



Planning Committee Date	2 nd October 2024 Cambridge City Council Planning Committee
Report to Lead Officer	Joint Director of Planning and Economic Development
Reference	24/01330/FUL
Site	The Emperor 21 Hills Road
Ward	Market
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 on site.
Applicant	MPM Properties
Presenting Officer	Tom Gray
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	1. Design, layout, scale and impact upon the character and appearance of the Conservation Area 2. 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 public house.
- 1.3 This proposal seeks to address the previous application 21/05549/FUL reason for refusal upheld by the planning inspectorate, citing harm to the conservation area. In response, the proposal's massing and scale have been reduced, creating more space to the rear of the site. The resulting design, layout and scale is compatible with its surroundings and would not result in any overall harm to the significance and character of the Conservation Area.
- 1.4 Trees would be retained to the front of the office building whilst a biodiversity net gain would result. Subject to conditions, BREEAM 'excellent' would be achieved for the office use and this measure would also be required to be met prior to the fit out of the public house.
- 1.5 The number of car movements along St Paul's Place would be reduced, whilst any increase in traffic movements along Cambridge Place would be minimal with non-car modes of transport encouraged and cycle storage provision for all users proposed. Highway safety impacts are considered acceptable.
- 1.6 Foul and surface water drainage, and construction and environmental impacts are considered acceptable subject to conditions. Integrated refuse storage provision would be accessed along St Paul's Place.
- 1.7 The proposal would result in moderate adverse daylight impacts to a single neighbouring window, however on the basis of its use as a bedroom, its small size and configuration, the isolated nature of harm and taking into account the benefits of the scheme, the lack of compliance with the BRE daylight standards are considered to be acceptable in this instance.
- 1.8 The proposal would deliver a high-quality designed scheme and provide employment opportunities in a highly sustainable location that would result in substantial economic benefits.
- 1.9 The proposed development would result in an overall reduction in car movements, reuse of previously developed land and provide on-site biodiversity net gain.
- 1.10 Officers recommend that the Planning Committee approve the application.

2.0 Site Description and Context

Conservation Area	X	Tree Preservation Order	X
Safeguarded Pub	X	Flood Zone 1	X
Local Neighbourhood and District Centre	X	Controlled Parking Zone	X
Opportunity Area	X	Setting of Listed Buildings	X

- 2.1 The application comprises a public house and private car parking space to the rear. It is located along the 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 a mixture 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. To the northeast is St Paul's Place and to the southeast 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 the 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, basement, ground floor 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 public house façade. The new development would provide pub space within the basement and ground floor in the front part of the application site, whilst the new office space would be located to the rear including on basement, ground floor and on upper floors. The main access to the office space would be via Cambridge Place whilst employee access to the office and public house would be via St Paul's Place. As part of the scheme, cycle parking provision would be provided for all users.
- 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 21/05549/FUL was refused on the following grounds:
- 1) The impact upon the character and appearance of the conservation area
 - 2) Highway safety

- 3) Pub viability
- 4) Loss of light and overbearing impacts upon occupiers of Dazeley House
- 5) Insufficient cycle parking

3.5 The application was subsequently appealed, and the Planning Inspector dismissed the appeal on one of the above five grounds, namely the harmful impact to the character and significance of the New Town and Glisson Road Conservation Area. A copy of this Appeal Decision is attached in Appendix 1.

3.6 Pre-application discussions have been carried out with officers to address the upheld reason for refusal.

4.0 Relevant Site History

Reference	Description	Outcome
21/05549/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.	Refused, Appeal Dismissed
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),	Permitted

letter from David Brown
Landscape Design and Covering
Letter for full explanation. The
tree will be replaced by a single
container grown Tilia cordata x
mongolica Harvest 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	Permitted

	width of the door serving the ground floor retail unit store.	
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.	Permitted
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

5.0 Policy

5.1 National

National Planning Policy Framework 2023

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 Access Officer – No objection.** Please confirm flat threshold to pub.
- 6.2 Anglian Water – No objection**
- 6.3 Cadent Gas – No objection.** Informative recommended.
- 6.4 Cambridge Cycle Campaign – No comments received**
- 6.5 Campaign for Real Ale (CAMRA) – Objection**
- 6.6 Cellarage would be a small fraction of the cellar space that the pub currently has. Will limit the range of drinks that the pub could offer. Basement restaurant wouldn't have views out. Loss of garden space. Lack licensee accommodation, storage space and parking. Would be less attractive business option. Pub would be temporarily closed.
- 6.7 Conservation Officer – No objection**
- 6.8 Public house does make a positive contribution to the street scene.
- 6.9 Revised proposals reduce the height and scale of the office building, limiting the extent of the upper storey, thus avoiding harm to the setting of

the listed church. The step down to the rear improves the relationship with the finer grain residential buildings behind. Although the building remains bulky compared to the scale of the pub frontage and other traditional commercial buildings in this part of the conservation area, the detailing and articulation of the facades and roof form are considered to enhance its appearance and minimise its impact.

- 6.10 Office building would have minimal impact with only narrow oblique views along St Paul's Place or glimpsed views of the higher roof form over the retained pub. From Cambridge Place, the reductions to the mass and scale of the building would step down, with a varied traditional roof form that allows a glimpsed view of St Paul's Church tower above.
- 6.11 The proposal results in a modest degree of harm to the significance of the conservation area, primarily due to the loss of the rear parts of the 19th century public house. However, the scheme provides enhancements, including the quality of the replacement design, which on balance are considered to offset this harm. The retention and refurbishment of the historic pub frontage is considered an additional benefit of the scheme.
- 6.12 St Paul's Church has a setting extending primarily to Hills Road and St Paul's Road where it forms a local landmark. The development site does not contribute to the church's significance, nor would its redevelopment as proposed cause any harm to the listed building's setting.
- 6.13 Recommends conditions including materials, sample panel and retained frontage protection.
- 6.14 **County Archaeology – No comments received.**
- 6.15 **Environmental Health Officer – No objection.**
- 6.16 Locations of ASHP are acceptable. 1&2 will not be operated at night. Confirmation will be required at discharge of condition stage to require hours of operation of all plant to ensure the representative background sound levels are not exceeded. Locations of 1&2 are acceptable subject to a noise impact assessment at discharge of conditions stage. ASHPs 3&4 also on the roof level which is the preferred location.
- 6.17 Recommend conditions including demolition/construction noise/vibration impact assessment, construction/demolition hours, demolition/construction collection/delivery hours, dust, control of odour, unexpected contamination, materials management plan, plant noise, building insulation, operational delivery hours and artificial lighting.
- 6.18 Previous comments (15/07/24): Concerns regarding ASHP enclosure air flow, plant location and use at night.
- 6.19 Previous comments (19/06/24): Concerns regarding siting and air flow concerns of plant.

