



Planning Committee Date	3 rd August 2022
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	21/05549/FUL
Site	The Emperor 21 Hills Road
Ward	Petersfield
Proposal	Retention of building frontage facade and introduction of a mixed use development comprising basement and ground floor public house and an office/business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings.
Applicant	MPM Properties
Presenting Officer	Michael Hammond
Reason Reported to Committee	Third party representations on planning grounds that are contrary to the officer recommendation and cannot be resolved by planning condition.
Member Site Visit Date	N/A
Key Issues	<ol style="list-style-type: none">1. Future viability of the public house2. Design, layout, scale and impact upon the character and appearance of the Conservation Area3. Tree impacts4. Highway safety5. Neighbour amenity
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks consent for the retention of the principal public house façade and a mixed use development comprising basement and ground floor public house and an office/business Use (Class E(g)) following demolition of the existing building.
- 1.2 In principle, the introduction of office use to the rear of the site and on the upper floors of the building is acceptable. The proposed redevelopment of the public house would not adversely impact the future viability of The Emperor.
- 1.3 The proposal's design, layout and scale is compatible with its surroundings and although minor harm is identified to the Conservation Area through loss of the rear parts of the existing building, any harm is outweighed by the public benefits of the scheme.
- 1.4 Trees will be retained to the front of the office building whilst a substantial biodiversity net gain would result. The number of car movements along St Pauls Place would be reduced, whilst any increase in traffic movements along Cambridge Place would be minimal with non-car modes of transport encouraged. Highway safety impacts are considered acceptable.
- 1.5 Other matters including neighbour impacts, drainage, refuse provision, cycle parking and carbon reduction are acceptable.
- 1.6 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

Conservation Area	X	Tree Preservation Order	X
Surface Water flood risk	X	Flood Zone 1	X
Local Neighbourhood and District Centre	X	Controlled Parking Zone	X
Opportunity Area	X	Safeguarded Pubs	X

- 2.1 The application comprises a public house and private car parking space to the rear. It is located along eastern side of Hills Road, situated within the New Town and Glisson Road Conservation Area, Hills Road Local Centre, and Opportunity Area. Trees to the east of the application site have statutory protection (TPOs). The Grade II Church of St Paul is located near to the application site to the north.
- 2.2 The surrounding area comprises mixed uses of residential flats and ground floor commercial uses to the north-west, commercial uses to the north and east and residential flats to the south. Further to the northeast is St Pauls Place and to the east is Cambridge Place, both residential areas. This section of Hills Road is characterised by predominately retail and other commercial uses, interspersed with residential flats on upper floors.

3.0 The Proposal

- 3.1 The applicant proposes the retention of building frontage facade and introduction of a mixed-use development comprising basement and ground floor public house and an office/business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of existing buildings.
- 3.2 The rear part of the existing pub would be demolished whilst retaining the existing frontage building façade. The new development would provide pub space over the basement and ground floor in the front part of the application site, whilst the new office space would be located to the rear ground floor and on upper floors. The main access to the office space would be via Cambridge Place. Cycle parking would be provided as part of the scheme.
- 3.3 The application has been amended to address representations and further consultations have been carried out as appropriate.
- 3.4 The previous planning application 21/03537/FUL was withdrawn, and pre-application discussions have been carried out with officers.

4.0 Relevant Site History

Reference	Description	Outcome
21/03537/FUL	Retention of building frontage façade and introduction of a mixed use development comprising basement and ground floor public house and an Office/Business Use (Class E(g)) to the rear and on the upper floors along with access, cycle parking and associated infrastructure following demolition of the existing buildings on site.	Withdrawn
20/1135/TTPO	Ash (T3) - fell in order to facilitate access for construction works to 23-25 Hills Road (planning application reference 17/0265/FUL). Please see accompanying Tree Works Plan (drawing no D557-TF-01 rev B), letter from David Brown Landscape Design and Covering Letter for full explanation. The tree will be replaced by a single container grown <i>Tilia cordata x mongolica</i> Harvest	Permitted

Gold in the same position as the existing tree.

20/01682/S73	S73 to vary condition 21 of ref: 17/0265/FUL (Mixed use development comprising ground floor retail floor space (Use Class A1) with 10 no. residential flats (Use Class C3) on upper floors along with integrated cycle parking following demolition of existing buildings on the site) to read: 'The development shall be carried out in accordance with the submitted 'feasibility for renewable & low carbon technology and 10% calculations assessment' document (Green Heat Ltd, 21 September 2018).	Permitted
17/0265/NMA2	Non material amendment on application 17/0265/FUL for addition of a lift shaft overrun to roof, substitution of brindle bricks on approved upper floor dormer windows with Anthracite Zinc Cladding, amended upper floor dormer window elevation details, use of soldier course headers and cills on all upper first and second floor windows, reconfiguration of the internal entrance to store/riser on all floors and widening of internal and external residential entrance.	Permitted
17/0265/NMA1	Non material amendment on application 17/0265/FUL for minor reduction to the footprint of the building, reconfiguration of ground floor internal layout to provide for an enlarged store room, new demo room and new kitchenette. Reduction in the width of the door serving the ground floor retail unit store.	Permitted
17/0265/FUL	Mixed use development comprising ground floor retail floor space (Use Class A1) with 10 no. residential flats (Use Class C3) on upper floors along with integrated cycle parking	Permitted

	following demolition of existing buildings on the site.	
15/2380/FUL	Mixed use development comprising ground floor retail (use Class A1), with non-speculative student accommodation scheme of 26No. bedrooms on the upper floors to be occupied by Abbey College, along with car and cycle parking, following demolition of existing buildings on site.	Appeal Allowed
15/1760/FUL	Mixed use development comprising ground floor retail (use Class A1), with a non-speculative student accommodation scheme of 26No. Bedrooms on the upper floors to be occupied by Abbey College, along with cycle parking, following demolition of existing buildings on site.	Appeal Allowed
18/329/TTCA	Ash (T3) – fell	Object
18/330/TTCA	Ash (T1) & (T2) – remove	Object
18/1216/FUL	The demolition of part of the wall and fence along Cambridge Place	Permitted
10/1211/FUL	Retrospective application for smoking shelter in garden.	Permitted

4.1 Whilst the application site itself has had a limited planning history, the adjacent site of 23-25 Hills Road has had previous approval at appeal for student accommodation and ground floor retail use. Planning consent has since been granted to residential flats (C3 use) on the upper floors along with several amendments to this consented scheme. This adjoining building has now been constructed.

4.2 A copy of the Inspector’s Decision letter in relation to the adjoining application site has been attached to this report (see appendix 1) and its relevance discussed in the relevant section of this planning assessment.

5.0 Policy

5.1 National

National Planning Policy Framework 2021

National Planning Practice Guidance

National Design Guide 2021

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

Circular 11/95 (Conditions, Annex A)

Technical Housing Standards – Nationally Described Space Standard (2015)

EIA Directives and Regulations - European Union legislation with regard to environmental assessment and the UK's planning regime remains unchanged despite it leaving the European Union on 31 January 2020

Conservation of Habitats and Species Regulations 2017

Environment Act 2021

ODPM Circular 06/2005 – Protected Species

Equalities Act 2010

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 5: Sustainable transport and infrastructure

Policy 6: Hierarchy of centres and retail capacity

Policy 8: Setting of the city

Policy 14: Areas of Major Change and Opportunity Areas

Policy 25: Cambridge Railway Station, Hills Road Corridor

Policy 28: Sustainable design and construction, and water use

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 40: Development and expansion of business space

Policy 41: Protection of business space

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 58: Altering and extending existing buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets
Policy 69: Protection of sites of biodiversity and geodiversity importance
Policy 70: Protection of priority species and habitats
Policy 71: Trees
Policy 72: Development and change of use in district, local and neighbourhood centres
Policy 76: Protection of public houses
Policy 80: Supporting sustainable access to development
Policy 81: Mitigating the transport impact of development
Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

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

5.5 Other Guidance

New Town and Glisson Road Conservation Area Appraisal (2012)

6.0 Consultations

6.1 County Highways Development Management – No objection

6.2 No objection subject to traffic management plan, restrictions on weight of construction vehicles and informatives. Issue raised regarding integrated bin/cycle store.

