

<b>Application Number</b>	19/1770/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	24th December 2019	<b>Officer</b>	Aaron Coe
<b>Target Date</b>	18th February 2020		
<b>Ward</b>	Market		
<b>Site</b>	32 St Andrews Street		
<b>Proposal</b>	Change of use of the former Cambridge Building Society branch (A2/B1) to an (A4) public house use with ancillary staff accommodation and associated development including the insertion of new openings and the relocation of the entrance.		
<b>Applicant</b>	McMullen and Sons Limited c/o agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"><li>○ The proposal would not harm the character and appearance of the Conservation Area, the Listed Building or the setting of nearby Listed Buildings.</li><li>○ The proposal would add to the vitality of the City Centre.</li><li>○ The proposal is considered not to cause excessive noise and disturbance to adjoining occupiers.</li></ul>
RECOMMENDATION	APPROVAL

## **1.0 SITE DESCRIPTION/AREA CONTEXT**

- 1.1 The application site (No.32 St Andrew's Street) is situated on the corner of St Andrew's Street and Downing Street. The building has been vacant since early 2018, it was previously

occupied by Cambridge Building Society (A2 use on the ground floor with ancillary B1 office use on the upper floors).

1.2 The site is within the Cambridge Central Conservation Area, which contains a mix of commercial, residential and academic buildings. To the north of the site is the Grand Arcade which is anchored by the John Lewis department store, adjacent to the site on the eastern side of St Andrew's Street is Emmanuel College, a Grade I Listed Building and immediately to the south of the site are No's 33,34 and 35 which are Grade II Listed Buildings.

1.3 The site is located within the Controlled Parking Zone.

## **2.0 THE PROPOSAL**

2.1 The application proposes the change of use of the former Cambridge Building Society from A2 (professional and financial services) to A4 (drinking establishments). On the upper floors ancillary staff accommodation/facilities are proposed.

2.2 The proposed external alterations involve the creation of a new entrance along the Downing Street frontage. A mixture of fixed and openable windows are proposed on the ground floor along both the St Andrew's Street and Downing Street frontages. On the St Andrew's Street elevation three smaller windows which are flush with the existing elevation are proposed on the first floor and three new dormer windows which match the appearance of the existing dormers are proposed to be introduced on the second floor. On the Downing Street Elevation the first floor is proposed to remain as existing but on the second floor the proposal involves the addition of three lead dormer windows along Downing Street to match the existing ones on the St Andrew's Street elevation.

2.3 The details of menu boxes and any proposed signage will be subject to assessment under a separate application for Advert Consent.

2.4 The application is accompanied by the following supporting information:

1. Planning Statement
2. Drawings

### 3.0 SITE HISTORY

Reference	Description	Outcome
10/0310/FUL	Installation of ATM	Permitted
C/94/0255	Installation of shopfront	Permitted
C/94/0204	Enclosure of roof space	Permitted

### 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 Local Plan 2018	1- The presumption in favour of sustainable development 10- The City Centre 11- Development in the City Centre Primary Shopping Area 34- Light Pollution Control 35- Protection of human health and quality of life from noise and vibration 41- Protection of business space 55- Responding to context 56- Creating successful places 58- Altering and extending existing buildings 61- Conservation and enhancement of the historic environment

	64- Shopfronts, signage and shop security measures
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### 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 March 2014 Circular 11/95 (Annex A)
Supplementary Planning Guidance	Greater Cambridge Sustainable Design and Construction (Jan 2020)  Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste Management Design Guide Supplementary Planning Document (February 2012)
Area Guidelines	Cambridge Historic Core Conservation Area Appraisal (2006)

## 6.0 CONSULTATIONS

### **Cambridgeshire County Council (Highways Development Control)**

- 6.1 The proposed development is acceptable subject to a condition which secures the details of a servicing plan for deliveries and removal of waste.

### **Cambridge City Council Environmental Health Team**

- 6.2 The proposed development is acceptable subject to conditions.

### **Urban Design and Conservation team**

- 6.3 *As Submitted*

- It would be beneficial to the character and appearance of the conservation area for this building to be brought back into use.
- No objections to the change of use
- The ground floor external alterations are supported.
- Object to the large windows proposed on St Andrew's Street elevation. The proposed projecting windows form a focal point and distract from the adjacent Listed Building.