- 6.20 Previous comments (02/05/24): Plant locations and assessment of plant located in the car park in close proximity to residential receptors of 23-25 Hills Road is required.
- 6.21 **Environment Agency – No comments received.**
- 6.22 **Highways Development Management – No objection**
- 6.23 Recommend conditions regarding encroachment onto the public highway, traffic management plan, weight limit and loading hours, structure of proposed basement walls, and servicing plan. Informatives.
- 6.24 **Historic England – No comments offered.**
- 6.25 No comments offered.
- 6.26 **Lead Local Flood Authority – No objection.**
- 6.27 Significant betterment in surface water discharge compared to the existing site. Recommend surface water drainage and measures during construction conditions. Informatives.
- 6.28 **Nature Conservation Officer – No objection.**
- 6.29 No biodiversity net gain required due to non-scoring onsite habitats and de-minimis exempt from mandatory biodiversity net gain requirement. Recommend ecological enhancement condition.
- 6.30 **Sustainable Drainage Officer – No comments received.**
- 6.31 **Sustainability Officer – No objection.**
- 6.32 Approach is supported. 5 credits are shown as being targeted under Wat01 requirements. Recommends conditions for the office to secure the submission of a more detailed water efficiency calculator report, alongside standard conditions related to water reuse and recycling infrastructure. Office element targeting BREEAM excellent in line with policy requirements.
- 6.33 Further work required to achieve BREEAM excellent for the pub. Wat01 credits are not available for shell only, however, water efficiency measures are important given water stress.
- 6.34 General approach in terms of overheating is supported. ASHPs will provide both cooling and heating. Capable of cross ventilation. Further consideration should be made to whether external shading is required on the southern elevation to reduce unwanted internal heat gains.

- 6.35 Energy strategy is supported. ASHPs and PV panels, in addition to mechanical ventilation with heat recovery is also proposed.
- 6.36 **Transport Assessment Team – No comments received.**
- 6.37 **Tree Officer – Objection**
- 6.38 Increased future pressure to allow significant crown management or tree removal.
- 6.39 If minded to approve the application, an arboricultural method statement and tree protection plan and its implementation will be required via condition.
- 6.40 **Urban Design Officer – No objection.**
- 6.41 Response to context: Proposed set back would fit with the context of existing setbacks along the east side of Hills Road. Scale of development along Hilld Hills Road is typically 3-4 storeys and is at relatively high density. The arrangement responds well to the existing street scene and pattern.
- 6.42 Movement and access: Primary and secondary accesses proposed. Circulation core for general access to the office accommodation. St Paul's Place will be wider as a result of the proposals.
- 6.43 Scale and massing: No objections to proposed floor plans. 3rd storey element sits comfortably as a simple pitched roof form. The 4th storey reads as a mansard roof that is more substantially set back. These do not interfere with views of the pub and surrounding buildings as you approach them from Hills Road and reduces the prominence of the proposed scheme within the conservation area. Top floor has been reduced by a distance of 8.5m to the rear, which means that the building steps down to be 2.5 storeys at the rear with the addition of a mansard roof here now to mean less visual impact from the building's massing at this east end. Chimney has also been removed.
- 6.44 The stepped massing on Cambridge place helps to mitigate impact to the 1st and 2nd floor windows of No.23 and No.25 Hills Road. Also maintains open views toward St Paul's Church. Enables some incidental views of the church tower.
- 6.45 Layout: Existing frontage building façade will be retained. Larger and more useable pub space provided over two floors. Proposes public realm creates a positive and legible setting and 'shared space' for the new entrance on Cambridge Place, with room to dwell, and space between visitor cycle parking, blue badge parking bay with associate EV charging point, and the existing tree and proposed tree. Timber enclosure for ASHP is welcome. Orientation allows for a good amount of sunlight to enter the reception and

office space. Space to locate air handling plant as required. Space for ancillary functions on floors.

6.46 Functional design: Bike storage, disabled parking and bin storage are conveniently provided for at the ground and basement floor level.

6.47 Elevations, materials and details: Façade materials are supported. Precise brick material details should be conditioned. Could use bricks reclaimed from the demolition of the rear section. Articulation of the building elevation onto St Pauls Place is subdivided into smaller bays or plots, to create a finer grain. Arched windows are supported. Provision of new windows should provide greater natural surveillance. Stepped form, fenestration and mansard roof in relation to the adjacent print shop roof is supported.

6.48 No objection, subject to full details of the required PV panels and other plant, including details of access, safety on the roof and servicing will need to be conditioned.

6.49 Shared Waste – No objection. Condition requested.

6.50 Fire and Rescue Department – No objection.

7.0 Third Party Representations

7.1 5 representations have been received (3 in objection, 2 neutral)

7.2 Those in objection have raised the following issues:

- Fire spread to neighbouring building and emergency escape route
- Loss of light impacts upon Dazeley House
- St Paul's Place is not in the 'public realm'. Secondary access to the offices and another for an escape route would depend on the developer having a right of access/fire escape route over third party land.
- Noise impacts from existing pub and anti-social behaviour. Would welcome improvement to existing situation.

8.0 Member Representations

8.1 None received.

9.0 Local Groups / Petition

9.1 Cambridge Place Residents has made a representation noting that the scheme is an improvement to that previously proposed and welcomed the developer's engagement with the local community but outlined other issues that need to be addressed:

- Tree Impacts – Ensure that the existing ash tree is fully protected. Tree species not noted and would not provide an additional biodiversity benefit given it is required under a tree

preservation order. Excavation of the basement could have an impact upon the existing tree and no updated arboricultural impact assessment has been submitted.