6.3 County Transport Team – No objection

6.4 No objection. Proposed servicing arrangements appear to be as existing. Loss of car parking spaces to rear would constitute a small benefit to St Pauls Place in terms of traffic movements. Minimal increase in traffic along Cambridge Place. Presence of double yellow lines along the length of Cambridge Place will serve to discourage any large vehicles accessing the space to the rear of the office. Vehicle speeds are very low and visits by such vehicles are unlikely to be on a daily basis.

6.5 Cambridge Cycle Campaign – No comments received

6.6 Sustainable Drainage Officer – No objection

- 6.7 No objection subject to condition requiring surface water drainage scheme, long terms maintenance arrangements for surface water drainage system and details of foul water drainage works.
- 6.8 Lead Local Flood Authority – No objection**
- 6.9 No objection subject to condition requiring details of surface water drainage and measures for how additional surface water run-off from the site will be avoided during construction.
- 6.10 Anglian Water – No objection**
- 6.11 No objection subject to informatives.
- 6.12 Environment Agency – No comments received**
- 6.13 Urban Design and Conservation Team – No objection**
- 6.14 2nd comment – Treated larch timber enclosure to screen the ASHP is acceptable subject to details. Mansafe system is acceptable subject to details. Extruded aluminium gutter would be acceptable in design terms subject to detail. Double arched window detail would be secured via condition.
- 6.15 1st comment – 4th storey reads as a mansard roof and is set back. 3rd and 4th storeys do not interfere with views of the pub and surrounding building on approach from Hills Road. Articulation of link building result in a form that sits more comfortably.
- 6.16 Stepped massing on Cambridge Place helps to mirigate the impact to 1st and 2nd floor living rooms of the neighbouring 23 & 25 Hills Road.
- 6.17 Proposed public realm create a positive and legible setting with space between visitor cycle parking, blue badge parking bay and existing tree.
- 6.18 More information required for potential plant kit/enclosure. Unclear whether chimney serves a plant type function. PVs will require some form of working safety railing. Applicant needs to demonstrate this. Cycle and refuse storage details are acceptable.
- 6.19 Suggest proportions and detailing of proposed windows along Hills Road maintain the proportions, appearance of function of traditional sash windows.
- 6.20 Traditional hidden gutter concealed behind a parapet would provide a much cleaner profile to the office building.
- 6.21 Series of large scale detailed bay studies showing junction between materials, brickwork details etc. recommended to be conditioned. Materials are supported subject to finalisation/colour. Subtle variation in

tone to avoid it being too similar to redeveloped site of 23-25 Hills Road. Suggest removal of stepped detailing of chimney/floor plans adjoining site of Atlas House.

6.22 Clarification required on outstanding points though it is likely this can be addressed via condition. Recommend materials and details, sample panel, PV panels and plant conditions.

6.23 Access Officer – No comments received

6.24 Conservation Officer

6.25 Proposal avoids harm to the Listed Church. Remains bulky but detailed design changes have increased articulation and reduced massing.

6.26 Retention of main public house building would be the preferable solution but proposals for retained public house frontage are positive. Retaining its form and repainting in a dark colour would have a neutral impact on the Conservation Area.

6.27 Remains a degree of harm to the significance of the Conservation Area through the loss of the rear part of the existing public house building. Although this is the case, some of the original character of this commercial section of Hills Road is retained. Any harm is mitigated to a degree by the quality of design and its coherence.

6.28 Any harm would be towards the lower end of the 'less-than-substantial' range. This should be weighed against the public benefits e.g. securing viable long-term use for the site, enabling the survival of retained façade.

6.29 Recommend conditions including materials, sample panel and method statement for the protection of the retained frontage.

6.30 Historic England – No comments

6.31 No comments offered.

6.32 County Archaeology – No comments received

6.33 Senior Sustainability Officer – No objection

6.34 Approach is supported. Recommends BREEAM design stage certification and post construction certification conditions.

6.35 Ecology Officer – No objection

6.36 Low biodiversity value. No objection subject to minimum 10% BNG demonstrated which is likely to be achieved within the site. Integrated bird boxes to be conditioned.

6.37 Tree Officer – Objection

6.38 No comments received following updated AIA.

6.39 1st comment: Westernmost tree was approved to be removed as part of redevelopment of 23-25 Hills Road. Easternmost tree was approved to be removed subject to replacement planting – this has not been carried out.

6.40 Objects to proposed redevelopment due to reasonable pressure to allow remaining TPO'd Ash in the future. Insufficient space for a replacement tree of suitable stature to mitigate previous tree removals. Conflict with Policy 71 of the Local Plan 2018.

6.41 Environmental Health – No objection

6.42 No objection subject to conditions requiring plant noise insulation, demolition/noise/vibration impact assessment, construction/demolition/delivery hours, dust, control of odour, unexpected contamination, materials management plan, building insulation, operational delivery hours, artificial lighting and informative.

6.43 Shared Waste – No objection

6.44 2nd comment: Amendments satisfy concerns. No objection.

6.45 1st comment: Cycle and bin store should be kept separate. Suggest reversal of bin capacity for office and pub uses. Other minimum attributes should be met.

6.46 Campaign for Real Ale (CAMRA) – Objection

6.47 Object on the basis that the cellar area in the basement would be a small fraction of the current cellar space. Proposed dining area would be smaller and wouldn't have the views out that are currently experienced. No pub garden. City pubs have limited outdoor space so the loss of any pub garden should be avoided. It would lack licensee accommodation, storage space and parking. Proposal would be less attractive business option and would be more difficult to remain profitable.

6.48 Market Demand report is incorrect regarding existing and proposed floor spaces. Proposed dining area would be smaller than combined area of two upstairs rooms labelled 'restaurant'. Reducing cellar space too much will limit the range of drinks on offer.

6.49 Other nearby pubs e.g. Queen Edith and Jenny Wren have had licensee accommodation included. During construction works, the pub would be closed for significant periods of time.

6.50 Cadent Gas – No objection

6.51 No objection subject to informative.

7.0 Third Party Representations

7.1 9 representations have been received objecting to the proposal

7.2 Those in objection have raised the following issues:

- Principle of development – Site should be residential. It is inappropriate for commercial development. Unacceptable to allow another pub/bar.
- Character, appearance and scale – Lack of landscaping.
- Overdevelopment of the site.
- Residential amenity impacts – Current pub operates until 1.30am on Friday to Saturday nights resulting in noise from garden and queues outside. Special licences are also granted for extended times. Very loud music.
- Highway safety – No off-road parking for visitors or servicing (traffic order in place for no loading at any time for first 34 metres of Cambridge Place). Access junction is inadequate for both vehicles, cyclists and pedestrians. Cumulative impacts on road network would be severe. Will generate more traffic. Cambridge Place is extremely narrow which means vehicles have to reverse either onto Hills Road or Cambridge Place. No pavement for pedestrians. Sightlines onto Hills Road are very poor. Short stay visitor parking and employee drop off will cause congestion. Lack of delivery/servicing space for public house will result in hazard along Hills Road. Bins would block pavement/road access. Those who live and work in Cambridge Place will be put at risk. Emergency service vehicles could be held up by vehicles unloading/loading.
- Cycle parking provision – no provision for public cycle parking in the area. Needs to be greater cycle storage facility within the site. No spaces for pub customers. Staff cycle provision for pub is inadequate. Spaces for office workers need to be checked.
- Impact on and loss of trees – no replacement tree in accordance with 20/1135/TTPO. Existing Ash tree may incur damage to its root protection area.
- Bins – Lack of capacity will mean bin collectors will not be able to replace bins in designated storage areas. Bins left will result in public health and safety hazard.