#### 6.4 *As Amended*

- Acceptable subject to condition securing the full details of the windows.

6.5 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:

- Emmanuel College

7.2 The representations can be summarised as follows:

- Object to the overconcentration of A4 uses due to amenity issues
- The number of A1 uses will be below 55% along St Andrews Street frontage, conversion to an A1 use class would be more appropriate.
- The Public House (2012) study is out of date.
- Object to the design of the proposed development due to impact on Emmanuel College.

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 The site falls within the City Centre and within the Primary Shopping Area. Policies 10 and 11 of the Cambridge Local Plan 2018 are the relevant policies to apply when determining whether the proposed use is acceptable in this location.
- 8.2 Policy 10 states that new development should:
- a. add to the vitality and viability of the city centre;
  - b. achieve a suitable mix of uses;
  - c. preserve or enhance heritage assets and their setting, open spaces and the River Cam;
  - d. be of the highest quality design and deliver a high-quality public realm; and
  - e. promote sustainable modes of transport.
- 8.3 Policy 11 states that proposals for other centre uses as defined in Table 3.1 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.
- 8.4 The proposal would introduce an A4 use at both ground floor and first floor which would comply with the aims of Policy 10 and 11. The proposal would also introduce ancillary residential accommodation, staff rooms and welfare facilities for the members of staff on the second floor. Policy 11 states that residential accommodation is supported on upper floors subject to not inhibiting the function of the ground floor use. Table 3.1 states that A4 use is a suitable use on all floor levels within the Primary Shopping Area.
- 8.5 Policy 11 seeks to retain A1 uses in the city centre and encourage a mix of complementary uses. It also states that A4 uses are suitable within the Primary Shopping Area. Given that the building is presently in an A2 use the proposed change of use would not conflict with the aim of preventing the loss of A1 uses. Moreover, the introduction of an A4 use which will complement the existing mix of uses in this area and add to the

attraction of this part of the city centre, helping to support the viability of the existing A1 uses in the area. The proposed development is considered to add to the vitality of the area by introducing a suitable use in a currently vacant building in the City Centre which detracts from the character of the area due to the existence of security shutters and lack of an active frontage.

- 8.6 Policy 41 of the Cambridge Local Plan 2018 seeks to protect business space. However, it is not considered appropriate to apply this policy in this instance as the primary use class of this building was A2 (professional and financial institutions) with ancillary offices above which supported the main A2 use. Therefore, the loss of the ancillary offices is not considered to a significant loss of an employment use and the criteria within Policy 41 should not be applied.
- 8.7 The proposal is therefore considered to comply with policies 10 and 11 of the Cambridge Local Plan 2018.

### **Context of site, design and external spaces and the impact on the Conservation Area and the setting of the Listed Buildings**

- 8.8 In respect of design, the proposed alterations to the exterior of the building do not involve significant changes to the scale or visual presence of the building. At ground floor along St Andrew's Street and Downing Street the proposals follow the rhythm of the existing arrangement but introduce more of an active frontage with views into the ground floor. A mixture of fixed glazing panels and opening window are proposed above a fixed ribbed glaze panel. A new entrance is proposed to replace an existing window along the Downing Street frontage. At first floor level as originally submitted the proposal involved the introduction of a large window along the first floor of the St Andrews frontage which projected forward of the existing elevation of the buildings. However, following objections from the City Council Conservation team and the Grade I Listed Building (Emmanuel College) during the course of the application this detail was amended and three smaller windows which are flush with the existing elevation have been introduced on this frontage. It is considered by officers, that following the amendment to significantly reduce the amount of first floor glazing along St Andrew's Street there would not be any further impacts on the adjacent Emmanuel College than the existing

arrangement. On the second floor the proposal involves the addition of three lead dormer windows along Downing Street to match the existing ones on St Andrew's Street elevation.