- Conditions required to minimise disruption to those working and living in the locality, traffic management due to narrow, dead-end street.

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 accessed off Cambridge Place. Whilst the existing car park to the rear of the public house would 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 there is more demand for employment space, it is considered that a flexible approach should be utilised to reflect the mix of uses important in these smaller local centres.
- 10.10 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(i)), 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 future viability of the public house, whilst the Campaign for Real Ale (CAMRA) raises several concerns with the proposal, notably the reduced cellarage space compared to the current situation, no view from the basement restaurant, loss of garden space, lack of licensee accommodation, storage and parking which could prove a less attractive business opportunity are all noted, the Inspector stated in the appeal decision (21/05549/FUL) that:
- “I conclude that the proposal would not have a harmful impact on the viability of the public house and therefore would be in accordance with policy 76 (d) of the Local Plan. This requires that the viability of the public house use will not be adversely affected, sufficient cellarage, beer garden, parking and dining/kitchen areas will remain to retain a viable public house operation.”*
- 10.19 In this instance, the proposed revised plans demonstrate that a similarly sized public house space and facilities would be provided compared to the proposal that was subject to appeal and therefore officers consider on this basis that the proposal would retain a viable public house. This view

accords with previous viability assessments regarding the new pub unit undertaken by the applicant and independently for the Council.

10.20 Whilst the pub would be temporarily closed during the construction period, subject to a condition requiring a contract to be in place prior to the substantial demolition of the premise, officers consider that the proposed redevelopment would not adversely impact the future viability of the public house. Therefore, the proposal is compliant with Policy 76 of the Local Plan 2018.

10.21 **Design, Layout, Scale and Landscaping and Impact upon the Character and Appearance of the Conservation Area**

Design/materials, scale, massing and impact upon the character and appearance of the Conservation Area

10.22 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 commercial and residential 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. Moreover, the building as whole contributes positively to the significance of the CA displaying positive historic features and form. However, visually the rear space has little merit.

10.23 The Inspector in the appeal decision (21/05549/FUL) states that:

"... the significance of the CA therefore, for the purpose of this appeal, lies within the importance of the historic built form displaying the nineteenth century commercial and residential evolution of this part of the city and the relationship of that built form to the spaces in between."

10.24 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.

10.25 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.

- 10.26 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.
- 10.27 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.
- 10.28 Paragraphs 200 – 214 of the NPPF 2023 provide advice on proposals affecting heritage assets and how to consider different levels of harm.
- 10.29 Paragraph 205 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.
- 10.30 Paragraph 206 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'.
- 10.31 Paragraph 208 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.
- 10.32 The previous proposal consisted of one long three/four storey building extending along St Paul's Place. The Inspector stated the following in their assessment

“... Consequently, due to its height and, particularly its extent along St Paul’s Place, it would form a large mass that would dominate views from Hills Road, Cambridge Place and St Pauls Place and would conflict with the predominant historic characteristic of building form reducing to the rear of the Hills Road frontage displayed elsewhere in the CA. Moreover, it would harmfully erode the sense of space between Hills Road and St Paul’s Walk to the rear, dominating that residential area due to its size and proximity.”

10.33 The Inspector continued in their assessment

“The key issue, in my view, is the massing of the building. Although there are examples of other high buildings within the CA there are very few examples of such a large building in proximity to others which extends as far back from Hills Road as the proposed building. The key here to the character of the CA is a domestic form and size of architecture together with the space around buildings. Where there are larger buildings, they are generally on wider roads or have space around them. Here the taller elements would be close to the two storey pub at the front, Dazely House and, due to the narrowness of St Pauls Place, 19 Hills Road as well as adjacent to the red brick building to the rear of the site. As a result, there would be little space around the proposed building to mitigate the large scale and massing of the rear element in particular to reflect the character and appearance of the CA. There would also be an awkward juxtaposition between the proposed building and the houses on St Pauls Walk due to the extension and height of the structure within the site close to those 2 storey dwellings.”

- 10.34 The revised proposal has sought to address this upheld reason for refusal by reducing the height and scale of the office building through the stepping down to the rear and the removal of the chimney to improve the relationship with St Paul’s Place and the finer grain residential buildings behind along St Paul’s Walk. In addition, the ground floor element of the public house beyond the existing façade has been stepped back to increase the space of along St Paul’s Place opposite the flats of No.19 Hills Road. The perceived massing of the building has also been lessened compared to the original proposal through the detailing and articulation of the facades and roof form which would minimise its impact.
- 10.35 Whilst the Conservation Officer has identified a modest degree of harm to the significance of the Conservation Area through the loss of the rear parts of the 19th century public house, the Conservation Officer considers that the revised scheme provides enhancements, including the quality of the replacement design, which are considered to offset this harm. Moreover, the retention and refurbishment of the historic pub frontage is considered an additional benefit of the scheme.
- 10.36 In local views from Hills Road, the proposed development would have minimal impact, with only glimpsed views of the higher roof form over the

pub, albeit would have less of an impact than the existing neighbouring building of Dazeley House, which has its 4th storey set forward of the proposal. Following a formal consultation with the Council's Urban Design Officer, it is considered that this set back responds well to the existing street scene and pattern of development.

- 10.37 When viewed from Cambridge Place, the reductions to the massing and scale of the building compared to the previous application, with a more varied traditional roof form would allow for improved 'space' within the existing street scene in addition to the added benefit of retaining glimpsed views of the church beyond.
- 10.38 Overall, it is considered that the proposed development is a high-quality design that would preserve the character and appearance of the Conservation Area. Therefore, subject to conditions including submission of external materials, sample panel and a method statement for the protection of the retained public house frontage, the proposal would not harm significance of the Conservation Area, in accordance with policies 56, 57, 58, 59 and 61 of the Local Plan 2018 and Paragraphs 205-208 of the NPPF 2023.
- 10.39 Even if some very modest harms ('less than substantial') remain as a result of the proposal, and Paragraph 208 of the NPPF 2023 is engaged, it is considered that there are very significant public benefits that would result from the proposed scheme including the provision of employment thereby supporting the local economy, the reduction of cars visiting the site and an on-site biodiversity net gain. These benefits are considered to outweigh any harm if these are indeed identified.