8.0 Member Representations

8.1 Cllr Gilderdale has made a representation on the following grounds:

If you are minded to approve this, I would like it to be called in so the planning committee has a chance to hear the residents' concerns before a decision is made. The concerns relate to: Policies 55, 56, 57, and 61 of the Cambridge Local Plan 2018.

9.0 Local Groups / Petition

9.1 Cambridge Place Residents has made a representation objecting to the application on the following grounds:

- No replacement tree in accordance with TPO decision.
- Highway safety issues
- No off-road parking for delivery/service vehicles.

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

10.0 Assessment

10.1 Principle of Development – Office Use

10.2 The application comprises the redevelopment of the site to include Class E office use on the ground floor to the rear of the site and upper floors of the building.

10.3 Policy 2 of the Cambridge Local Plan 2018 states that the strategy will be to support Cambridge's economy, offering a wide range of employment opportunities... employment development will be focused on the urban area, Areas of Major Change, Opportunity Areas and the city centre.

10.4 Policy 40 of the Local Plan 2018 states that proposals for new offices, research and development and research facilities elsewhere in the city will be considered on their merits and alongside the policies in Section Three of the plan. Supporting text paragraph 3.14 states that employment proposals in B use class that are situated in sustainable locations will be supported. Evidence suggests that over the past few years demand for office space has contracted to the city centre and down Hills Road to Cambridge Station, and the business parks and Cambridge Science Park on the northern edge of the city. This policy seeks to meet the demand for new office space by supporting the development of business space in areas where there is strong demand.

10.5 Policy 25 of the Local Plan 2018 states that development proposals within the Cambridge Railway Station, Hills Road Corridor to the City Centre Opportunity Area, will be supported if they help promote and coordinate the use of sustainable transport modes, and deliver and reinforce a sense of place and local shops and services.

10.6 Supporting text Paragraph 3.102 states that redevelopment of sites within the area will help improve the environmental quality of the whole area, creating a more inclusive public realm and promoting 'place making'. These improvements will promote the character and distinctiveness of Hills Road and Regent Street to create streets that will foster a sense of community and provide attractive places to live in, work in and travel through. Where redevelopment occurs within the local centre,

opportunities should be taken to provide a mix of uses, including residential uses on upper floors.

- 10.7 Policy 72 states that within local centres, offices are supported on upper floors provided that the use would have a safe and convenient access and would not inhibit the functioning of the ground floor use. Moreover, supporting paragraph 8.8 states that greater flexibility is provided in relation to new development and change of use in local and neighbourhood centres, to reflect the fact that a mix of uses is important in these smaller centres. Flexibility is also required in order to take account of market conditions and to maintain vitality and viability of the centres.
- 10.8 In this particular instance, the proposal would retain the existing public house (sui generis) located along the frontage to Hills Road. Pedestrian access to this pub facility would remain whilst the office use would be situated to the rear of the site with the main reception area along Cambridge Place. Whilst the existing car park to the rear of the public house will be lost to allow for redevelopment, given that this car park is not essential to sustain the use of the public house and having regard to the pub's position within walking distance to offices and residential areas, it is not considered that the proposed redevelopment of the site and loss of car parking would inhibit the functioning of the existing ground floor public house use. Further discussion concerning the future viability of the pub will be made in the below section.
- 10.9 Whilst Policy 72 steers non-centre uses generally to upper floors, taking into account the adjoining ground floor uses to the north comprising offices and taking into account the site's location within an Opportunity Area close to Cambridge Railway Station where demand for employment space remains high, it is considered that a flexible approach should be utilised to reflect the mix of uses important in these smaller local centres.
- 10.10 Whilst third party comments have been received requesting that the site be used for residential purposes, taking all the above into account, it is considered that proposed office use would maintain the vitality and viability of the Hills Road Corridor Local Centre and the principle of the development is acceptable and in accordance with policies 2, 25, 40 and 72 of the Local Plan 2018.
- 10.11 To ensure that the office space is restricted to business/office use which is appropriate to the local context and to safeguard this use from potential future loss, a condition will be attached to restrict the development to Class E(g), and for no other use within Class E in accordance with policies 40, 41, 72 and 25 of the Local Plan 2018.

10.12 Principle of Development – Protection of Public Houses

- 10.13 The Emperor (21 Hills Road) is listed as a protected public house under Policy 76 (Appendix C) of the Local Plan 2018.

- 10.14 Policy 76 of the Cambridge Local Plan 2018 states that the loss of any part of a public house, or its curtilage will be permitted if it can be demonstrated that:
- d. 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
 - e. the loss including associated development will not detract from the prevailing character and appearance of the area, including where the building is of merit or has any distinctive architectural features.
- 10.15 Supporting paragraph 8.42 states that when considering proposals for the development of part of a pub, its car parking areas, dining areas, cellarage or pub gardens, the Council will require supporting evidence explaining how the development proposal will support and not undermine the viability of the pub.
- 10.16 Supporting paragraph 8.43 states that developers will need to provide an independent professional assessment by a professional Royal Institution of Chartered Surveyors (RICS) valuer with expertise in the licensed leisure sector and who is not also engaged to market the property.
- 10.17 In terms of criterion e of this policy, the proposal would retain the existing Hills Road façade and its architectural features. The proposed office use would be situated to the side and rear of the site, and therefore would not detract from the Emperor's historic frontage. The impact upon the character and appearance of the Conservation Area will be discussed in the subsequent section of this planning assessment.
- 10.18 With regards the viability of the public house, the applicant has submitted a market demand report along with pub viability assessments. These documents along with the plans have been reviewed by an independent pub viability expert.
- 10.19 An initial consultation with the Campaign for Real Ale (CAMRA) raised several concerns with the future viability of the public house. Whilst it is noted that existing premise has three upstairs rooms, only one of these first-floor rooms is used on an occasional basis for events in connection with the current pub offering of Peruvian and South American cuisine. The other two rooms on this floor are used for storage and kitchen facilities in connection with this use.
- 10.20 The market demand report provides a comparison of existing and proposed dining floor plans. It is noted that following subsequent adjustments to allow for improvements to cycle and bin storage, any increase within the basement is marginally less than originally proposed. Nevertheless, the proposal would represent an approximate increase in 3 sq metres in dining floor provision over what is existing on site. This would comprise a full height basement space and ground floor dining areas.

- 10.21 The supporting information from the applicant's commissioned viability consultants has provided examples of four pubs in Cambridge with less floor space than is proposed for The Emperor public house.
- 10.22 Another expert consultant commissioned by the applicant states that the current internal configuration and condition of the internal areas is poor, the garden area small and living accommodation lacking in private kitchen space with a little used car parking space to the rear.
- 10.23 The submitted supporting information states that although the overall total floor space associated with the public house would be less than existing, the proposal would provide an improved configuration of the ground floor storage area, washrooms and larger more useable dining areas. With regards the lack of living accommodation, it is stated that given the city centre location, on-site accommodation would not be required as is true of city centre nightclubs and restaurants. Moreover, having on-site accommodation would incur extra costs for the lessee.
- 10.24 In terms of competition with surrounding pubs, the supporting information advises that the potential operator demand is deemed to be reasonable from operators willing to fund the fit-out cost. This would likely appeal to private operators and given Cambridge's young population and generally high degree of affluence, it is suggested that the city is perceived by operators to be of relatively 'low risk'. It is noted that the current lessee has expressed interest which confirms the demand for the premise.
- 10.25 One expert report states that the revised accommodation could achieve a higher level of sales than the previous business due to the improved contemporary standard which will be on offer. Whilst non-ground floor accommodation is generally less desirable compared to ground floor accommodation, it is suggested that it is easier for customers to walk down to a trading space on arrival than up and therefore provides an improved arrangement.
- 10.26 Following a formal consultation with an independent pub viability consultant commissioned by the Council, in their expert opinion, it is agreed that the existing internal areas are poorly configured and would not be chosen as the interior layout for a trading business of this size and type. In addition, the garden is small and not an essential part of the trading area as highlighted in both reports, along with the rarely used car park are not considered to be significant negative issues. This is supported by other examples within the city where there are inferior locations of other, often smaller pubs, without beer gardens or car parks which continue to trade well.
- 10.27 Whilst the independent consultant has raised issues with the subject property regularly struggling over the years to attract customers compared to back street pubs which often rely on a loyal customer base which attend into the evening, the Emperor's location in a busy high street particularly

during the day would not have to rely on such a local customer base to support its operation.

