant, a scheme for the insulation of the plant in order to minimise the level of noise emanating from the said plant shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development and the use hereby approved shall not exceed the rating level limits specified within the submitted RSK noise impact assessment report dated 20th June 2019 (297344-04(01)).

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

13. Prior to the installation of plant, details of equipment for the purpose of extraction abatement and filtration of odours shall be submitted to and approved in writing by the local planning authority. The approved extraction/abatement/filtration scheme shall be installed before the use hereby permitted is commenced and shall thereafter be retained as such. The scheme shall have regard to design recommendations within EMAQ's "Control of Odour and Noise from Commercial Kitchen Exhaust Systems (update to the 2004 report prepared by NETCEN for DEFRA)" dated September 2018.

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

14. No development shall commence until a scheme for flood resilient /resistant construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants. (Cambridge Local Plan 2018 policy 32)

15. No development shall commence until details of the green roof construction has been submitted to and approved in writing with the Local Planning Authority. Development shall take place in accordance with the approved details.

Reason: To reduce the risk of flooding to the proposed development and future occupants. (Cambridge Local Plan 2018 policies 31 and 32)

16. All new joinery [window frames, etc.] shall be recessed at least 50 / 75mm back from the face of the wall / façade. The means of finishing of the 'reveal' is to be submitted to and approved in writing by the Local Planning Authority prior to installation of new joinery. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

17. No new windows shall be constructed in the existing building, nor existing windows altered until drawings at a scale of 1:10 of details of new or altered sills, lintels, jambs, transoms, and mullions have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

18. Prior to the commencement of installation of glass/glazing, full details of all glass to be installed in doors / windows / screens, etc., shall be submitted to and approved in writing by the Local Planning Authority. Mirrored, reflective, metallic coated or other non-transparent glass are unlikely to be approved. The development shall be carried out in accordance with the approved details.

Reason: To avoid harm to the special interest of the Conservation Area. (Cambridge Local Plan 2018, policy 61)

19. Prior to first occupation of the development, hereby permitted, or commencement of the use, full details of facilities for the covered, secure parking of bicycles 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)

20. Prior to first occupation or the bringing into use of the development, the 1.7 metre high terrace screens, the flank windows to the second floor balcony and all windows shown to be obscurely glazed shall be fitted with obscure glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent and shall thereafter be retained in accordance with the approved details.

Prior to first occupation or the bringing into use of the development, all windows shown to be blocked shall be bricked up. No further openings shall be made.

Reason: In the interests of residential amenity (Cambridge Local Plan 2018 policies 55 and 57).

21. No development shall commence until a plan has been submitted to and approved in writing by the Local Authority detailing the proposed integration of a bat roosting tube close to the river frontage aspect. The installation shall be carried out and subsequently maintained in accordance with the approved plans.

Reason: To provide ecological enhancements for protected species on the site (Cambridge Local Plan 2018 policy 70).

22. There shall be no external lighting of the river Cam County Wildlife Site.

Reason: To protect sites of biodiversity and priority species and habitats (Cambridge Local Plan 2018 policies 69 and 70)

23. The development hereby approved shall be carried out in accordance with the submitted Construction and Traffic Management Plan.

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