Functional layout, movement and access

- 10.40 The proposed development would provide for a public house space on basement and ground floors towards the front of the site with its primary access as per the existing arrangement off Hills Road, whilst to the rear, an office building is proposed with its primary access located along Cambridge Place. Secondary accesses for the office and public house employees would be located along St Paul's Place.
- 10.41 Following a formal consultation with the Urban Design Officer, the proposed public realm to the office creates a positive and legible setting. Internally, the ground floor office layout includes ancillary facilities and a goods lift for bins and cycles in addition to a separate passenger lift.
- 10.42 The proposed office space 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, the proposal has been designed in accordance with Part M4(3) building regulations as required by Policy 51 of the Local Plan 2018.

- 10.43 Although the original historic pub façade will be retained and thus a level threshold is not proposed, subject to condition, a scheme for wheelchair users will be required on any planning consent granted.
- 10.44 Full details of the PV panels and other plant/enclosures including details of access and servicing will be conditioned on any planning consent granted.
- 10.45 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.
- 10.46 **Trees**
- 10.47 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.
- 10.48 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.
- 10.49 The Inspector in the case of the previous application (21/05549/FUL) states that
- “... the existing tree on Cambridge Place would be retained and the planting of a replacement tree within the development for one previously removed could be secured by condition. I am therefore content that there would be no harm caused to trees by the proposal.”*
- 10.50 On the current application, 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 and/or crown management. Whilst these comments are acknowledged, any tree-related shading is considered to be minimal and given the commercial nature of the building, any shading would be less notable than a residential scheme. Third party comments concerning possible incursion into the root protection area (RPA) of this tree from the revised basement 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.

- 10.51 On this basis, and taking into account the appeal decision, 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.
- 10.52 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. This is the same species as approved under this previous TPO consent, albeit relocated to allow for a disabled parking bay and on this basis and the appeal decision, it is considered acceptable.
- 10.53 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.
- 10.54 **Impact upon the setting of Listed Buildings**
- 10.55 The application is situated a considerable distance from the nearest Listed Building, a Grade II Listed Church to the north.
- 10.56 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.
- 10.57 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.
- 10.58 Glimpsed views of the Grade II Listed Church would be retained due to the stepping down of the roof towards the rear of the site and following a formal consultation with the Conservation Officer, it is not considered that the proposal would result in any harmful impacts upon the significance and character of this Listed Building.
- 10.59 Therefore, the proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policy 61.
- 10.60 **Carbon Reduction and Sustainable Design**
- 10.61 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.

- 10.62 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.
- 10.63 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.
- 10.64 The application is supported by a Sustainability Statement and Energy Assessment documentation. The proposal includes the provision of solar PVs on the roof space, ASHPs to provide cooling and heating in addition to mechanical ventilation with heat recovery.
- 10.65 The application has been subject to formal consultation with the Council's Sustainability Officer who supports the proposed approach for the office building subject to the submission of a more detailed water efficiency calculator report, alongside standard conditions related to water reuse and recycling infrastructure, BREEAM design stage certification and post construction certification.
- 10.66 The Sustainability Officer has identified that further work to achieve BREEAM 'excellent' for the public house is required which could be conditioned whilst water efficiency measures will also be subject to condition.
- 10.67 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.
- 10.68 **Biodiversity**
- 10.69 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.
- 10.70 The application has been subject to formal consultation with the Council's Nature Conservation Officer, who raises no objection to the proposal. Whilst third party comments are noted, no biodiversity net gain is required due to the site comprising non-scoring habitats. Notwithstanding this, a

green roof is proposed which will result in a biodiversity net gain on-site which will be conditioned on any planning consent granted. Biodiversity enhancements will also be conditioned.

10.71 Therefore, in consultation with the Council's Nature Conservation 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 biodiversity net gain. Taking the above into account, the proposal is compliant with 57, 69 and 70 of the Cambridge Local Plan (2018).

10.72 **Water Management and Flood Risk**

10.73 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. 165 – 175 of the NPPF are relevant.

10.74 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.

10.75 The applicants have submitted a Flood Risk Assessment in support of the application. A green roof is proposed which will assist with the reduction of surface run-off.

10.76 The Local Lead Flood Authority have no objection to the proposed development subject to details of a surface water drainage scheme and a scheme for management of surface water during the construction phase. These pre-commencement conditions have been agreed in writing with the applicant.

10.77 Anglian Water has advised that they have no objections to the application subject to a condition requiring details of on-site foul water drainage works prior to construction above slab level. This is to ensure that the infrastructure improvements to accommodate the additional flows can be implemented.

10.78 Therefore, subject to conditions, 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.

10.79 **Highway Safety and Transport Impacts**

10.80 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.

- 10.81 Paragraph 115 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.
- 10.82 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.
- 10.83 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.
- 10.84 The pedestrian access to the public house would remain as existing with cycle access and refuse access via St Paul's 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.
- 10.85 As identified by the Inspector with respect to appeal decision of 21/05549/FUL, Cambridge Place is narrow and has a permanent parking restriction running along its length. There is insufficient width for cars to pass at its entrance where it narrows and therefore if vehicles are parked elsewhere along Cambridge Place, passing can be difficult. If cars turn from Hills Road and there is an obstruction on Cambridge Place it would not be safe to reverse back onto Hills Road, given that it is a very busy route together with a well-used cycle lane. These existing highway safety issues are therefore acknowledged.
- 10.86 When the appeal regarding Dazeley House was assessed (application 15/2380/FUL), the Inspector considered that the parking restriction would be sufficient to ensure that such parking would not happen.
- 10.87 Whilst concerns were raised during the previous application by local residents, in the appeal decision 21/05549/FUL, the Inspector stated

“While this proposal could not be held accountable for the existing highway issues it is imperative that it does not make the situation worse. The appellant aims to prevent such parking occurring in association with the proposed development by having an appropriately worded condition securing the submission and implementation of a construction management plan utilising the area that would be available during construction and refit off road

and the permanent presence of an onsite construction manager. After construction and fitting out there would be a manager on site at all times to deal with inappropriate parking. There would, in any case, be limited need for service deliveries to the office building which could be co-ordinated to ensure no parking other than in accordance with the allowed loading times in the surrounding area...previous experience should ensure that the management plan secured by condition would be particularly robust taking advantage of space available off road and effectively enforced.”