- 10.28 In addition, although the consultant raises issues with a slightly smaller floor area and a basement trading area which may prove challenging to encourage customers to, it is considered that the same could be said about the existing first floor in the current layout.
- 10.29 The consultant advises that the local market remains very competitive for both food and beverage, however within the immediate area, there are not a large number of competitors which would detrimentally impact any food and beverage led business.
- 10.30 The consultant therefore concludes that the proposed accommodation configured and fully fitted out in the manner described, in this location, is capable of being traded by a reasonably efficient operator on a viable long-term basis.
- 10.31 No mention of the cellarage space is included within the expert reports nor commented on by the independent viability consultant. This would measure approximately 11.8 sq metres. Additional storage space is indicated on the ground floor measuring approximately 11.4 sq metres. These storage spaces would be comparable to other pubs in Cambridge. Notwithstanding this, the layout of the public house is only indicative, and it would be up to the lessee to decide on their requirements and the amount of space to assign to different functions.
- 10.32 Whilst the objections from CAMRA regarding the loss of views from the first floor, lack of outside space, licensee accommodation, storage space and parking are all acknowledged, the unanimous view of three expert consultants is that the future viability of the public house would not be adversely impacted by the proposed redevelopment.
- 10.33 Whilst it is agreed that the pub would be closed during construction, the proposed redevelopment would in the long term provide a better and more appealing public house likely to attract visitors.
- 10.34 Overall, despite the reduction in cellarage, loss of parking, on-site accommodation and beer garden, following the submission of expert reports and following appraisal by an independent pub viability consultant, it is considered that the proposed redevelopment would not adversely impact the future viability of The Emperor. Therefore, the proposal is compliant with Policy 76 of the Local Plan 2018.
- 10.35 To ensure that the public house facility is provided in good time following demolition of the rear part of the building, a condition will be attached to require a contract to be in place prior to the substantial demolition of the premise in accordance with Policy 76 of the Local Plan 2018.

- 10.36 **Design, Layout, Scale and Landscaping and Impact upon the Character and Appearance of the Conservation Area**
- 10.37 The application site is situated within the New Town and Glisson Road Conservation Area. The existing building has been significantly altered at ground floor level and redecorated sometimes unsympathetically. No mention is made within the Conservation Area Appraisal of this site, however it is noted that buildings opposite the site along Hills Road and to the east within St Paul's Walk and Cambridge Place are identified as buildings important to the character of the Conservation Area.
- 10.38 Policy 55 of the Local Plan 2018 states that development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places. Development will:
- a. identify and respond positively to existing features of natural, historic or local importance on and close to the proposed development site;
 - b. be well connected to, and integrated with, the immediate locality and wider city; and
 - c. use appropriate local characteristics to help inform the use, siting, massing, scale, form, materials and landscape design of new development.
- 10.39 Policies 56, 57, 58 and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping.
- 10.40 Policy 61 states that proposals should (amongst other considerations):
- a. preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
 - b. retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
 - c. be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
 - d. demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and
 - e. provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.
- 10.41 Section 72 of the Planning (LBCA) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

- 10.42 Paragraphs 194 – 208 of the NPPF 2021 provide advice on proposals affecting heritage assets and how to consider different levels of harm.
- 10.43 Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.44 Paragraph 200 states 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.
- 10.45 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.46 The application proposes the retention of the public house's façade, which is considered to positively contribute to the historic character of the area. The remainder of the building comprises different roof forms and is largely considered to be of poor architectural quality. It is considered that the retention of the public house frontage is positive and repainting it in a dark colour would have a neutral impact on the Conservation Area.
- 10.47 Notwithstanding this, the Conservation Officer has raised concerns with the loss of the rear part of the existing public house building, particularly the gable wall, chimney and pitched roof visible from St Paul's Place which contributes to the original character of this commercial section.
- 10.48 Whilst this is the case, the demolition of the rear part of the building would be mitigated to some degree by the design quality of the replacement building. Whilst third party comments regarding the lack of soft landscaping is acknowledged, the existing site is devoid of these elements and the proposed sedum roof and soft landscaping to the front of the office building will enhance the existing site.
- 10.49 The proposed development would comprise a part 3 storey/part 4 storey building. The 3rd storey would be considerably set back behind the principal façade. Following a formal consultation with the Council's Urban Design Officer, this set back allows this element to sit comfortably along the retained elevation and behind the existing parapet. Whilst third party comments concerning overdevelopment of the site are acknowledged, taking into account the surrounding context and when viewed from Hills Road, it is considered that the scale and massing would reflect the urban grain of adjoining sites including the recent redevelopment of 23-25 Hills Road and the 3rd and 4th storey additions do not interfere with views of the pub on approach along Hills Road either to the south or north.

- 10.50 The proposal would consist of a subservient link addition between the existing façade and the majority of the new office building to the rear. Following a formal consultation with the Council's Conservation Officer, it is considered that this stepped massing results in a coherent design that would successfully reduce its prominence on the Conservation Area. Moreover, subject to conditions regarding materials/details including a sample panel of brickwork as advised by colleagues, the articulation and details including a series of arches and brick reveals would respond positively to the context of the surrounding area and enhance the public realm.
- 10.51 The primary entrance to the office space would be located along Cambridge Place. This would comprise a combination of pitched and flat roof elements with a single storey element forming the main entrance and shared space encompassing cycle storage, blue badge car space, trees and landscaping area that would result in a positive and legible setting.
- 10.52 The proposed office space has been designed in accordance with Part M4 building regulations. All entrances will be constructed with flush thresholds and the communal staircase is supported by a platform lift for wheelchair users. In addition, levels across the site will be designed to be consistent with recommended gradients for people with impaired mobility. Therefore, it is considered that the proposed office use would ensure inclusive access for its users.
- 10.53 Although the original façade would be retained, no level access is indicated in this instance to accord with Part M4 building regulations. It is therefore considered reasonable and necessary that a scheme to provide level access is provided prior to first use of the public house.
- 10.54 Overall, it is considered that the proposed development is a high-quality design that would contribute positively to its surroundings. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 58 and 59.
- 10.55 Notwithstanding this, the Conservation Officer has stated that despite improvements in the design of the building, by virtue of the loss of the rear elements of the existing building there would remain harm to the Conservation Area. In their view, this would be on the lower end of the 'less than substantial' range and therefore Paragraph 202 of the NPPF 2021 and Policy 61 (e) of the Local Plan 2018 are engaged and the harm should be weighed against the public benefits of the proposal.
- 10.56 In this instance, the public benefits include substantial commercial space for employment use within the city. In addition, the proposal would result in an improved internal layout for the public house, therefore ensuring its long-term viable use and the survival of the retained façade. Taking this into account, it is considered that the identified substantial public benefits along with securing its optimum viable use would outweigh any

minor 'less than substantial' harm in this instance. Therefore, the proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.