- 8.9 The proposed alterations to the building are considered to be in keeping with the character of the immediate surrounding area and are not considered to have a significant impact on the setting of the surrounding Listed Buildings or the wider Conservation Area. The City Council Conservation team have reviewed the application and considered the proposals to be acceptable subject to a condition to secure the full details of the windows and glazing. This view is supported by officers.
- 8.10 Overall, it is considered that the applicant has given consideration to the proportions and design of the existing openings which respect the surrounding character, Listed Buildings and wider Conservation Area. The proposal is considered to be compliant with Cambridge Local Plan 2018 policies 55, 56, 58 and 61.

## **Residential Amenity**

Impact on amenity of neighbouring occupiers

### Overlooking and Loss of privacy

- 8.11 Emmanuel College is situated to the east of the application site on the opposite side of St Andrew's Street. As there are already existing first and second floor windows on the eastern elevation of No.32 St Andrews Street it is not considered that the proposed alterations will have any further impact in terms of overlooking.

### Overbearingness and overshadowing

- 8.12 The proposed external design changes would not result in any overbearing or overshadowing issues.

### Noise and Disturbance

- 8.13 It is acknowledged that given the nature of the use class proposed (A4), there will be an increase in noise levels compared to the existing use (A2). However, given that the surrounding character along St Andrews Street, Downing Street



and Regent Street includes various similar uses it is not considered that the addition of an A4 use in this location would have a detrimental impact on neighbouring amenity in respect of noise and disturbance. Moreover, the City Council Environmental Health officer has reviewed the application proposal and considered the development to be acceptable subject to various conditions which will ensure the amenity of neighbouring residents and uses are protected. The imposition of these conditions are supported by officers.

- 8.14 The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is considered to be compliant with Cambridge Local Plan (2018) policies 56, 58 and 35.

#### Amenity for future occupiers

- 8.15 The proposed development involves the conversion of the second floor to ancillary residential accommodation, this accommodation would be occupied by persons directly associated with the A4 use. The residential amenity of the prospective occupiers must also be considered in terms of the quality of the living environment and provision of adequate amenity space.

- 8.16 Policy 50 of the Cambridge Local Plan (2018) sets out internal residential space standards. The floor space of the proposed units is presented in the table below against the requirements of policy 50.

Unit	Number of bedrooms	Number of bed spaces (persons)	Number of storeys	Policy Size requirement (m <sup>2</sup> )	Proposed size of unit	Difference in size
1	2	3	1	61	42	-19

- 8.17 Policy 50 of the Cambridge Local Plan 2018 states that homes created through change of use from non-residential uses should seek to meet space standards where practicable to do. It is acknowledged that the overall size of the two bedroomed unit does not meet the internal residential space standards requirements. However, given that the proposed converted accommodation will be ancillary to the A4 use of the

development it is not considered necessary to apply the same amount of weight to Policy 50 of the Cambridge Local Plan 2018 in this instance. Moreover, the sizes of the two bedrooms proposed have floor areas of 9.8m<sup>2</sup> and 12m<sup>2</sup> which both exceed the minimum space standard requirements for a single bedroom and a double bedroom. Therefore, on balance given that the policy does not state that it is essential for conversions to meet space standards and the residential use will be ancillary to the A4 use with bedroom sizes that meet the space standard requirements, overall the quality of the living environment is considered to be acceptable in respect of internal space.

- 8.18 In respect of external space, the proposal does not involve direct access for the future occupiers to private external amenity space. However, given the nature of the site it would not be practicable to do so in this instance. Moreover, the site is located in a City Centre location which is in close proximity to various green spaces including Parkers Piece and Jesus Green. Overall, the absence of private external amenity space for this unit is considered acceptable.

### **Highways**

- 8.19 The County Council Highways officer has assessed the application and considered the proposal to be acceptable subject to a condition securing the details of a servicing plan involving the details of waste collection and deliveries. The addition of this condition is considered appropriate and is supported by officers.

### **Car Parking and Cycle Parking**

- 8.20 Due to site constraints the site itself does not have the ability to accommodate on-site car parking or cycle parking. However, there is a significant amount of public cycle parking that is available in and around the city centre; the nearest being along St Andrews Street, along Downing Street and the Grand Arcade cycle parking. Notwithstanding that, the proposal is for change of use and there is limited space to provide a large amount of cycle parking. Appendix L of the Cambridge Local Plan states that some flexibility is applied to applications of the standards for the historic core area of the city, where constraints may make application of the standards difficult for change of use or refurbishment. Therefore, given the nature of the proposal and

its siting within the historic core of the city and its sustainable location, flexibility needs to be applied in this instance.

- 8.21 Policy 82 of the Cambridge Local Plan (2018) relates to parking management. This states that car free developments will be accepted where they have easy access by walking or cycling to the city centre, there is high public transport accessibility and where the car-free status can be realistically enforced for example through on-street car parking controls. It is considered that the proposal meets with the criteria and would satisfy policy 82.

## 8.22 Third Party Representations

Representation	Response
Overconcentration of A4 uses causing amenity issues.	Addressed at paragraphs 8.11-8.14
The number of A1 uses will be below 55% along St Andrews Street frontage, conversion to an A1 use class would be more appropriate.	Addressed at paragraph 8.4
The Public House study is out of date	Noted. Not relevant in the determination of this application.
Object to the design of the proposed development due to impact on Emmanuel College	Addressed at paragraph 8.8

## 9.0 APPROVE with 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. Prior to the proposed change of use coming into operation a written servicing plan with details of the arrangements for deliveries and removal of waste for the proposed A4 use shall be submitted and approved in writing by the Local Planning Authority. The proposed scheme shall not involve any collections from and deliveries to the premises outside the hours of 07:00 to 23:00 daily. The plan shall be operated in accordance with the agreed details.

Reason: In the interests of highway safety and amenity of neighbouring properties (Cambridge Local Plan 2018 Policies 35 and 81).

4. 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).

5. Unless an alternative scheme of working hours is submitted to and approved in writing, 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)

6. Unless an alternative scheme of collection and delivery arrangements are submitted to and approved in writing, 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)

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

Reason: To protect the amenity of properties from noise.  
(National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

8. The A4 use hereby permitted shall only be open to customers between the following hours
  - Monday - Friday: 10:00 - 00:30
  - Saturdays: 09:00 - 00:30
  - Sundays and Bank Holidays: 09:00 - 00:30

Reason: To protect the amenity of properties from noise.  
(National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

9. All external doors and windows serving the A4 use as approved shall be kept closed at any time during the use of devices to amplify speech, singing or musical instruments within the premises (except for the purposes of access and egress or in the case of an emergency)

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

10. The emptying of bottles or other commercial refuse / waste into external receptacles shall only take place between the hours of and 07:00 and 23.00 daily.

Reason: To protect the amenity of properties from noise. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration)

11. Prior to the installation of any equipment and systems for the purpose of extraction, filtration, abatement of odours and fumes to discharge at an appropriate outlet level and the standard of dilution / dispersion expected, a ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority (LPA). The approved ventilation scheme details as approved shall be installed before the use hereby permitted is commenced and shall be retained thereafter. 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.

Any approved scheme or system installed shall be regularly maintained in accordance with the manufacturer's specifications / instructions to ensure its continued satisfactory operation to the satisfaction of the LPA.

Reason: To protect the amenity of nearby properties from malodours. (Cambridge Local Plan 2018 policy 36 - Air quality, odour and dust)

12. The occupation of the 2nd floor residential accommodation hereby permitted shall be limited to persons directly associated with the A4 use as approved.

Reason: To protect residential amenity. (National Planning Policy Framework, Feb 2019 - paragraph 180 a) and b) and Cambridge Local Plan 2018 - Policy 35: Protection of human health and quality of life from noise and vibration).

**INFORMATIVE:** To satisfy standard condition C62 (Noise Insulation), 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 noise 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 guard against any creeping background noise in the area and prevent unreasonable noise 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 a noise 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 a noise assessment as described within this informative.

Such a survey / report should include: a large scale plan of the site in relation to neighbouring premises; noise sources and measurement / prediction points marked on plan; a list of noise sources; details of proposed noise sources / type of plant such as: number, location, sound power levels, noise frequency spectrums, noise directionality of plant, noise levels from duct intake or discharge points; details of noise mitigation measures (attenuation details of any intended enclosures, silencers or barriers); description of full noise calculation procedures; noise 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:** 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](mailto:Licensing@cambridge.gov.uk) for further information.



**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.