- 10.88 Taking the above into account, given the nature of office use, officers consider that it is unlikely the proposal would give rise to frequent servicing requirement, and subject to a traffic management plan to control the construction phase and a servicing plan to control the operating phases which would address third party concerns, it is not considered that the proposal would either add a significant level of traffic using the junction or lead to further parking on Cambridge Place that would make the existing situation more hazardous.
- 10.89 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 of the office space 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.
- 10.90 Subject to the recommended conditions regarding a traffic management plan and maximum gross weight of construction vehicles, loading hours, servicing plan, structure of proposed basement wall and encroachment onto the public highway, the proposal accords with the objectives of Policies 80, 81 and 82 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 115 of the NPPF 2023. The pre-commencement conditions have been agreed in writing with the applicant.
- 10.91 **Cycle and Car Parking Provision**
- 10.92 Cycle Parking
- 10.93 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 18 cycle spaces required (4 for staff and 4 for visitors to the dining part of the public house).

10.94 4 covered staff cycle parking spaces would be located to the side of the public house accessed from St Paul's Place, whilst 4 pub customer cycle spaces would be available outside of the office building, both of which would meet the standards set out within the local plan. In terms of this arrangement, the Inspector on the appeal stated

“Although the cycle parking would be distant from the public house, it would not be by a significant amount. Furthermore, it was agreed at the Hearing that the appellant would provide signage at the pub which would direct visitors to the available parking at Cambridge Place and away from the local area. This would also be publicised on the pub’s website. All of those details could be secured by the imposition of an appropriately worded condition... The cycle parking would be managed by an on-site presence in association with the offices and this would also be secured via condition requiring a cycle management plan. Furthermore, the public house would be in an accessible location by means of walking and public transport and therefore, together with the cycle parking provision there would be sustainable travel options to and from the building.”

10.95 For non-residential office uses, Appendix L states that two spaces per 5 members of staff of 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 1168 sq metres of office floor space (not including circulation spaces). This would equate to approximately 39 cycle spaces required with the addition of visitor parking.

10.96 In this instance, 16 covered double stackers and 8 covered Sheffield hoops would be located within a dedicated basement cycle store accessed via a cycle/bin lift or ramped staircase from the rear staff office entrance with 3 non-standard cycle spaces available for use within the proposed ground floor. 3 covered Sheffield hoops for visitors at the front of the office building are also proposed. Overall, the proposed office use would provide 51 employee cycle spaces and 6 visitor cycle spaces, and therefore meet and exceed policy requirements.

10.97 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.

10.98 Car parking

10.99 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.

- 10.100 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.
- 10.101 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.
- 10.102 Taking all this into account, the proposal is considered to accord with policy 82 of the Local Plan 2018.

10.103 **Amenity**

- 10.104 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.

10.105 Neighbouring Properties

Loss of daylight/sunlight impacts upon Dazeley House

- 10.106 Dazeley House contains a number of flats. Third party concerns regarding loss of light impacts are acknowledged. On the first and second floors, flats have windows with a view towards single and two storey buildings to the rear some distance away.
- 10.107 The siting of the proposed building would mean a very high wall extending beyond the rear elevation of Dazeley House with an offshoot projecting towards Cambridge Place about 6.5 metres from the windows.
- 10.108 The proposed development would be situated within the 45 degree (vertical and horizontal) rule of thumb when taken from the two windows in Dazeley House first floor flat, and the closest habitable room window in this building's second floor flat. In addition, the proposed development's third storey would be located within the 25 degree rule of thumb when taken from the closest window of the first floor flat in Dazeley House. Following the guidance contained within the BRE, the application is supported by a daylight/sunlight assessment.
- 10.109 The applicant has submitted details of both the no sky-line test (NSL) and the vertical sky component test (VSC) both to assess impacts on the daylight received by these windows and rooms.

- 10.110 The NSL test considers the size of the window, room layout as well as multiple windows serving one room (as is the case with this proposal). In this instance, the report concludes that the assessed windows retain in excess of 80% of the current values as required by the test. With regards the VSC measurements, the BRE recommendations state that this figure should be no less than 27 proposed VSC or if reduced below this, no less than 80% of its former value.
- 10.111 The VSC results show that all the neighbouring windows assessed will meet the BRE recommendations except for one window within Dazeley House's first floor flat which would experience a 39% loss of light, resulting in a proposed VSC of 22.5%. The open planned kitchen/living/dining room is also served by a second window which meets the BRE's recommendation for VSC (a proposed VSC value of 28.5% which is greater than target of 27%).
- 10.112 These VSC figures are an improvement compared to the previous application 21/05549/FUL which resulted in a greater reduction of light upon this first floor flat, one being 26.2% and the other 20.6%. The Inspector on the appeal stated

"... while I acknowledge that the latter figure is low, the first is only marginally below the recommended figure of 27. Furthermore, the BRE Guidance recommends using its guidance flexibly including in an historic city centre where a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings which would be the case here in respect of Dazely House. I am satisfied therefore that there would not be an unreasonable impact on the daylight received by the windows and rooms in the two flats. Equally due to the northern orientation of the proposed building there would be no unacceptable loss of sunlight."

- 10.113 In terms of sunlight impacts (as was similarly concluded by the Inspector in the last application), taking into account the northern orientation of the proposed development, there would be no unacceptable loss of sunlight.
- 10.114 On this basis, taking into account the improvement on the resulting daylight that would be experienced compared to the previous submission at appeal, which was considered by the Inspector to be acceptable, it is considered that the proposal would not result in an unacceptable loss of daylight/sunlight upon neighbouring amenities.