10.57 Trees

- 10.58 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and character of the area and provide sufficient space for trees and other vegetation to mature. Paragraph 131 of the NPPF 2021 seeks for existing trees to be retained wherever possible.
- 10.59 The application is accompanied by an Arboricultural Impact Assessment (AIA). This demonstrates that the root protection area (RPA) of the existing TPO'd Ash tree (T1) would be outside the area of the proposed building footprint. Although hard standing has previously been present within this area, the proposal would incorporate a non-dig 3D cellular system to limit any impact upon this retained tree.
- 10.60 The Council's Trees Officer has raised an objection on the basis that the proposed development would result in reasonable pressure to allow future tree removal. Whilst these comments are acknowledged, any tree-related shading is considered to be minimal and given the commercial nature of the building, any loss of light is less notable than a residential scheme. Third party comments concerning possible incursion into the root protection area (RPA) of this tree are acknowledged, however, the existing tree is located closer to the recently built flatted development at 23-25 Hills Road than the footprint of the proposed office building which would be outside of this RPA. Given this context, it is not considered that the proposal warrants refusal on this basis.
- 10.61 Tree works to this protected tree are required to facilitate the new development. This would involve a crown lift of overhanging branch tips to provide a 4.5 metres clearance with the ground.
- 10.62 Therefore, subject to a tree protection plan and method statement conditions to ensure that tree T1 is protected during the construction phase, the proposal is compliant with Policy 59 and 71 of the Local Plan 2018. These pre-commencement conditions have been agreed in writing with the applicant.
- 10.63 Third party comments regarding the lack of suitable replacement tree are acknowledged. The submitted updated AIA includes replanting of a new tree to replace the previous (T3) Ash tree approved to be removed under TPO application 20/1135/TTPO. Whilst original Tree Officer comments concerning insufficient space for replacement tree planting are acknowledged and some future formative pruning would be required, the tree would be located a reasonable distance of approximately 4 metres from the new building. The slight relocation of the tree further to the east than was previously proposed under 20/1135/TTPO would allow for a

disabled car parking space to be incorporated into the scheme. Taking into account the recommendations of the AIA and a similar distance between the T1 Ash tree and 23-25 Hills Road to the distance between the T3 replacement tree and the proposed building, it is not considered that it would be reasonable to refuse the proposed development on the basis of insufficient space taking into account the historical context of the site and adjoining site.

10.64 Therefore, subject to conditions requiring a scheme of replanting in accordance with the AIA, the proposal would accord with policies 59 and 71 of the Local Plan 2018.

10.65 **Impact upon the setting of Listed Buildings**

10.66 The application is situated a considerable distance from the nearest Listed Building, a Grade II Listed Church to the north.

10.67 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings.

10.68 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area.

10.69 Whilst views towards this Listed Building's tower from Cambridge Place and glimpse views from Glisson Road would be lost, taking into account, that these would be relatively long range and of the rear of the church building, and given that no objections to the impact on the setting of this Listed Building have been raised by the Council's Conservation Officer, it is not considered that the proposal would result in any harmful impacts upon the significance and character of this Listed Building.

10.70 Therefore, the proposal is compliant with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and Local Plan policy 61.

10.71 **Carbon Reduction and Sustainable Design**

10.72 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

10.73 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management. The same policy requires non-residential buildings to achieve full credits for Wat 01 of the BREEAM

standard for water efficiency and the minimum requirement associated with BREEAM excellent for carbon emissions.

- 10.74 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 10.75 The application is supported by a Sustainability Statement and Energy Assessment documentation. The proposal includes the provision of solar PVs on the roof space.
- 10.76 The application has been subject to formal consultation with the Council's Sustainability Officer who raises no objection to the proposal subject to conditions relating to BREEAM design stage certification and post construction certification.
- 10.77 Therefore, the applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.
- 10.78 **Biodiversity**
- 10.79 The Environment Act 2021 and the Councils' Biodiversity SPD (2022) requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach is embedded within the strategic objectives of the Local Plan and policy 70. Policy 70 states that proposals that harm or disturb populations and habitats should secure achievable mitigation and / or compensatory measures resulting in either no net loss or a net gain of priority habitat and local populations of priority species.
- 10.80 In accordance with policy and circular 06/2005 'Biodiversity and Geological Conservation', the application is accompanied by a preliminary ecological appraisal and biodiversity net gain report which sets out that the application site has no potential to support legally protected species and given the very low biodiversity value of the existing site, the proposed development would result in an estimated 1500% net gain in biodiversity.
- 10.81 The application has been subject to formal consultation with the Council's Ecology Officer, who raises no objection to the proposal and recommends several conditions to ensure that the estimated biodiversity net gain is delivered through landscaping and details of enhancements including bird boxes are provided.
- 10.82 In consultation with the Council's Ecology Officer, subject to appropriate conditions, officers are satisfied that the proposed development would not result in adverse harm to protected habitats, protected species or priority species and would achieve a considerable biodiversity net gain. Taking

the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

10.83 Water Management and Flood Risk

- 10.84 Policies 31 and 32 of the Local Plan require developments to have appropriate sustainable foul and surface water drainage systems and minimise flood risk. Paras. 159 – 169 of the NPPF are relevant.
- 10.85 The site is located within Flood Zone 1 and is therefore considered at low risk of flooding. It is also situated within a low risk area of surface water flooding.
- 10.86 The applicants have submitted a Flood Risk Assessment in support of the application.
- 10.87 A green roof is proposed across approximately 169 sq metres of roof area which will assist with the reduction of surface run-off.
- 10.88 The Council's Sustainable Drainage Engineer and the Local Lead Flood Authority have no objection to the proposed development subject to details of a surface water drainage scheme, future management and maintenance details and scheme for management of surface water during the construction phase. These pre-commencement conditions have been agreed in writing with the applicant.
- 10.89 The Council's Sustainable Drainage Engineer has also recommended a condition requiring foul water drainage details.
- 10.90 Anglian Water has advised that they have no objections to the application subject to informatives.
- 10.91 Therefore, it is considered that the applicants have suitably addressed the issues of water management and flood risk, and subject to conditions the proposal is in accordance with Local Plan policies 31 and 32 and NPPF advice.

10.92 Highway Safety and Transport Impacts

- 10.93 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 10.94 Paragraph 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 10.95 The application is supported by a Transport Assessment and Framework Travel Plan.
- 10.96 The application site is well located within walking and cycling distance from Cambridge Railway Station and positioned along one of the main arterial routes into the City Centre which are well used by bus services with bus stops located nearby. A cycle lane runs along Hills Road to the south of the application site. On-street car parking is available in some of the surrounding streets which are generally controlled by parking restrictions.
- 10.97 Taking into account its location within a highly sustainable location with good access to non-car modes of transport, it is considered that a car-free approach to the redevelopment of the site is acceptable in highway safety terms. The proposed loss of the existing rear car park would reduce the number of potential traffic movements along St Paul's Place and following a formal consultation with the Transport Assessment Team it is considered that this would result in small benefit to St Pauls Place.
- 10.98 The pedestrian access to the public house would remain as existing with cycle access and refuse access via St Pauls Place. Servicing and delivery arrangements for this pub use would be from Hills Road as is the existing setup. Therefore, it is not considered that the proposal would result in significant adverse highways impacts from the public house use in this instance.
- 10.99 Whilst third party comments concerning the servicing arrangements for the proposed office use and lack of designated service car parking area for this use are acknowledged and there is evidence of multiple vehicles loading along Cambridge Place in connection with nearby retail outlets situated within Hills Road, the application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal subject to conditions.
- 10.100 Given the nature of office use, it is considered that it is unlikely the proposal would give rise to frequent servicing requirement unlike other commercial uses e.g. retail or other uses such as serviced apartments. Third party comments have been reviewed by the Transport Assessment Team and it is considered that the presence of a no-loading area for the first 34 metres of Cambridge Place and presence of double yellow lines along the remaining length of road will continue to serve to discourage any large vehicle accessing the space to the rear of the office. If an occasional van were to visit to unload supplies in the area immediately outside the office space, although illegal and could be enforced, it is not considered that this would impede other users and vehicle speeds are likely to be very low.