Loss of daylight/sunlight impacts upon No.19 Hills Road

- 10.115 Two flats within No.19 Hills Road are located opposite the proposed development along St Paul's Place.
- 10.116 The second floor flat consists of two windows serving a living/kitchen/dining area. Whilst one of the windows (W1) meets the BRE

recommendations, the other window serving this room falls slightly below these recommendations for VSC. However, in officers' view, given that one of the windows would provide a good amount of daylight and taking into account that the other window would only be fractionally below the recommended 27 figure (25.7%) and given that the room as a whole would result in a figure of 27, it is not considered that any loss of daylight to this habitable room would be harmful in this instance.

10.117 The first floor flat opposite the proposed development consists of one habitable room window serving a bedroom/cot room. The proposed development would result in a 39% loss of VSC and a 31.3% loss of NSL. On the basis of these figures, the proposal would result in a moderate loss of daylight upon this habitable room and would likely be noticeable to the occupant.

10.118 Whilst this is the case, the room in question is a small bedroom wherein the primary use is for sleeping. The applicant has justified the departure from the BRE recommendations for the following reasons:

- The only furniture that would possibly fit into the room would be either a bed, in which case there would be a reduced need for daylight, or a desk, in which case it would likely be placed near the window in an area which has an acceptable daylight distribution (NSL).
- Exploring a cut-back to the massing of the proposal is unlikely to provide a material betterment without affecting the viability of the scheme.

10.119 The proposed development would result in adverse impacts upon one of the rooms in the 2nd floor flat, however, these adverse impacts would be isolated to this one window. Additionally, the BRE standards are not mandatory and need to be applied flexibly and this needs to be balanced against all other material factors of the scheme including the benefits that arise. This is discussed in the planning balance.

10.120 In terms of the sunlight impacts, there would be no unacceptable loss of sunlight upon No.19 Hills Road.

Overbearing impacts

10.121 The relationship between the proposed development and the flats within Dazeley House would be similar to the previous proposal considered at appeal under application 21/05549/FUL. Whilst the first floor would be fractionally closer than the previous scheme, the offshoot width of the second floor would be lessened. The Inspector on the previous application stated

"... while the wall extending to the rear of Dazely House would be high, this would only be visible in oblique views from the window furthest from the proposed building with open views in all other directions retained. The small projection would fall within the direct

view from the windows closest to the proposed building, but it would not extend across the whole window, and it would be a sufficient distance from the windows to avoid a harmful overbearing presence.”

- 10.122 On the above basis, it is not considered that the proposal would result in any significant overbearing impacts upon the occupiers within Dazeley House.
- 10.123 Residents within the No.19 Hills Road first and second floor flats currently have views of the two storey public house with the four storey building of Dazeley House beyond. Whilst closer to the street than the existing situation, the proposed third storey element would be set back from the St Paul’s Place façade when viewed from the first floor flat whilst the fourth storey element would be set back when viewed from the habitable room window within the second floor flat. This kind of relationship between habitable rooms and other built form across relatively narrow streets in a high density environment is not unusual in the context of the application site. Therefore, on this basis, it is not considered that the proposal would result in significant overbearing impacts upon the occupiers of flats within No.19 Hills Road.

Overlooking impacts

- 10.124 Without mitigation, overlooking from windows in 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 approximately 5 metres, these impacts are likely to be significant. Therefore, to safeguard neighbour amenity, it is considered that the office’s four first floor windows, three first floor second floor windows and one third floor window as shown on the revised proposed elevation drawing closest to No.19 Hills Road will be conditioned to be obscured on any planning consent granted.
- 10.125 Given the oblique angle of view from the proposed office use, it is not considered that the proposal would result in any significant overlooking harm upon the occupiers of Dazeley House.

Conclusion

- 10.126 The proposal would result in a moderate loss of daylight upon a single window within the first floor flat of No.19 Hills Road, and therefore the proposed development would not strictly be in compliance with policies 55, 57 and 58 of the Cambridge Local Plan 2018.
- 10.127 In terms of overlooking and overbearing impacts, it is not considered that the proposed development would be harmful to the living conditions of residents of Dazeley House nor No.19 Hills Road. Additionally, the proposed development would not harm the amenities of Dazeley House on account of loss of light impacts. The proposal would accord therefore

with policies 55, 57 and 58 of the Cambridge Local Plan 2018 and Paragraph 135(f) of the NPPF 2023. Together these require that development delivers a high standard of amenity and does not unacceptably visually dominate neighbouring properties.

10.128 Construction and Environmental Impacts

- 10.129 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 and address concerns relating to the construction phase raised by third parties.
- 10.130 The application is supported by a ventilation and extract strategy and a baseline noise survey. The application has been subject to a formal consultation with the Council's Environmental Health Officer, and further information in terms of the ASHP noise impact upon nearby residential receptors relocating ASHPs 1&2 (previously located adjacent to Dazeley House) to roof level, there is no objection to the proposed development 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.
- 10.131 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.
- 10.132 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.
- 10.133 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.
- 10.134 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.

10.135 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 on the drawings. No further information is required in respect of air quality impacts in this instance.

10.136 Summary

10.137 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.

10.138 **Refuse provision**

10.139 Policy 57 requires refuse and recycling to be successfully integrated into proposals. The shared waste team comments on the application are noted.

10.140 Waste Officer comments are noted. The bin store for the pub use is located along St Paul's Place and will replace the existing capacity being removed to facilitate the new development. This store will have sufficient storage space for three 1100 litre general waste bins, a 1100 litre recycling bin and two 360 litre recycling 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.

10.141 The quantity of refuse provision for the office is based on the RECAP Waste Management Design Guide and would comprise two 1100 litre general waste bins in addition to two 140 litre food waste bins and one 1100 litre recycling bin in accordance with Policy 57 of the Local Plan 2018.

10.142 **Other Matters**

10.143 Third party comments regarding the fire spread risk are noted. Committee members previously raised concerns on the last application regarding fire safety. This would be a matter for building control at detailed design stage. In any event, discussion has taken place with the Cambridgeshire Fire Department who have raised no concerns with the proposed development. In terms of the public house basement facilities, the proposal would be similar to the previous layout considered under application 21/05549/FUL which was acceptable in fire safety terms.

10.144 With regards fire tender vehicle access, the applicant has confirmed that they have right of access over St Paul's Place. If fire tender vehicles are needed, the new building could be accessed from either Hills Road, Cambridge Place or St Paul's Place, whilst the escape route on St Paul's Place could be utilised.

10.145 Third party comments relating to noise and anti-social behaviour generated by the existing situation are noted. The proposal would provide a new public house offering that is not envisaged to make the existing situation worse.

10.146 Planning Conditions

10.147 Members attention is drawn to the following key conditions that form part of the recommendation:

Condition no.	Detail
1	Time limit
2	Plans
3	Arboricultural Method Statement and Tree Protection Plan
4	Surface water run-off during construction
5	Traffic Management Plan
6	Demolition/construction noise and vibration impact assessment
7	Dust mitigation/management
8	Details of materials
9	Sample panel
10	Protection of public house façade
11	Roof-mounted equipment details
12	BRE issued design stage certificate
13	Ecological enhancements
14	Surface water drainage details
15	Foul water drainage details
16	Noise insulation/mitigation scheme
17	Materials Management Plan
18	Building insulation to minimise noise
19	Biodiverse roof
20	Contract for the public house facility
21	Greywater harvesting
22	Rainwater harvesting
23	Replacement tree
24	Travel plan
25	Obscured glazing
26	Odour control
27	Artificial lighting details
28	Electric charging provision
29	Level access
30	Office use water efficiency

31	Public house water efficiency
32	Office servicing plan
33	Visitor cycle management plan
34	Basement wall details
35	Visitor cycle parking compliance
36	BRE issued post construction certification
37	Office use restriction
38	Implementation of approved tree methodology
39	Vehicle gross weight restriction
40	Construction/demolition hours
41	Construction/demolition deliveries/collection hours
42	Unexpected contamination
43	Service collections/dispatches including refuse/recycling
44	Encroachment of the adopted public highway

10.148 Planning Balance

10.149 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).

10.150 Summary of harm

10.151 The proposed development would result in moderate adverse daylight impacts to a single window in the first floor flat of No.19 Hills Road.

10.152 Summary of benefits

10.153 The proposal would result in an architecturally high-quality scheme that would deliver a minimum BREEAM excellence standard.

10.154 The proposed development would deliver an employment site that would result in substantial economic benefits, located in a highly sustainable location. Employment would also be created through construction and servicing of the office and public house uses.

10.155 The proposed development would result in an overall reduction in car movements and would meet and exceed cycle storage provision requirements.

10.156 The proposal would provide on-site biodiversity net gain above mandatory requirements.

10.157 The proposal would result in the reuse of previously development land.

10.158 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.

10.159 **Recommendation**

10.160 **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.

C212 CMP BD 02 DR A 00103 PROPOSED SECOND FLOOR PLAN
(Revision REV PL1) 08.04.2024

C212 CMP BD 03 DR A 00104 PROPOSED THIRD FLOOR PLAN
(Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00200 PROPOSED ELEVATIONS SHEET 1
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00202 PROPOSED ELEVATIONS SHEET 3
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00203 PROPOSED ELEVATIONS SHEET 4
OF 4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00250 PROPOSED SECTIONS SHEET 1 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00251 PROPOSED SECTIONS SHEET 2 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00252 PROPOSED SECTIONS SHEET 3 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00253 PROPOSED SECTIONS SHEET 4 OF
4 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00800 PROPOSED PART SECTION
ELEVATION SHEET 1 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00801 PROPOSED PART SECTION
ELEVATION SHEET 2 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP BD ZZ DR A 00802 PROPOSED PART SECTION
ELEVATION SHEET 3 OF 3 (Revision REV PL1) 08.04.2024

C212 CMP SI ZZ DR A 00001 LOCATION PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00030 DEMOLITION PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00110 PROPOSED WIDER CONTEXT SITE PLAN (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00250 PROPOSED SITE SECTION AND STREET ELEVATION SHEET 1 OF 2 (Revision REV PL1) 08.04.2024
C212 CMP SI ZZ DR A 00251 PROPOSED SITE SECTION AND STREET ELEVATION SHEET 2 OF 2 (Revision REV PL1) 08.04.2024
C212 CMP BD BL DR A 00100 PROPOSED BASEMENT LEVEL PLAN (Revision REV PL1) 08.04.2024
C212-CMP-BD-RF-DR-A-00105 PROPOSED ROOF PLAN (PLANT KIT MARKUP) (Revision REV PL1) 13.08.2024
C212 CMP BD 00 DR A 00101 AMENDED PROPOSED GROUND FLOOR PLAN (Revision REV PL2) 06.09.2024
C212 CMP BD ZZ DR A 00201 AMENDED PROPOSED ELEVATIONS SHEET 2 OF 4 (Revision REV PL2) 06.09.2024
C212 CMP BD 01 DR A 00102 AMENDED PROPOSED FIRST FLOOR PLAN (Revision REV PL2) 10.09.2024

- 3) 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.
- 4) Prior to commencement of development 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.

- 5) No demolition or construction works shall commence on site until a traffic management plan has been submitted and agreed in writing with the Local Planning Authority following consultation with local residents living along St Paul's Place, St Paul's Walk and Cambridge Place. 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.
 - v. the requirement for an onsite construction manager and their contact details.

Reason: in the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

- 6) 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).

- 7) 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).

- 8) 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).

- 9) 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).

- 10) 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)

- 11) Notwithstanding the approved plans, no plant/equipment (including solar PV panels) nor means of enclosure (where necessary) shall be installed until details of the plant/equipment and any means of enclosure have been submitted to and approved in writing by the local planning authority. The details shall include the type, dimensions, materials, location, means of fixing, access, safety on the roof and servicing. 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).

- 12) Within 12 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. If 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) 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).

- 14) 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, SLR, Ref: 119490, Rev: 01, Dated: 20th March 2024 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) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; f) Full details of the maintenance/adoption of the surface water drainage system; g) Permissions to connect to a receiving watercourse or sewer; h) 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.