- 10.101 A blue badge car parking space would be provided to the front of the office building. If regularly used, this is considered to result in minimal increase in traffic.
- 10.102 Third party comments concerning the inadequate access junction, lack of pavement, the narrow nature of the street, resultant hazard to emergency vehicles and lack of visibility along Hills Road are all acknowledged, however there are no objections from the County Council Highways Department and the Transport Assessment Team in terms of highway and pedestrian safety.
- 10.103 Moreover, the inspector's appeal decision at the adjacent site of 23-25 Hills Road for development of student accommodation and ground floor retail use (APP/Q0505/W/16/3146035 / 15/1760/FUL see Appendix 1) stated that *it would appear that opportunities for loading or parking on surrounding streets, albeit limited by time and location, are not so restricted that it would be essential for the proposed development to provide its own, dedicated servicing or parking area.* For example, it is noted that loading is permissible on the western side of Hills Road between 10am and 4pm and after 7pm in the evening.
- 10.104 The inspector states that *the effects of the existing double yellow lines would be to ensure that vehicle do not cause such problems along Cambridge Place which if they do occur could be appropriately enforced.* Taking this into account and given the additional no loading area for the first part of this street, it is considered that appropriate parking enforcement is in force within the immediate area to discourage this type of activity.
- 10.105 Given that the proposed office use is unlikely to require more servicing than the consented student accommodation (now residential flats), in consultation with the Transport Assessment Team it is considered that the regularity of loading and servicing is unlikely to justify provision of off-street facilities.
- 10.106 Taking all this into account, it is considered that there would be minimal impact of the proposed development in terms of vehicle trips. To ensure that future site users are encouraged to use more sustainable forms of transport rather than rely on car use, a travel plan is considered reasonable to be conditioned on any planning consent granted.
- 10.107 Subject to recommended conditions regarding a traffic management plan and maximum gross weight of construction vehicles, the proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice. The residual cumulative impacts of the development would not be severe, which the conditions the Framework requires to be met to prevent development on transport grounds. Therefore, the proposal is in accordance with Paragraph 111 of the NPPF 2021.

10.108 The pre-commencement traffic management condition has been agreed in writing with the applicant and will ensure that any adverse highway safety impacts are minimised during the construction phase of the proposed development.

10.109 Cycle and Car Parking Provision

10.110 Cycle Parking

10.111 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for non-residential food and drink premises states that two spaces per 5 members of staff and 1 short stay space for every 15 sq metres of dining space. This equates to approximately 11 cycle spaces required.

10.112 Whilst this is the case, the existing public house site lacks any formal cycle parking area. Although the existing pub garden could accommodate customers' bikes at present and third party comments concerning the lack of proposed customer cycle parking and general availability in the area are acknowledged, given that the dining space floor areas would only be fractionally increased in size and taking into consideration the limited potential for the siting of additional cycle provision to the front façade close to the main entrance, it therefore would not be reasonable to require dedicated customer cycle parking within the application site itself. Notwithstanding this, two dedicated covered staff cycle spaces would be provided close to the side door staff entrance and there would not be anything to preclude customers utilising the visitor parking within the front entrance area of the office building which is unlikely to be fully occupied particularly at the public house's busiest times operating outside of the usual office use hours. It is therefore considered to be an improvement on the existing situation. Furthermore, given its location within walking distance of residential areas, it is anticipated that most customers would visit the public house on foot or use one of the many bus services. Any customers that do visit by bike could use the visitor parking area as described or undesignated areas within the vicinity as is the existing case.

10.113 For non-residential office uses, Appendix L states that two spaces per 5 members of staff or 1 per 30 sq metres of gross floor area (whichever is greater) is required. It is not known at this stage what the anticipated number of employees would be, however, the development would create approximately 1050 sq metres of office floor space (not including circulation spaces). This would equate to approximately 35 cycle spaces required with the addition of visitor parking.

10.114 In this instance, 20 covered double stackers and 2 covered Sheffield hoops are located within a dedicated cycle store accessed via the rear staff office entrance with additional 4 uncovered Sheffield hoops for

visitors at the front of the office building. Overall, the proposed office use would provide 44 covered cycle spaces and 8 uncovered cycle spaces.

10.115 Therefore, on this basis, it is considered that the proposal would provide for sufficient cycle parking provision in convenient locations in accordance with Policy 82 of the Local Plan 2018.

10.116 Car parking

10.117 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L. Car-free and car-capped development is supported provided the site is within an easily walkable and cyclable distance to a District Centre or the City Centre, has high public transport accessibility and the car-free status can be realistically enforced by planning obligations and/or on-street controls.

10.118 Given the site's highly sustainable location with easy access to non-car modes of transport, located within a controlled parking zone and within walking and cycling distance to the Hills Road Local Centre and Cambridge City Centre and close to Cambridge Railway Station, it is considered that a 'car free' development is justified on this basis.

10.119 Notwithstanding this, the proposed office space would consist of a one blue badge disabled car space in accordance with Appendix L of the Local Plan 2018 which is considered to be acceptable.

10.120 Taking all this into account, the proposal is considered to accord with policy 82 of the Local Plan 2018.

10.121 **Amenity**

10.122 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance, overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

10.123 Neighbouring Properties

10.124 Whilst it is the case that the proposed development would be situated within the 45 degree (vertical and horizontal) rule of thumb when taken from the two windows in No.23-25's first floor flat, and the closest habitable room window in this building's second floor flat, the application is supported by a daylight/sunlight assessment which demonstrates that the BRE criteria are met and the proposed development is acceptable in terms of overshadowing and loss of daylight impacts upon neighbouring residential amenities, including the flats at No.23-25 Hills Road.

10.125 In terms of its impact upon the two flats at No.19 Hills Road, whilst it is the case that the proposal would be within the 25 degree rule of thumb when

taken from habitable room windows in this flat opposite, the supporting daylight/sunlight assessment concludes that the impact upon these neighbouring amenities is acceptable.

- 10.126 In terms of potential overbearing impacts, following the previous application, the proposal has decreased the L-shaped element at first and second floor level to improve the relationship and reduce any sense of overbearing impacts when viewed from the first and second floor flats at No.23-25 Hills Road. Whilst this element would still project in line with the northern-most windows in two of the adjacent flats situated approximately 7 metres from this proposed element, given the nature of these flat's open planned layouts consisting of two windows, the southern window's view would be unaffected.
- 10.127 Moreover, the scale of the first storey element in the proposed link building along St Paul's Place has been reduced in height, whilst the third storey element has been recessed back to reduce its sense of prominence on these flat's (No.19 Hills Road) amenity spaces.
- 10.128 Direct overlooking from the windows situated on the second floor of the office building towards the habitable room spaces within the second floor and first floor flats of No.19 Hills Road are likely to result from the proposal. Given the distance of between 4 and 5 metres, these impacts are likely to be significant. Therefore, to safeguard neighbour amenity, it is considered that the two windows on the proposed second floor and the three windows on the proposed first floor within the link element closest to No.19 Hills Road will be conditioned to be obscured on any planning consent granted.
- 10.129 In addition, overlooking from the proposed roof top terrace towards the second floor flat of No.19 Hills Road would be possible. To ensure that screening on this northern side of the roof terrace is sufficient, a condition will be attached requiring screening details to mitigate any overlooking impacts from this roof terrace.
- 10.130 Construction and Environmental Impacts
- 10.131 Policy 35 guards against developments leading to significant adverse impacts on health and quality of life from noise and disturbance. Noise and disturbance during construction would be minimized through conditions restricting construction hours and collection hours to protect the amenity of future occupiers. These conditions are considered reasonable and necessary to impose.
- 10.132 The application is supported by a ventilation and extract strategy and a baseline noise survey. Whilst third party comments concerning current noise impacts are acknowledged, the proposal would retain the existing public house use and the same hours of current use. The Council's Environmental Health team have assessed the application and recommended that the proposed development is acceptable subject to full

details regarding the plant noise impact, their location and associated mitigation in addition to full details of the proposed noise insulation scheme of the public house and offices. Operational delivery hours to the pub and office space would also be restricted.

- 10.133 Whilst third party comments concern the hours of use and noise and disturbance from people congregating outside, the proposal removes the outside amenity provision and car parking facility and therefore would largely limit customers to inside the premise arriving on foot, restricting noise impacts upon neighbouring amenities and improving the existing situation. The operating hours would be the same as existing in accordance with the licenced hours permitted.
- 10.134 In addition to other impacts, an artificial lighting assessment to limit light impacts upon surrounding residential amenities will be required via condition. Additionally, odour filtration/extraction information will be required via condition to limit any odour impacts emanating from the cooking extract system at roof level.
- 10.135 In terms of the construction phase, a demolition/construction noise and vibration impact assessment, restricted construction/demolition and collection/delivery hours, and dust mitigation will be conditioned to ensure that impacts upon residential amenities are acceptable.
- 10.136 The application is supported by an intrusive site investigation report. Following a formal consultation with the Council's Environmental Health Officer, it is considered that the application site for the proposed office use is suitable in land contamination terms without further information being required in this respect. The standard materials management condition and unexpected contamination condition are considered reasonable to be attached on any planning consent granted
- 10.137 In terms of air quality impacts, the proposed development would be car free with the exception of a single car space. Following a formal consultation with the Council's Environmental Health Officer, the electric vehicle charge point for this single space is acceptable. A condition will be attached to require the applicant to comply with the requirement of the vehicle charge point as shown. No further information is required in respect of air quality impacts in this instance.
- 10.138 Summary
- 10.139 Taking all this into account, subject to conditions, it is considered that the proposal adequately respects the amenity of its neighbours and has acceptable impacts upon the surrounding environment. It is therefore compliant with Cambridge Local Plan (2018) policies 33, 34, 35, 36, 57 and 58.
- 10.140 **Refuse provision**

10.141 Policy 57 requires refuse and recycling to be successfully integrated into proposals.

10.142 The bin store for the pub use is located along St Pauls Place and will replace the existing capacity being removed to facilitate the new development. This store will include a set of sliding doors and have sufficient storage space for four 1280 litre bins, two 140 litre bins and two 360 litre bins. The bin store would be integrated within the development and would be located conveniently adjacent to the staff entrance and accessible from the public highway.

10.143 The quantity of refuse provision for the office is based on the RECAP Waste Management Design Guide and would comprise three 1100 litre bins in addition to two 140 litre bins with suitable side access. Whilst third party comments raising concerns regarding the lack of capacity and likelihood of bins being left outside are acknowledged, following a formal consultation with the Council's Waste Officer, there are no objections to the refuse provision. Therefore, the proposal is in accordance with Policy 57 of the Local Plan 2018.

10.144 **Other Matters**

10.145 Councillor comments are acknowledged. Given that this application constitutes a major application with third party objections on planning grounds having been received, this has been referred to planning committee on this basis.

10.146 **Planning Balance**

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

10.148 The current scheme would provide employment use within the Hills Road Local Centre and in a highly sustainable location. It is considered to be appropriate in design, scale, massing and would reflect the urban grain of the surrounding context.

10.149 Although by virtue of the loss part of the existing pub building, minor harm has been identified to the character and appearance of the Conservation Area, this is outweighed by the public benefits of the scheme.

10.150 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

10.151 **Recommendation**

10.152 **Approve** subject to:

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

1.0 **Planning 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) Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the use hereby permitted, shall be used for office/business space under Class E(g)(i), and for no other purpose (including any other purposes in Class E of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
Reason: To ensure that the uses are appropriate in accordance with Policy 40, 41, 72 and 25 of the Local Plan 2018.
- 4) No development shall take place above ground level, except for demolition, until details and samples of all the materials for the external surfaces of buildings to be used in the construction of the development and the repair and redecoration of the retained frontage have been submitted to and approved in writing by the local planning authority. The details shall include large scale drawings and bay studies, brickwork details, non-masonry walling systems; windows, cills, headers and surrounds, arch lintels, sills & jambs; doors and entrances; roof cladding; external metal work, balustrades, rainwater goods, edge junctions and coping details; colours and surface finishes. Development shall be carried out in accordance with the approved details.
Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 61, 55 and 57).
INFORMATIVE
The details required to discharge the submission of materials condition

above should consist of a materials schedule, large-scale drawings and/or samples as appropriate to the scale and nature of the development in question.

- 5) No brickwork above ground level shall be laid until a sample panel [1.5 x1.5m] has been prepared on site detailing the choice of brick, bond, coursing, special brick patterning [banding, soldier course, projecting header & recessed], mortar mix, design and pointing technique. The details shall be submitted to and approved in writing by the Local Planning Authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes, and works will take place only in accordance with approved details.
Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 61, 55 and 57).
- 6) No demolition of the existing public house building shall commence until a method statement for the protection of the retained frontage and return has been submitted to and approved in writing by, the local planning authority. Demolition and construction shall proceed thereafter only in accordance with the approved statement. The retained building frontage facade shall thereafter be retained in perpetuity.
Reason: To protect the significance of the conservation area (Cambridge Local Plan 2018 policy 61)
- 7) The roof-mounted and ground level plant/equipment shown on drawing no(s) C212/3021 PL2, SK3017 PL2 & 3018 PL2 shall not be installed until details of the plant/equipment have been submitted to and approved in writing by the local planning authority. The details shall include the type, dimensions, materials, location, and means of fixing. The development shall be carried out in accordance with the approved details.
Reason: To ensure that the external appearance of the development does not detract from the character and appearance of the area (Cambridge Local Plan 2018 policies 55 and 57).
- 8) Prior to commencement and in accordance with BS5837 2012, a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) shall be submitted to the local planning authority for its written approval, before any tree works are carried and before equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). In a logical sequence the AMS and TPP will consider all phases of construction in relation to the potential impact on trees and detail tree works, the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including supervision, demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

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

- 9) Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager and arboricultural consultant to discuss details of the approved AMS. A record of the meeting will be submitted to the council for its written approval.

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

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

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

- 11) Prior to first occupation of the office building, the replacement tree, 'Tilia cordata x mongolica 'Harvest Gold' shall be planted to satisfy tree works application 20/1135/TTPO and be planted as shown on drawing P1987-ASP02 V4 contained within the Arboricultural Impact Assessment dated 19th May 2022. If within a period of 5 years from the date of planting, replacement trees are removed, uprooted, destroyed or die another tree of the same size and species shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gives its written consent.

Reason: To require replacement trees to be approved, planted and subsequently protected, to ensure continuity of tree cover in the interest of visual amenity in accordance with Policy 71 of the Local Plan 2018.

- 12) Within 6 months of commencement of development, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing

by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

13) Prior to the use or occupation of the development hereby approved, or within six months of occupation, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the Local Planning Authority, indicating that the approved BREEAM rating has been met. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

14) No development above ground level shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the features to be enhanced, recreated and managed for species of local importance both in the course of development and in the future. This shall also include number, specification and location of integrated bird boxes. The scheme shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority.

Reason: To conserve and enhance ecological interests. (Cambridge Local Plan 2018 policy 57).

15) Prior to commencement of development (except for demolition), a detailed design of the surface water drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Flood Risk Assessment, Surface, and Foul Water Drainage Strategy prepared by SLR (ref: 406.11959.00001 [version 2]) dated December 2021 and shall also include:

a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;

- b) Full results of the proposed drainage system modelling in the above referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- f) Demonstration that the surface water drainage of the site is in accordance with DEFRA nonstatutory technical standards for sustainable drainage systems;
- g) Full details of the maintenance/adoption of the surface water drainage system;
- h) Permissions to connect to a receiving watercourse or sewer;
- i) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development in accordance with policies 31 and 32 of the Cambridge Local Plan 2018.