- 15) Prior to the construction above slab level, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

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) No operational plant (including air source heat pumps), machinery or equipment shall be installed until a noise insulation/mitigation scheme 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.

The combined rating level of sound emitted from all fixed plant and/or machinery associated with the development at the use hereby approved shall not exceed the rating level limits specified within the SLR – Baseline Acoustic Survey Report – SRL project no:406.11949.00001 – dated 4th July 2024 – revision 06.

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

- 17) 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).

- 18) 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).

19) Prior to any development above ground level, details of the biodiverse (green, blue or brown) roofs shall be submitted to and approved in writing by the Local Planning Authority. Details of the biodiverse roof(s) shall include the following:

a) Confirmation of substrate depth, which shall be between 80-150mm (unless otherwise agreed).

b) A plant /seed mix (with wildflower planting indigenous to the local area and no more than a maximum of 25% sedum (green roofs only)).

c) A management / maintenance plan including means of access.

d) Where solar panels are proposed, an array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.

The biodiverse 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. All works shall be carried out and maintained thereafter in accordance with the approved details.

Reason: To ensure the development provides the maximum possible provision towards water management and the creation of habitats and valuable areas for biodiversity. (Cambridge Local Plan 2018 policy 31).

20) 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 Cambridge Local Plan 2018.

21) No development above base course (other than demolition and enabling/ utility diversion works) shall take place until a detailed scheme for the approved grey water harvesting and recycling strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include relevant drawings showing the location of the necessary infrastructure required to facilitate the water reuse. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: To respond to the serious water stress facing the area and ensure that development makes efficient use of water and promotes

the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

22) No development above base course (other than demolition and enabling/ utility diversion works) shall take place until a detailed scheme for the approved rainwater harvesting and recycling strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include relevant drawings showing the location of the necessary infrastructure required to facilitate the water reuse. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: To respond to the serious water stress facing the area and ensure that development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

23) 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 V5 contained within the Arboricultural Impact Assessment dated 22nd March 2024. 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 Cambridge Local Plan 2018.

24) No occupation of the employment/office space 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).

25) The development, hereby permitted, shall not be occupied until the proposed windows as identified on drawing C212 CMP BD ZZ DR A 00201 REV PL2 in the northern side elevation have, 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).

26) No occupation of the pub space 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).

27) 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).

28) The electric vehicle charge point and associated infrastructure as detailed in and as shown on drawing C212-CMP-BD-00-DR-A-00101 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 2023), Policies 36 and 82 of the Cambridge Local Plan (2018) and Cambridge City Council's adopted Air Quality Action Plan (2018).

29) 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 and retained thereafter.

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

30) Prior to the occupation of the office use, or as soon as reasonably practicable after occupation, evidence in the form of the BREEAM

Wat01 water efficiency calculator shall be submitted to and approved in writing by the Local Planning Authority. Such evidence shall demonstrate the achievement of no less than 5 Wat01 credits. The development shall be carried out and thereafter maintained strictly in accordance with the agreed details set out within the BREEAM Wat01 water efficiency calculator.

Reason: To respond to the serious water stress facing the area and ensure that development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

31) Following completion of the first fit out of the public house space, and prior to occupation, a report including a Wat01 Calculator shall be prepared by an accredited BREEAM Assessor and submitted to the Local Authority to demonstrate the non-residential elements meet 5 credits in the Wat01 section of BREEAM based on the product installations. The report shall include relevant drawings showing the location of the necessary sanitaryware and any required water reuse infrastructure required to facilitate achieving the 5 credits Wat01 target. The development shall be carried out and thereafter maintained strictly in accordance with the approved details.

Reason: To respond to the serious water stress facing the area and ensure that development makes efficient use of water and promotes the principles of sustainable construction (Cambridge Local Plan 2018 Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD 2020).

32) Prior to first occupation of the office use, hereby permitted, a servicing plan (which shall include the management of servicing vehicles) and the management of parking within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

33) The covered visitor cycle parking provision as shown on drawing No.C212-CMP-BD-00-DR-A-00101 Rev PL2 for the public house use and office use hereby permitted shall be installed prior to the first occupation of the public house/office building and thereafter retained.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

34) Prior to construction of the basement walls within 3.66 metres (4 yards) of the adopted public highway, details of their design and construction to support the adopted public highway shall meet CG300 Technical approval of highway structures or the Design Manual for Roads and Bridges, and these details shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out

and thereafter maintained strictly in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

35) Prior to first occupation of the public house use, hereby permitted, a visitor cycle management plan including details of signage at the pub directing visitors to the available parking at Cambridge Place outside the office building, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of encouraging sustainable travel to and from the site (Cambridge Local Plan 2018, policies 80 and 81).

36) Within 12 months following first 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. If 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).

37) 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 office 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 Cambridge Local Plan 2018.

38) 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.

- 39) Demolition, construction or delivery vehicles with a gross weight in excess of 3.5 tonnes shall service the site only between the hours of 09.30hrs -16.00hrs, Monday to Saturday, and that any loading from Hills Road is only permissible between the hours of 10:00am - 4:00pm (which reflects the loading restriction in-force on this stretch of Hills Road).
Reason: in the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.
- 40) 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).
- 41) 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).
- 42) 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).
- 43) 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).

44) No part of any structure may overhang or encroach under or upon the public highway, unless licensed by the Highway Authority, and that no gate / door / ground floor window shall open outwards over the public highway.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework (NPPF) 2023.

Informatives

- 1) The 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.
- 2) 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.
- 3) No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water.
- 4) 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.
- 5) 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.
- 6) 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.

- 7) 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.
- 8) 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
- 9) Given the sites location it is recommended that the applicant engage with the Highway Authorities Streetworks Team (street.works@cambridgeshire.gov.uk) to formulate an acceptable methodology for the proposed demolition and construction processes that may require the use of the adopted public highway within the vicinity of the site.
- 10) Any new businesses within the proposed development will not qualify for Business Permits within the existing Residents' Parking Schemes operating on the surrounding streets.
- 11) All green roofs should be designed, constructed and maintained in line with the CIRIA SuDS Manual (C753) and the Green Roof Code (GRO).
- 12) Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.
- 13) Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated,

with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

Background Papers:

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