- 16) Prior to commencement of development (except for demolition), including preparatory works, details of measures indicating how additional surface water run-off from the site will be avoided during the construction works shall be submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with policies 31 and 32 of the Cambridge Local Plan 2018.

- 17) No building hereby permitted shall be occupied until foul water drainage works have been detailed and approved in writing by the local planning authority.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development.

- 18) No demolition or construction works shall commence on site until a traffic management plan has been agreed in writing with the Planning Authority. The Highway Authority requests that the TMP be a stand-alone document separate from any Environment Construction Management Plan or the like, as the risks and hazards associated with construction traffic using the adopted public highway are quite different from those associated with the internal site arrangements. The principal areas of concern that should be addressed are:
- i. Movements and control of muck away lorries
 - ii. Contractor parking; provide details and quantum of the proposed car parking and methods of preventing on street car parking.
 - iii. Movements and control of all deliveries
 - iv. Control of dust, mud and debris, in relationship to the operation of the adopted public highway.
- Reason: in the interests of highway safety in accordance with the NPPF 2021
- 19) Demolition or construction vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09.30hrs - 15.30hrs, seven days a week.
- Reason: in the interests of highway safety in accordance with the NPPF 2021
- 20) No occupation of the building shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall specify the methods to be used to discourage the use of the private motor vehicle and the arrangements to encourage use of alternative sustainable travel arrangements such as public transport, car sharing, cycling and walking, how the provisions of the Plan will be monitored for compliance and confirmed with the local planning authority. The Travel Plan shall be implemented and monitored as approved upon the occupation of the development.
- Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).
- 21) The development, hereby permitted, shall not be occupied until the proposed first floor and second floor windows in the northern side elevation of the northern link element between the pub frontage and the main office building have (facing No.19 Hills Road), apart from any top hung vent, been fitted with obscured glazing (meeting as a minimum Pilkington Standard level 3 or equivalent in obscurity and shall be fixed shut or have restrictors to ensure that the windows cannot be opened more than 45 degrees beyond the plane of the adjacent wall. The glazing shall thereafter be retained in accordance with the approved details.
- Reason: To prevent overlooking of the flats at No.19 Hills Rd (Cambridge Local Plan 2018 policies 55, 57/58).
- 22) Prior to first occupation of the office building, details of the glass ballustrade/screening surrounding the third floor terrace shall be

submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with these details prior to occupation of the office building.

Reason: To prevent overlooking of the flats at No.19 Hills Rd (Cambridge Local Plan 2018 policies 55, 57/58).

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

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

24) Prior to commencement of development (including demolition, enabling works or piling) a demolition/construction noise and vibration impact assessment associated with the development shall be submitted to and approved in writing by the local planning authority. The assessment shall be in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration on construction and open sites and include details of any piling and mitigation/monitoring measures to be taken to protect local residents from noise or vibration. The development shall be carried out in accordance with the approved measures.

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

25) No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

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

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

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

27) No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved scheme.

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

28) No development above ground level shall commence until a scheme detailing plant, equipment or machinery for the purposes of extraction, filtration and abatement of odours has been submitted to and approved in writing by the local planning authority. The approved scheme shall be installed before the use is commenced and shall be retained as such.

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

29) If unexpected contamination is encountered during the development works which has not previously been identified, all works shall cease immediately until the Local Planning Authority has been notified in writing. Thereafter, works shall only restart with the written approval of the Local Planning Authority following the submission and approval of a Phase 2 Intrusive Site Investigation Report and a Phase 3 Remediation Strategy specific to the newly discovered contamination.

The development shall thereafter be carried out in accordance with the approved Intrusive Site Investigation Report and Remediation Strategy.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety (Cambridge Local Plan 2018 policy 33).

30) No material for the development (or phase of) shall be imported or Reused until a Materials Management Plan (MMP) has been submitted to and approved in writing by the Local Planning Authority. The MMP shall include:

a) details of the volumes and types of material proposed to be imported or reused on site

b) details of the proposed source(s) of the imported or reused material

c) details of the chemical testing for ALL material to be undertaken before placement onto the site.

d) results of the chemical testing which must show the material is suitable for use on the development

e) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

All works will be undertaken in accordance with the approved MMP.

Reason: To ensure that no unsuitable material is brought onto the site in the interest of environmental and public safety in accordance with (Cambridge Local Plan 2018 Policy 33).

31) Prior to the commencement of development/construction (except for demolition), a scheme for the insulation of the building in order to minimise the level of noise emanating from the said building shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the

building hereby permitted is occupied and shall be thereafter retained as such.

Reason: To safeguard residential amenities from excessive noise in particular those residing in the flats at 23-25 Hills Road (Cambridge Local Plan 2018 policy 35)

32) 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 23:00 Monday to Friday, 08:00 to 13:00 on Saturday. Service collections / dispatches and deliveries are not permitted at any time on Sundays or Public Holidays.

Reason: To safeguard residential amenities from excessive noise (Cambridge Local Plan 2018 policy 35)

33) Prior to the installation of any artificial lighting, an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at proposed and existing residential properties shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01/20 (or as superseded).

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details / measures.

Reason: To safeguard neighbour amenities for excessive light levels (Cambridge Local Plan policy 34)

34) The electric vehicle charge point and associated infrastructure as detailed in and as shown on drawing SK3017 PL2 shall be fully installed and operational before first occupation of the office building and shall be retained thereafter.

Reason: In the interests of encouraging more sustainable modes and forms of transport and to reduce the impact of development on local air quality, in accordance with the National Planning Policy Framework (NPPF 2021) paragraphs 107, 112, 174 and 186, Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

35) No construction of the biodiverse (green) roofs shall commence until The following details have been submitted to and approved in writing by the Local Planning Authority.

a) The means of access for maintenance

b) Plans and sections showing the make-up of the sub-base to be used which may vary in depth from between 80-150mm

c) Planting/seeding with an agreed mix of species (the seed mix shall be focused on wildflower planting indigenous to the local area and shall contain no more than a maximum of 25% sedum)

d) Where solar panels are proposed, biosolar roofs should be

incorporated under and in-between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation

e) A management/maintenance plan for the roof(s)

The roof(s) shall be constructed and laid out in accordance with the approved details and planting/seeding shall be carried out within the first planting season following the practical completion of the roof. The roof(s)

shall be maintained as such in accordance with the approved management/maintenance plan.

The roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance/repair or escape in case of emergency.

Reason: To help mitigate and respond to climate change and to enhance ecological interests. (Cambridge Local Plan 2018 policies 28 and 57).

- 36) Prior to first use of the public house, a scheme shall be submitted and approved in writing by the Local Planning Authority requiring that level access is achieved from Hills Road in accordance with M4 building regulations. This shall be installed prior to first use of the public house.

Reason: To ensure that wheelchair user access is provided in accordance with Policy 56 of the Local Plan 2018.

- 37) Prior to substantial demolition of the premise, a contract shall be in place for the redevelopment of the public house facility, details of which shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that a public house facility is provided in good time and in the interests of preserving the character and appearance of the Conservation Area in accordance with policies 61 and 76 of the Local Plan 2018.

Informatives

- 1) Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building Over existing public sewers will not be permitted (without agreement) from Anglian Water. Building near to a public sewer - No building will

be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements

- 2) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions. Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.
- 3) The granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.
- 4) To satisfy and discharge Environmental Health conditions relating to artificial lighting, contaminated land, noise / sound, air quality and odours / fumes, any assessment and mitigation shall be in accordance with the scope, methodologies and requirements of relevant sections of the Greater Cambridge Sustainable Design and Construction SPD, (Adopted January 2020) <https://www.cambridge.gov.uk/greater-cambridge-sustainable-design-andconstruction-spd> and in particular section 3.6 - Pollution and the following associated appendices:
 - o Requirements for Specific Lighting Schemes
 - o The Development of Potentially Contaminated Sites in Cambridge and South Cambridgeshire: A Developers Guide
 - o Further technical guidance related to noise pollution

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

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs