



<b>Planning Committee Date Report to</b>	6 <sup>th</sup> November 2024 Cambridge City Council Planning Committee
<b>Lead Officer</b>	Joint Director of Planning and Economic Development
<b>Reference</b>	24/01588/FUL
<b>Site</b>	Nos. 16-17 and 18-19 Sidney Street, and No. 21 Hobson Street, Cambridge, CB2 3HG
<b>Ward / Parish</b>	Market
<b>Proposal</b>	Demolition of existing buildings except for nos. 16 and 17 and 18 - 19 Sidney Street facades, and no. 16-17 street facing roof aspect and chimneys, for the provision of: Replacement retail units totalling 882m <sup>2</sup> (use class E (a) (b) (c) & (e)); 4,107m <sup>2</sup> of office space (use class E (g) (i), (ii)); 349m <sup>2</sup> of community space (use classes F1 and F2); a new shopfront to no.16-17 Sidney Street and alterations to roof and northern chimney, and public realm enhancement works.
<b>Applicant Presenting Officer</b>	Mr Richer Dean Scrivener
<b>Reason Reported to Committee</b>	The application involves the demolition of a designated Building of Local Interest (No. 21 Hobson Street)
<b>Member Site Visit Date</b>	N/A
<b>Key Issues</b>	<ol style="list-style-type: none"><li>1. Principle of the total loss of No. 21 Hobson Street</li><li>2. Design/Visual Impact</li><li>3. Impact Upon Heritage Harm</li></ol>
<b>Recommendation</b>	<b>REFUSE</b> due to the total loss of a designated Building of Local Interest, which significantly contributes to the character of the Conservation

Area. In addition, the proposed development would comprise a scale and design which is out of keeping with the character and appearance of the Conservation Area and result in the loss of the finer urban grain of development which contributes to the character and appearance of the Conservation Area.

## 1.0 Executive Summary

1.1 The application is for full planning permission and comprises the following elements:

- Total demolition of No.21 Hobson Street
- Demolition of existing buildings except for nos. 16-17 and 18-19 Sidney Street facades
- Replacement retail units totalling 882m<sup>2</sup> (Use Class E (a), (b), (c) & (e))
- 4,107m<sup>2</sup> of new office space (Use Class E(g)(i) and (ii))
- 349m<sup>2</sup> of new community space (Use Classes F1 and F2)
- New shopfronts to nos. 16 and 17 Sidney Street as well as alterations to roof and northern chimney
- Public realm enhancement works along Hobsons Passage and frontage improvements along Hobson Street

1.2 The application proposes the part demolition of nos. 16-17 and 18-19 Sidney Street, and the total loss of No. 21 Hobson Street (former cinema building), which is a non-designated heritage asset and comprises a 1930's Egyptian art deco style, with bright white 'faience' cladding and unique architectural design forming a prominent and readily distinguishable architectural presence on Hobson Street. These buildings would be replaced by an office building of significant mass and scale, which would ultimately result in the total loss of the existing non-designated heritage asset, and the loss of the individual plot definition which is a characteristic of this part of the Conservation Area. In addition, the proposed design would be unsympathetic and not in keeping with the character and appearance of this part of the Conservation Area and as such, Officers consider the proposal would result in a high level of less than substantial harm upon the Conservation Area.

1.3 The application does propose some public benefits such as enhancing accessibility and user experience along Hobsons Passage and Hobson Street, as well as providing a community use at ground and basement level. The economic benefits of providing a research and development type of development are also noted.

1.4 Officers have assessed these public benefits against the level of heritage harm identified and conclude that, in terms of the Conservation Area these benefits do not outweigh the high level of less than substantial harm that would arise. In this respect the application is contrary to paragraph 208 of the NPPF.

- 1.5 The proposed development would result in the total loss of No. 21 Hobson Street, which is the former cinema building and is a designated Building of Local Interest (BLI). This building comprises iconic and rare architectural features and is considered to significantly contribute to the character and appearance of the Conservation Area. As such, Officers consider the total loss of this non-designated heritage asset is significant and unacceptable in principle, with reference to paragraph 209 of the NPPF.
- 1.6 In addition to the heritage harm identified, Officers also have concerns regarding the proposed roof extension (pavilion), which would be sited on top of the proposed office building. The rooftop extension is considered to have poor articulation within the existing roofscape and would appear as a bulky and inappropriate addition in views from surrounding streets, in particular along Market Street. As such, Officers consider the proposal fails to be successfully integrated within the Cambridge roofscape.
- 1.7 The proposed retail units are considered to be acceptable in principle, given this central location within Cambridge. In addition, the proposed redesign of shopfronts No.16-17 Sidney Street and changes to the roof form and fenestration of No. 18-19 Sidney Street, are considered to be acceptable and would preserve the character and appearance of the Conservation Area and the settings of listed buildings.
- 1.8 The proposal will provide a substantial level of cycle parking within the basement of the proposed building, which would be serve the future users and is acceptable.
- 1.9 Officers recommend that the Planning Committee **REFUSE** the application, on heritage and design grounds.

## 2.0 Site Description and Context

None-relevant		Tree Preservation Order	
Conservation Area	X	Local Nature Reserve	
Listed Buildings (Settings of)	X	Flood Zone 2 and 3 (Moderate to High Flood Risk)	
Building of Local Interest	X	Green Belt	
Historic Park and Garden (setting of)	X	Protected Open Space	
Scheduled Ancient Monument		Controlled Parking Zone	X
Local Neighbourhood and District Centre		Article 4 Direction	

\*X indicates relevance

- 2.1 The application site lies within the Cambridge City Centre and Central Conservation Area of Cambridge, and forms part of a Primary Shopping Area and has frontages along Sidney Street and Hobson Street. The site is also located within a Controlled Parking Area and Cambridge Airport Safeguarding Zone.
- 2.2 The site is located within the settings of a number of designated heritage assets. Holy Trinity Church is a Grade II\* listed church located to the south west of the site. No. 1 Market Street is a Grade II listed building, located directly to the west of the site, at the corner of Market Street and Sidney Street. Christ's College is another Grade II listed building located directly to the east of the site, on the other side of Hobson Street. The college is set also set within the grounds of a Historic Park and Garden. Further to the north comprises a cluster of Grade II listed buildings including Harrington House, Kent House, Montague House, Sidney House and Sussex House.
- 2.3 There are also several non designated heritage assets, Buildings of Local Interest (BLI), within the locality. No. 21 Hobson Street (the old cinema building), which forms part of this application. No.22 Sidney Street is also a BLI and is occupied by Waterstones.

### **3.0 The Proposal**

- 3.1 This application is for full planning permission and comprises the following elements:
- Total demolition of No.21 Hobson Street (old cinema building)
  - Demolition of existing buildings except for nos. 16-17 and 18 - 19 Sidney Street facades
  - Replacement retail units totalling 882m<sup>2</sup> (Use Class E (a), (b), (c) & (e))
  - 4,107m<sup>2</sup> of new office space (Use Class E(g)(i) and (ii))
  - 349m<sup>2</sup> of new community space (Use Classes F1 and F2)
  - New shopfronts to no. 16 and 17 Sidney Street as well as alterations to roof and northern chimney
  - Public realm enhancement works along Hobsons Passage and frontage improvements along Hobson Street

### **4.0 Relevant Site History**

<b>Reference</b>	<b>Description</b>	<b>Outcome</b>
23/50105/PRELV3	Redevelopment of site involving demolition of existing buildings except for 16-17 and 18-19 Sidney	Not supported in principle, design and impact upon the heritage

	Street façades, street facing roof aspects and chimneys to provide 2 no. replacement retail units totalling 887m2 (use class E (a) (b) (c) & (e)), 4,235m2 of office space (use class E (g) (i) & (ii)) and 360m2 of community space (use class F2)	assets/Conservation Area (Also the Design Review Panel Comments under Appendix 1)
24/01905/FUL	Creation of additional storey above existing single storey (middle) part of the site and redevelopment of rear part of the site comprising: demolition of existing building and structures and creation of five storey office building.	Approved

#### **4.0 PUBLICITY**

- 4.1 Advertisement: Yes
- 4.2 Adjoining Owners: Yes
- 4.3 Site Noticed Displayed: Yes

#### **5.0 Policy**

##### **5.1 National**

National Planning Policy Framework (NPPF) 2023

National Planning Practice Guidance

National Design Guide 2021

(Listed Buildings and Conservation Areas) (LBCA) Act 1990

Environment Act 2021

Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Planning and Compulsory Purchase Act 2004

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

ODPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

## 5.2 **Cambridge Local Plan 2018**

- Policy 1: The presumption in favour of sustainable development
- Policy 3: Spatial strategy for the location of residential development
- Policy 10: The City Centre
- Policy 11: Development in the City Centre/Centre Primary Shopping Frontage
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood Risk
- Policy 34: Light pollution control
- Policy 35: Protection of human health from noise and vibration
- Policy 36: Air quality, odour and dust
- Policy 40: Development and expansion 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 60: Tall Buildings and Skyline in Cambridge
- Policy 61: Conservation and Enhancement of Cambridge's Historic Environment
- Policy 62: Local Heritage Assets
- Policy 64: Shopfronts, signage and shop security measures
- Policy 65: Visual Pollution
- Policy 67: Protection of open space
- Policy 70: Protection of priority species and habitats
- Policy 73: Community, sports and leisure facilities
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management

## 5.3 **Supplementary Planning Documents**

Greater Cambridge Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Cambridgeshire Flood and Water SPD – Adopted November 2016

Cambridge Historic Core Appraisal

Greater Cambridge Growth Sectors Study: Life science and ICT locational, land and accommodation needs (Final Report, September 2024)

## **6.0 Consultations**

### **6.1 Conservation Officer**

6.2 Objects to the proposal due to the total loss of No. 21 Hobson Street (old cinema building) and the significant scale and mass of the resultant development, which would cumulatively result in a high level of less than substantial harm upon the Conservation Area.

### **6.3 Historic England**

6.4 Objects. The overall scale of development and loss of the old cinema building would be detrimental to the character and appearance of the Conservation Area. It should be noted that two sets of comments have been submitted which both set out reasons or the objection comments raised.

### **6.5 Urban Design Officer**

6.6 Objects. The proposed design and scale are not considered to be in keeping with the character of the area, nor Conservation Area. The proposed roof extension appears to sit awkwardly on top of the building and would look unbalanced within the skyline and immediate locality.

### **6.7 County Highways Development Management**

6.8 No objections to the principle of development, however originally refused the application due to the location of a door (or window) to the western end of Hobson's Passage appears to open outwards across the adopted public highway. Following the receipt of amended plan (KMC22091 / 001 Rev A), this objection has been removed and is now supported, subject to conditions requesting a traffic management plan and basement wall design.

6.9 Other comments raised relate to the submitted red line site location plan and the encroachment into the highway which includes a bus stop with RTPI. Should planning permission be obtained, the applicant will need to apply for a S278 application from the Highway Authority, which is outside of the planning process.

### **6.10 Cambridgeshire County Council Transport Assessment Team**

6.11 Following the receipt of additional information regarding the anticipated trip generation of the proposed development, the original objection has been removed. A financial contribution of £125,000 is sought in association with the delivery of the bus stop and widening of Hobson Street, as well as the



Hills Road Improvement scheme. This is to be secured via a S106 agreement and necessary conditions.

6.12 **Environmental Health**

6.13 No objections subject to conditions regarding the following:

- Construction Hours/delivery hours
- Construction Details
- Dust
- Noise attenuation (demolition and construction)
- Plant Noise mitigation
- Hours of operation for the different uses
- Odour filtration/extraction

6.14 **Sustainability Officer**

6.15 Cannot fully support the application due to the potential of retaining the existing buildings as opposed to demolishing them. Even with the new building achieving BREEAM excellent standards, the resources used in its construction will be high compared with renovating the existing building. In the absence of this level of detail, it is difficult to give the proposal full support as it is not clear whether the demolition of the existing buildings is fully justified from a sustainability and carbon perspective.

6.16 **Local Lead Flood Authority (LLFA)**

6.17 Objects due to the lack of sufficient hydraulic calculations which consider storm events and climate change allowance for the 3.3% annual exceedance probability rainfall event. Other comments refer to Anglian Water owned assets which requires confirmation from Anglian Water.

(Officer note: this technical objection is being addressed at the point of writing this committee report and an update will be placed on the amendment sheet)

6.18 **Anglian Water**

6.19 No objections subject to a condition to secure a surface water management strategy

6.20 **Archaeology Team**

6.21 No objections subject to a condition securing a Written Scheme of Investigation (WSI) and the inclusion of Historic Building Recording.

6.22 **Ecology Officer**

6.23 No objections. The scheme is exempt from mandatory BNG, given 100% built / sealed surface and zero BNG baseline. Support the proposed enhancements including green roof and integrated swift boxes. Request the specifications be secured via the Biodiverse Green Roof and Ecological Enhancement conditions.

6.24 **Landscape Officer**

6.25 No comments received (out of time)

6.26 **Cambridge City Airport**

6.27 No objections

6.28 **Twentieth Century Society**

6.29 Objects due to the impact of the proposed development upon the Conservation Area and the loss of the former cinema building.

6.30 **The Garden's Trust**

6.31 Originally objected due to the visual impact upon the setting of the Historic Registered Parks and Garden set within Christ's College to the east of the site. Following a meeting with the applicant and additional information presented in the way of visualisations, their objection is removed.

6.32 **Cambridge's Past Present and Future**

6.33 Objects due to the loss of the old cinema building and the impact on heritage assets in general. It is also noted that the amount of demolition is contrary to the hierarchal approach to carbon reduction

6.34 **Cinema Theatre Association**

6.35 Objects due to the loss of the old cinema building which contains iconic and rare architectural styles.

6.36 This is a summary of the comments received from consultees. Their full response can be accessed on the Council's website.

## **7.0 Third Party Representations**

7.1 A significant number of objection comments have been received. Their concerns are summarised as follows:

- Demolition of the old cinema (one of the most iconic buildings within Cambridge) is not acceptable and should be listed immediately
- Demolition is contrary to the net zero carbon policy of the Council
- At the very least, the existing façade of the old cinema should remain
- Bins and cycle racks are within the same areas – not a good layout
- Not in keeping with the character of Conservation Area
- Scale and massing is inappropriate within this location and out of proportion to the other buildings and does not sit well within the Cambridge skyline
- There will be views from within Christ's Pieces and Christ's College grounds but these have not been presented
- The proposed upper floors are awkward and discordant within the street scene
- The application should consider the noise disturbance caused during term times, especially during exam periods for students at Christ's College
- Access should be maintained along Hobson Street at all times
- Risk of overlooking into the Christ's College site and student bedrooms
- Cambridge doesn't need any more office or research and development facilities, and this is a wrong location for the proposed use
- The applicant's own façade Retention Options Appraisal Report set out multiple possible scenarios for achieving the retention, with the only recording downside 'potentially' being some minor reduction in floorspace

7.2 Notwithstanding the above, there have been a couple of comments received supporting the development on the following grounds:

- The provision of 300 jobs would significantly ass to our business nearby
- The new development will be greatly beneficial to the business and the surrounding businesses also
- The community space could add an important new customer base for us
- The developments to the adjacent Hobsons Passage are also a positive as this passageway has bene a mess for many years

7.3 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.

## **8.0 Planning Assessment**

## 8.1 Principle of Development

8.2 The site is located within the Cambridge City Centre. Policy 10 of the Local Plan states that the primary focus for developments attracting a large number of people and for meeting retail, leisure, cultural and other needs appropriate to its role as a multi-functional regional centre. Any new development should therefore provide any of, or as much as of, the criteria as set out within this policy (a-e). The development would provide a mix of office, communal and retail uses which would create vitality and usability of the site, which would include the enhancement and user experience along Hobson's Passage. As such, the proposal is broadly in accordance with aspirations set out within Policy 10.

8.3 Notwithstanding this, criterion (c) of this policy requires development to preserve or enhance heritage assets and their settings and open spaces. For reasons set out below within this report (Heritage Assets section), the development is considered to result harm upon the character and appearance of the Conservation Area and the settings of surrounding heritage assets. As such, the proposal is not in accordance with Policy 10(c) of the Local Plan.

## 8.4 Development within a Primary Shopping Area (PSA)

8.5 The site is located within a designated Primary Shopping Area (PSA). Policy 11 of the Local Plan states that new retail use (Use Class A1 – now Use Class E(a)), will be supported. Proposals for other centre uses, as defined in Table 3.1 in this policy, will be supported, provided they adhere to the criteria as set out within the policy (a-c).

8.6 The proposed development would provide additional floor space for retail uses and would retain the existing retail uses already on ground floor, albeit with different shopfront design (no.16-17 Sidney Street). Therefore, the proposal would not result in any loss of retail uses. In addition, the proposal is considered to make a positive contribution to the vitality of the city centre with the enhancements made to the frontage along Hobson Street, in promoting a more active frontage, as well as making Hobsons Passage more visually attractive. The proposal is not considered to result in any impacts upon the amenity of the area in terms of noise, smell, litter or traffic.

8.7 The proposed development is therefore considered to comply with Policy 11 of the Local Plan.

## 8.8 Provision of Office Use

8.9 The proposed replacement building would provide office space comprising Use Classes E(g)(i) and (ii). Policy 40 of the Local Plan supports the

provision of office and research development uses within the city centre, providing they are of an appropriate scale and are part of mixed-use schemes with active frontages at ground floor level.

- 8.10 There is a clear emphasis on the provision of office space within Greater Cambridge. Given the desirability for research and development uses across Cambridgeshire at the current time, the proposed use is supported in principle. Ultimately, employment uses under Use Class E will be permitted within sustainable locations, which is clearly the case here. In addition, it would create an active frontage along Hobson Street which is currently a degraded area and does generate a high footfall. The proposal is considered to enhance this with the provision of the community use and the reception area on ground floor serving the office use. Albeit the reception area would not strictly be an active frontage in the same way as a retail use would provide, this is still considered to provide a sense of activity along Hobson Street and is therefore considered to be acceptable in this instance.
- 8.11 Notwithstanding the above, there are concerns with regards to the scale of development proposed. For reasons set out within the below section (Context of site, Design and External Spaces and Heritage Assets sections), the proposal is not considered to be of an appropriate scale within this location and is not supported.
- 8.12 As such, although the proposed office use is broadly acceptable in principle within this location, the development is not considered to be of an appropriate scale and therefore fails to accord with the full scope of criterion a) of Policy 40 of the Local Plan and is not supported.
- 8.13 **Community Uses**
- 8.14 The site includes No. 21 Hobson Street, which is the former cinema building and a designated BLI. This building is iconic for its architectural qualities and rare features. Following its operation as a cinema coming to an end, it was then used to host Bingo sessions, which were once very popular amongst the local community. The building has since been unoccupied for a number of years.

#### Loss of Community Use

- 8.15 Policy 73 of the Local Plan seeks to support the provision of new community facilities as well as protecting against the loss of community facilities. The policy is applicable to existing facilities which were last used for community, sports or leisure purposes, in order to avoid situations where these facilities are lost through demolition without any planned replacement facility. For the definition of community facilities, Table 8.2 of the policy sets this out. Cinema and Bingo uses are not listed within this

table, although it could be argued these previous uses fall within the category of a 'meeting place', as people would meet up at the venue to watch a film or to participate in playing Bingo. It is also states at the bottom of Table 8.2 that the list of uses is not exhaustive. Officers are of the view that a cinema use would not fall within the same use as a theatre, and therefore would not be included within 'Categories not Included' list.

- 8.16 Nonetheless, Table 8.3 lists a number of community facilities which would be defined as a community facility. Cinemas are listed under the category of 'Leisure, arts and Culture'. As such, given that no. 21 Hobson Street was previously a cinema and last used as a Bingo venue, Officers are of the view that this provided a community facility by definition and therefore the criteria as set out within Policy 73 should be referred to.
- 8.17 The policy states that the loss of a facility or site that was last in use as a community, sports or leisure facility will only be permitted if it is demonstrated that:
- i. the facility/site can be replaced within the new development or relocated to at least its existing scale, range, quality and accessibility for its users. For leisure uses, it should satisfy peak period need; or
  - j. the facility/site is no longer needed.
- 8.18 In this case, the building is to be demolished and replaced with an office use on the upper floors and a new community use at ground and basement level. The policy goes onto state that in providing evidence that a facility/site is no longer needed, the guidance in Appendix K of the Local Plan should be adhered to. It then also states that for mixed use development proposals, as is the case here, on-site community and/or leisure facilities will be permitted where these are of a type appropriate to the scale of the development and to meeting the needs of future residents, employees and visitors.
- 8.19 The applicant has submitted evidence of marketing particulars within Appendix G of the Planning Statement. It refers to marketing information obtained between 2013 and 2015, which was before the adoption of the current Local Plan in 2018. It also contains marketing particulars lasting 28 months, and interest continued to be pursued for a total of 8 years before the owner concluded that the building was no longer viable for any prospective purchaser and reinvigorate its use. It is stated within paragraph 7.61 of the statement, that '*representatives of Everyman, Curzon and Chapters (a new offering started up by the ex-Picturehouse founder) viewed the building and confirmed that, although the site was interesting the building was not feasible in its current state and would require significant capital investment to be made feasible*'. Essentially, this infers those upfront costs associated to bring the building back into use was and still is, considered to be unviable for any prospective purchaser.

- 8.20 The marketing information provided appears to accord with the majority of the criteria as set out within Appendix K of the Local Plan, with the exception of an asking price being agreed with by the LPA and that the advert was not advertised within any local media. Paragraph 12.19 of the statement states that despite this, significant interest was generated amongst prospective purchasers (18 in total), suggesting the asking price was advertised at a realistic price for the building. The proposals put forward were deemed unviable and interest eventually dissipated. For these reasons, the applicant considers that maximum effort has been put forward to undertake marketing exercises and associated 'soft' marketing activities over recent years in an attempt to entice and secure prospective purchasers for the building.
- 8.21 Given the history of the building and its previous uses, the LPA considers the information provided within the application is broadly in accordance with the criteria and aims set out within Policy 73. The building has been unoccupied for a number of years now and the marketing information presented does suggest that there has been little interest from prospective purchasers in securing and reinvigorating its use, regardless of certain criteria not being strictly followed. Having said that, the marketing exercises undertaken do predate the current Local Plan (2013-2015), and therefore there is some ambiguity as to whether a new marketing exercise could secure a prospective purchaser. It is acknowledged that a new 'Everyman' cinema is to be provided within the Grand Arcade shopping complex within the centre of Cambridge, which does suggest that cinemas are still needed in Cambridge and that the effects of Covid has not completely made the industry redundant. In addition, the building has not been in use since 2009 and therefore it is considered that if the former cinema use could be reinvigorated, it is reasonable to assume this would have happened by now.
- 8.22 Whilst there are concerns regarding the marketing particulars submitted with the application, there does appear to be some effort made to secure a prospective purchaser and bring the building back into use since it closed in 2009. It is also noted that the implications of Covid during the last few years would have had an impact on the market and purchasing availability. It is implied that prospective purchasers have not been able to proceed with securing a use for viability reasons however, there is a lack of evidence to support this conclusion. Officers appreciate commercial requirements may restrict the delivery of a new use but would have expected more justification to demonstrate the evidence this is the case. Therefore, on balance, Officers accept the level of marketing effort carried out by the applicant which demonstrates the loss of the community facility use to be acceptable in this instance and is in general accordance with Policy 73 and the guidance set out within Appendix K of the Local Plan.

#### New Community Use

- 8.23 With regards to new community uses, Policy 73 states that new facilities will be supported where they improve the range, quality and access to

facilities within Cambridge, with reference to criteria (a-c). It goes on to state that mixed-use development proposals, as is the case here, which provide on-site community and/or leisure facilities will be permitted where these are of a type appropriate to the scale of the development and to meeting the needs of future residents, employees and visitors.

8.24 The proposed development would provide a new community use at ground and basement floor levels. The applicant has submitted a Cambridge Community Space Stakeholder Workshop report, comprising two reports and associated appendices, which provides information and results on the exploration undertaken to justify the need for a community use in this location. The site and its central location are considered to provide an attractive space that could meet the needs of city centre residents and visitors. It is unclear at this stage as to what specific use the proposed community space would provide; however, this element of the proposal is considered to be a public benefit of the proposal.

8.25 Whilst it is acknowledged that the community space would technically improve the existing condition of the building and would have the potential to serve the local community, little information has been submitted to demonstrate the need of the community facility. Without this information, it is difficult for Officers to fully assess whether the space provided would meet the needs of local people, or whether it could be sustained. Paragraph 8.14 of the policy states that new and replacement facilities will be supported where there is a local need. This need will be demonstrated through a local needs assessment. Apart from the Cambridge Community Space Stakeholder Workshop reports 1 and 2, no further information has been submitted to demonstrate the need, nor justify the amount of community space proposed. In discussions with the LPA's Community Services, there does appear to be a lack of community space within this location and other existing community spaces within the city, i.e, churches, which are either expensive to hire out or are at full capacity. As such, Officers consider that on balance, the proposed community space would provide a usable space to serve and benefit the local community.

8.26 In summary, whilst the future use of the community space on the ground and basement floors has not been fully demonstrated, in accordance with Policy 73, the new community space is welcomed and would likely benefit the local community. As such, on balance, the proposed new community use is supported.

## 8.27 **Tall Buildings and the Cambridge Skyline**

8.28 Policy 60 of the Local Plan aims to protect the existing skyline of Cambridge and sets out a number of criteria which need to be accorded with. The supporting text of Policy 60 states that in developing any proposals for tall buildings, developers should make reference to Appendix F of the plan, which provides a more detailed explanation of the required



approach, methodology and assessment to developing and considering tall buildings in Cambridge.

- 8.29 The site is located within the historic core, as illustrated by Figure F.1. of Appendix F. Paragraph F.10(i) states that building proposals of six storeys or more (assuming a flat roof with no rooftop plant and a height of 19m above ground level) would automatically trigger the need to address the criteria set out within the guidance. It also states that dependent on the exact location within the historic core, buildings of four to six storeys may also need to be evaluated against the assessment criteria herein, due to proximity to heritage assets and potential impacts on key views. The new building would comprise six storeys in height (including roof extension) and measure approximately 23m in height from ground level. The site is located within the settings of a number of listed buildings and gardens. Therefore, Policy 60 is triggered, and an assessment needs to follow the guidance set out within Appendix F.
- 8.30 Appendix F lists a number of sites which are classified as ‘Long to Medium distance views towards Cambridge’ and ‘Local to short distance views’ (paragraphs F.20 and F.21). This list is not exhaustive, and assessments should also include key views which are relevant to the proposed development and other local views on key approach roads. The historic core has also been preserved by the substantial areas of open space which encircle it following the River Cam, including The Backs, Midsummer Common, Jesus Green, Sheep’s Green and Coe Fen, and Parker’s Piece. In addition to the linear green spaces, a number of other key open spaces which encircle the city’s historic core such as Parker’s Piece, Christ’s Pieces and the Cambridge University Botanic Garden.

Criterion a) of Policy 60: Location, Setting and Context

- 8.31 The Paragraph F.29 states that applications should assess the relationships between the proposed building to the surrounding context and lists a number of criteria which need to be addressed.
- 8.32 The applicant has submitted a Townscape and Visual Appraisal (TVIA) (Turley, April 2024). The applicant has also used VU.CITY which have informed the proposed design and scale through visual analyses. Under paragraph 3.35, the TVIA identifies local townscape character areas (LTCAs) which share common qualities and characteristics. These are listed as the following: Commercial Core (LTCA1); Collegiate Campuses (LTCA2) and City Commons, Green Spaces and Open Spaces (LTCA3).
- 8.33 It is noted under paragraph 3.36, that LTCA3 is not assessed further due to the distance and containment from the site and the low likelihood of the development resulting in material changes to the character of this area. This area is further assessed under Section 4 of the TVIA.

- 8.34 LTCA1 is summarised as being the immediate area within which the site is located and comprises predominantly retail buildings which make up the adjacent and surrounding area to the north, south and west of the Site, and Hobson Street. Buildings in this area tend to be relatively low heights, ranging from two to four storeys in general with some larger buildings up to five storeys. There is a high concentration of listed buildings within this area. The Market Square is the primary space within the area, beyond this are a number of traffic calmed and pedestrianised streets with a hierarchy of spaces from wide thoroughfares to more intimate passages.
- 8.35 The townscape value of LTCA1 was assessed in accordance with the TVIA methodology contained within the appendix of the TVIA. The overall area is considered to be of High-Medium value, due to its designation within the Historic Core Conservation Area, number of listed buildings, and the general townscape quality of the buildings and streetscapes within this area.
- 8.36 LTCA2 is located to the east of the Site within the study area, on the opposite side of Hobson Street and generally make up the edge of LTCA1. The LTCA is described as having an introverted, inward character with high walls and perimeter buildings providing a sense of impenetrability. The area contains a high volume of grade I and II\* listed buildings, and large parts of the character area are covered by registered parks and gardens listings. The buildings within the LTCA are modest in height ranging from two to four storeys.
- 8.37 LTCA2 is considered to be of High Value, due to its location within the Historic Core Conservation Area, number of Grade I and II\* listed buildings, and the general townscape quality of the buildings and uniqueness of the character area.
- 8.38 Section 4 of the TVIA sets out the visual baseline of the assessment, which establishes the key visual receptors which are likely to be affected most by the proposal. Paragraph 4.2 states that due to the dense urban grain of the immediate area, views of the existing building are limited to Sidney Street, Hobson Street, Hobson's Passage and Market Street. Some accompanying visualisations have also been submitted to illustrate the visual change incurred within the roofscape, within the Visuals and Accurate Visual Representations (AVRS) of the Proposed Development document. All of these visualisations are taken from within the immediate context of the site; Market Street, Sidney Street, Hobson Street and Hobson's Passage, and covers key views as identified within the Conservation Area Appraisal.
- 8.39 It is clear that the proposed new building and roof extension would be visible from all of these visual receptors, with the exception of the view looking northwards down Sidney Street (VP05), where only glimpse views of the roof extension would allow very limited visibility. The view taken

from Market Street (VP04) clearly shows the additional massing of the proposed roof extension and upper floors, which would add significant bulk to the existing roofscape of the building. Whilst it is appreciated that the changes to the existing roof form and fenestration of No. 18-19 Sidney Street are considered a betterment, the additional roof extension would be a stark contrast to the existing roofscape in terms of scale and form and would appear visually awkward when compared to the existing situation.

- 8.40 The other visual receptors along Hobson Street and Hobson's Passage only show the external differences between the existing façade of the former cinema building and doesn't illustrate the visual differences upon the skyline of Cambridge, as required by Policy 60. The changes in design and appearance will be considered in more detail under the Design, Context and External Spaces section below.
- 8.41 The site falls within some of the Strategic Viewpoints as defined within Appendix F and illustrated on Figure F.3 of the Local Plan. Paragraph 4.12 of the TVIA states these views have been reviewed as part of the baseline study and it is considered that with the exception of the Castle Mound viewpoint, the impact of the proposed development within these Strategic Viewpoints is likely to be negligible due to their distance from the site and the nature of the intervening topography, built form and landscape elements.
- 8.42 The view taken from Castle Mound is illustrated within the visualisation RV11 (Key Representation 11). Looking at the VU.City images in Appendix 4 of the TVIA, the additional roof mass would be clearly seen but does appear to sit lower within the existing roofscape. It is disappointing that a visualisation of this view has not submitted, however the VU.City image illustrates the extent of the proposed massing would not significantly protrude the skyline when viewed from this Strategic Viewpoint. The conclusions drawn here are supported by Officers and the proposal is not considered to significantly visually break the existing skyline within the views from Castle Mound.
- 8.43 Table 5.2 of the TVIA summarises the extent to which the proposal would be visible within views taken from other key visual receptors. The assessment concludes for each of these that there would be mainly negligible or minor effects generated from the proposal. Where there is considered to be more minor-moderate effect, the proposed changes are concluded to be beneficial to the skyline and outweigh the impact.
- 8.44 The LPA broadly agrees with the conclusions drawn, but not all. Views taken from Regent St, St Andrews St, Hills Road, Hobson's Passage and Sidney Street, are not considered to be significantly eroded and not break the existing skyline within these views or would result in improvements compared to the existing situations. Notwithstanding this, the existing skyline within views taken from Hobson Street, Market Street and Christ's

Pieces reveal the proposal would break the skyline and be visually harmful within the context of the skyline of Cambridge and not respect the surrounding context of the site.

- 8.45 The loss of the former cinema building is unacceptable in principle and will be further addressed in the below sections of this report. The rare architectural style and iconic features within the façade of the building are considered to contribute some visual interest and variety along Hobson Street views. The proposed building would result in the complete loss of the existing façade details and introduce a design and appearance more representative of development found within research and development sites, as opposed to this central location within the city. In addition, the proposed scale and height of the building would be above that of the former cinema and would lose some of the open sky above the building at present, as illustrated within RV8 (Key Representation 8). The existing gaps either side of the former cinema building would be lost and completely eroded by the proposed roofline, further exacerbated by the roof extension, and is considered to cumulatively break the skyline of Cambridge and result in visual harm.
- 8.46 As aforementioned, the proposed changes to the roof form and fenestration to No. 18-19 Sidney Street would be visual improvements within views from Market Street. However, the roofline of the proposed building would be clearly visible above nos. 18-19 and 16-17 Sidney Street and would appear incongruous and significantly intrude the existing openness above the existing roofscape of these buildings. The scale and width of the proposed development at this height would appear as a solid block of mass which is not well articulated within the roofscape and extend beyond the site and sit above the roofline of the adjacent Next store. This is clearly illustrated within the proposed elevation drawing no. 2200 Rev P4 and within the visual representation VP04 where the proposal would appear to engulf the existing buildings and is unsympathetic within the site context. As such, the proposal impact to would be clearly visible and break the existing skyline and is not acceptable.
- 8.47 Whilst it is acknowledged that the level of tree cover would limit views from Christ's Pieces in summer months, visual representations RV1, RV2 and RV3 clearly show the proposal would be in view during the winter months and would therefore be perceivable from these viewpoints. The additional mass and scale proposed at this height would break the skyline within these views and therefore the proposal is not acceptable.
- 8.48 For reasons set out within the below section which addresses criterion b) of Policy 60, as well as the Design, Context and External Area section further below, the proposed development is considered to break the existing skyline of Cambridge due to its excessive mass, bulk, height and overall scale, and is not compatible within this city centre location.

8.49 In summary, the submitted TVIA and accompanying visualisations provide a detailed assessment of the proposed development within the skyline of Cambridge in respect of its location, setting and context, as directed by criterion a) of Policy 60. Whilst the LPA agrees with some of the conclusions drawn within the TVIA in respect of more distant viewpoints analysed, the proposed development would result in an incongruous form of development which would break the skyline of Cambridge when viewed from certain locations nearer to the site and is therefore not compatible within this location. As such, the proposal would fail to accord with criterion a) of Policy 60 of the Local Plan.

Criterion b) of Policy 60 Impact on the Historic Environment

8.50 Paragraph F.34 of Appendix F states that applicants need to refer to the Cambridge Historic Core Appraisal; the various current conservation area appraisals and suburbs and approach studies for Cambridge, to justify the impact of the development within views of heritage assets. F.35 goes on to state that tall building proposals which have the potential to impact on the setting and significance of heritage assets will need to demonstrate and quantify the impact on the heritage asset, be it a listed building, scheduled monument, conservation area, registered historic park and garden and non-designated heritage assets, including but not limited to buildings of local interest.

8.51 The site is located within the Central Conservation Area and within the settings of a number of heritage assets. The buildings listed below are considered to be within the immediate locality of the development proposed:

- Church of the Holy Trinity (Grade II\*) and railings (Grade II listed)
- 1 Market Street and 2 Market Street (Grade II)
- Lloyd's Bank (Grade II\*)
- Christ's College, Tutor's House (early C19, Grade II)
- Christ's College X Staircase (Grade II)
- Christ's College, North East Range, Third Court (Grade II)
- County Hall (Grade II)
- Harrington House, Kent House, Sidney House, Montagu House and Sussex House (Grade II)

8.52 Other assets are noted within the submitted Heritage Impact Assessment (HIA) (Donald Insall Associates, April 2024). It should also be noted that the protected open space within the grounds of Christ's College to the east of the site is a designated Historic Park and Garden.

8.53 The HIA sets out the assessment for each of the heritage assets listed above, within Section 8, and provides a summary of the overall impact on their significance. The assessment declares that the impact upon the

settings on the heritage assets is positive or has no impact, with the exception of the demolition of the former cinema building which would result in a high level of harm. Whilst Officers agree with the conclusion regarding the loss of the former cinema building, it not agreed that the proposal would not have an impact upon other heritage assets. It should also be noted that Historic England consider the proposals would result in a *very high level* of less than substantial harm to the character and appearance of the Conservation Area. In conjunction with the Conservation Officer, Historic England and other consortium groups have objected to the loss of the cinema building in principle and the proposed scale and mass of the replacement development. It is the complete loss of the cinema building and the resultant loss of individual plot definition which would result in harm upon the character and appearance of the Conservation Area.

- 8.54 Within the Cambridge Historic Core Appraisal, Sidney Street is indicated as having a high level of significance. Paragraph of 3.1.5 states *“Redevelopment should be restricted to buildings or features which have a negative impact on the character of the street. Enhancement schemes should seek to significantly improve the character and appearance of the street.”* Furthermore, Hobson Street is indicated as ‘significant’, with paragraph 3.1.6 stating *“as a rule, whilst the historic buildings should be retained and their character and settings respected, there may be opportunities for redevelopment. Enhancement schemes should seek to respect any historic or other interesting features but generally seek to re-establish a sense of place for the street or space.”* Both the Conservation Officer and Historic England refer to the loss of the finer grain of development which is proposed by the complete demolition of the existing plots by virtue of the excessive scale and massing of the proposed development. The proposal would be contextually inappropriate within this part of the Conservation Area and not respect the historic character of the existing buildings, undermining the aspirations within the Appraisal.
- 8.55 As referred to above, the excessive scale, height and mass of the proposed development would not only break the skyline of Cambridge, but also detract from the character and appearance of the historic environment. This is particularly evident within views presented from Market Street and within the Conservation Area. By virtue of the proposed development, this view would be eroded and the existing open space above the ridge line of the existing buildings would be completely lost, resulting in harm upon the setting of the Conservation Area. Whilst a visualisation has been provided from Market Street, no visual representation has been provided for views closer to the site and nearer to the junction between Market Street and Sidney Street. Given the proposed scale and height of the proposed development, it is considered that the proposal could be seen from this unrepresented location, especially the roof extension. Without this information, the application fails to demonstrate that no visual impact would arise upon the immediate setting of the surrounding historic environment and is unacceptable.

- 8.56 Furthermore, little information has been provided in respect of the impact upon the setting of the designated Historic Park and Gardens within the grounds of Christ's College, set to the east of the site. The assessment provided within Section 8 does acknowledge there would be '*occasional views of the proposed development by users of the park and gardens but due to the proposed design and scale, would be an enhancement to the appearance and character of Hobson Street streetscape*'. Whilst Officers disagree with this statement, no visualisations have been presented from the Historic Park and Garden and therefore this statement is not evidenced. Officers would have expected the TVIA to include an assessment from within the grounds of Christ's College to inform whether the proposed development would affect the setting of this heritage asset, especially given its close proximity to the site.
- 8.57 Tutor's House is Grade II listed and is located directly to the east of the site, opposite the former cinema building. Given the significant height and scale of the proposed development, it is considered that existing views above the roofline of Tutor's College could be interrupted, especially when standing within the Historic Park and Gardens further to the east. Again, no visualisations have been submitted to demonstrate the visual relationship between the proposed development and the setting of this listed building. The visualisations of the views looking along Hobson Street are not substantive on their own to provide a full assessment on the setting of Tutor's College. Without this information, Officers cannot accurately determine the level of harm upon the setting upon the Historic Park and Gardens and Tutor's House when viewed from within the grounds of Christ's College.
- 8.58 In summary, the excessive scale and height of the proposed development and total loss of the former cinema building, as well as its inappropriate design, would result in a significantly harmful impact upon the surrounding historic environment. In addition, the application lacks information to fully demonstrate the visual relationship and extent of harm caused by the proposed development upon surrounding heritage assets. As such, the proposal is contrary to criterion b) of Policy 60 and the guidance set out within Appendix F to the local plan.

Criterion c) of Policy 60: Scale, Massing and Architectural Quality

- 8.59 Paragraph F.40 of Appendix F states that proposal should demonstrate through drawings, sections, models, computer-generated images (CGIs) etc., the design rationale of the building and how the form, materials and silhouette of the building will deliver a high quality addition to the city which will respond positively to the local context and skyline.
- 8.60 In addition to the above documentation referred to, the applicant has also submitted a Design and Access Statement (DAS) (Popham, April 2024).

This sets out the design rationale with accompanying 3D models and VU.City analysis to inform the scale of the proposal.

- 8.61 Whilst Officers acknowledge the opportunities to redesign the roofscape, the proposed roof extension would appear to sit awkwardly within the roofscape and aggravate the relationship between the top of the building and its surroundings within the roofscape. The Urban Design Officer has commented on the application and acknowledges the intention of the timber gables to 'soften' the sense of the roof extension however this does not overcome the resultant mass which detracts from the existing balance created by the existing buildings, which is clearly evident from the view taken from Market Street. These comments were also supported by the LPA's Design Review Panel which noted that the top floor 'pavilion' as currently designed will be read as an uncomfortable extrusion.
- 8.62 As part of pre application discussions, Officers requested that sections across the site should be extended to include the adjacent edges to help Officers better understand the level of enclosure and potential visibility of the upper setback floors from the ground level. These sections have not been provided and therefore it is not possible to fully assess the extent of the proposal in terms of its scale and potential impact upon the local skyline.
- 8.63 Notwithstanding the above, it is acknowledged that the proposed building does have some architectural merit and is similar to other office and research development seen at other locations further out from the city centre. However, in this instance, whilst the proposed materials of brick and stone may have the potential to fit well into the prevailing streetscape, the proposed architecture along Hobson Street should be refined to create a stronger visual link to the former cinema building, to ensure a more successful integrated replacement. There has been no attempt to retain or integrate any of the architectural features as seen within cinema's façade, and instead proposes a monotonous repetition of vertical elements with no reference to the cinema building.
- 8.64 Overall, for similar reasons as set out above, the proposed scale, massing and architectural merit of the proposed building is considered to be unsympathetic and inappropriate within this locality and would result in an incongruous form of development which would interrupt the skyline of Cambridge and does not accord with criterion c) of Policy 60.

Criterion d) of Policy 60: Amenity and Microclimate

- 8.65 Firstly, the proposed new building is not considered to result in any loss of aspect, outlook or privacy (overlooking) upon the neighbouring buildings, as well as overshadowing impacts of the gardens and public realm, or



noise or any other relevant amenity. Most of these considerations will be further explored within the 'Residential Amenity' section below.

- 8.66 From the information contained within the DAS, Section 6.6 sets out parameters to mitigate against the potential overshadowing of external areas around the site. With the use of 3D modelling, sections of the envelope of the building were removed to reduce the amount of overshadowing impact along Hobson's Passage at both ends, therefore allowing more light through.
- 8.67 Paragraph F.44 of Appendix F of the Local Plan refers to wind, the heat island effect and solar glare. These are considered to address the external impacts of the building upon the local environment, which Officers consider the proposal would not lead to any significant impact. Any details regarding solar glare and other associated details could be secured via conditions, should the application be approved. As such, the proposal is in accordance with criterion d) of Policy 60.

Criterion e) of Policy 60: Public Realm

- 8.68 Paragraph F.47 of Appendix F sets out that applicants will need to provide sufficient information through the use of detailed illustrations and drawings of the proposed public realm around a tall building showing both the detail pertaining to the application site but also how the new public realm on the site relates to the wider streetscape/wider public realm and ensures a sense of human scale at street level.
- 8.69 Notwithstanding the above, Officers are of the view that the proposal would improve areas within the public realm immediately around the site. Hobson's Passage is currently a dark and dingy passage with no lighting and is not inviting for people to use. The proposal would allow more light through this passageway which would enhance user experience.
- 8.70 In addition, the proposal creates a sense of activity at ground floor along Hobson Street, which is not currently attractive within the street scene. The proposal is therefore considered to improve user experience along Hobson Street.
- 8.71 The existing rear façade and area behind no. 16-17 Sidney Street is aesthetically poor and detracts from the street scene. The proposal would enhance this elevation and create more vibrancy within the public realm and is therefore considered to be a betterment to the existing situation.
- 8.72 As such, the proposal is considered to provide some public realm improvements which are clearly illustrated within the drawings and visualisations submitted. The application is therefore in accordance with criterion e) of Policy 60.

- 8.73 Nonetheless, these public realm improvements do not outweigh the harm caused by the proposal, including the heritage harm, which is discussed further below.

#### Summary of Policy 60

- 8.74 In conclusion, the application fails to provide a substantive assessment to satisfy all of the guidance and criteria of Policy 60 of the Local Plan. By virtue of its excessive scale and height, as well as inappropriate architectural design and form, the proposed development would break the existing skyline of Cambridge and is not compatible within this location and result in harm upon the surrounding historic environment. As such, the proposal is contrary to criteria a), b) and c) of Policy 60 and Appendix F of the Local Plan and is not supported.

#### **Context of Site, Design and External Spaces**

- 8.75 Policies 55, 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 and boundary treatment. These policies build upon the principles outlined within the above section in respect of Policy 60.
- 8.76 As referred to within the above section, the overall scale, height, massing and design of the new building is considered to be excessive and out of keeping to the development within the locality. All of the three buildings included within the site are read as three individual plots, as opposed to one singular mass, which the introduction of the new building would create by virtue of its excessive scale in terms of width and height. The existing roof line is broken up between the three buildings which establishes the character of the area and should be retained. The proposed building would erode this characteristic and not be well integrated within the site and result in an imposing form of development which would be inappropriate within this locality.
- 8.77 The overall appearance and form of the building would be discordant with the existing development within this location. The proposed design would be more suited within a dedicated Research and Development site, as opposed to this central city location. The proposed building would lose all reference to the cinema building and would create a continuous roof line and contain monotonous and repetitive vertical elements, which is unacceptable within this location.
- 8.78 The LPA acknowledges the public realm improvements along the Hobson Street frontage and Hobson's Passage. Whilst these are enhancements

and positives of the scheme, it also considered that these areas could be readily improved at any time and are not as a result of the demolition of the cinema building.

### Sidney Street Frontage

- 8.79 As already mentioned above, the proposed changes to the roofline and proposed roof extension would be clearly seen in views from along Market Street, to the west of the site. The proposed changes to the roof line and features of units 18-19 Sidney Street, as well as the shop frontages are considered acceptable.
- 8.80 The proposed roof extension would comprise an inappropriate scale and massing within the existing roofscape, as clearly demonstrated within the views from Market Street. It is not considered to be well articulated within the roofscape and would create an excessive massing and result in the loss of existing balance between the rooflines of the existing buildings. This is exaggerated with how the right-hand section extends down two floors which does not sit comfortably within the roofscape.

### Summary

- 8.81 The excessive scale, massing and height of the new building and roof extension would create an unsympathetic form of development which would result in changing the existing grain of development and create an unbalancing within the roofscape. The proposed development would not have any reference to the existing cinema building, nor resemble any visual link with the existing building and is unacceptable. As such, the proposal is not in accordance with policies 55, 56 and 57 of the Cambridge Local Plan 2018.

### **Impact Upon Heritage Assets**

- 8.82 Policy 61 of the Cambridge Local Plan 2018 seeks development to preserve or enhance the visual appeal of Conservation Areas. Paragraphs 200 – 203 of the NPPF sets out what should be considered when assessing the impact of proposals affecting heritage assets. In addition, paragraphs 205-213 of Section 16 of the NPPF are relevant to considering the level of harm identified. The relevant paragraphs are set out below and will be referred to within the proceeding sections of the report.
- 8.83 Paragraph 200 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the

heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 8.84 Paragraph 201 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.85 Paragraph 202 of the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 8.86 Paragraph 203 of the NPPF states that when determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.
- 8.87 Paragraph 205 also 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), irrespective of the level of harm.
- 8.88 Paragraph 206 states that any harm to, or loss of significance of a designated heritage asset should require clear and convincing justification.
- 8.89 Paragraph 208 of the NPPF notes that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the scheme, including, where appropriate, securing its optimum viable use.
- 8.90 Paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.91 Paragraph 212 states that local planning authorities should look for opportunities for new development within Conservation Areas and World

Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 8.92 Paragraph 213 states that loss of a building which makes a positive contribution to the significance of the Conservation Area should be treated either as substantial harm or less than substantial harm, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area.
- 8.93 In addition to the above, Section 72 of the Listed Building and Conservation Area (LBCA) Act 1990 requires decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Section 66 of the Act seeks to ensure that new development preserves the settings of heritage assets.

#### Impact upon the Conservation Area

- 8.94 All three buildings on the site hold significance within the Conservation Area. No. 16-17 and 18-19 Sidney Street are noted as positive buildings in the Historic Core Conservation Area Appraisal. No. 18-19 was designed by architect George P Banyard and was a purpose-built bookshop for Cambridge booksellers, Heffers & Sons. Heffer's is one of the great Cambridge institutions. It is a multi-floor building with an impressive mezzanine under a barrel-vaulted glass dome (just visible from street level on Market Street).
- 8.95 No.16-17 Sidney Street was purpose-built as a Sainsbury's foodhall (i.e. with a long ground floor retail hall) including staff accommodation and delivery/service space to the rear. Its heritage interest lies in more than simply its facade. It is representative of the City's redesign of the southern end of Sidney Street in the 1930s to attract major national retailers (Boots etc) in larger stores than was possible in the otherwise narrow city streets. Both Sidney Street buildings are notable not simply for their facades and Sidney Street roof features but for being components of the set-piece 1930s redevelopment.
- 8.96 As already mentioned above, the former cinema building is a designated BLI and was re-modelled by George P Banyard, like No. 16-17 Sidney Street. Its iconic architectural style is one of the most interesting buildings (of this era) within Cambridge and is a positive building within the Conservation Area.
- 8.97 The Conservation Officer has been consulted on the application and has raised an objection to the application due to the extent of demolition at Nos. 16-17 and 18-19 Sidney Street and total loss of no. 21 Hobson

Street, the proposed scale of the development does not reflect the existing finer grain of development which is evident by the individual plot definition of these buildings. These objection comments are also supported by Historic England, as well as other third-party Consortium Groups and local residents.

- 8.98 The loss of individual plot definition would result in a loss of historical context within the Conservation Area, as opposed to respecting the integrity of the existing buildings. Historically, there would have been even more space between these buildings at present which would have presented a more prevalent form of development within the Conservation Area. It is therefore considered that any new development should try to retain individual plot definition as part of any redevelopment. Paragraph 3.1.5 of the Historic Core Conservation Area Appraisal states that *“Redevelopment should be restricted to buildings or features which have a negative impact on the character of the street. Enhancement schemes should seek to significantly improve the character and appearance of the street.”* In addition, paragraph 3.1.6 states that *“as a rule, whilst the historic buildings should be retained and their character and settings respected, there may be opportunities for redevelopment. Enhancement schemes should seek to respect any historic or other interesting features but generally seek to reestablish a sense of place for the street or space.”*
- 8.99 Whilst it is acknowledged that redevelopment is possible within the Conservation Area, there is a clear emphasis that this should be limited and respect the historic character of the area whilst retaining interesting characteristics of buildings. The proposed development would result in one continuous mass across all three plots and would therefore fail to result in a scale of development which would retain the historic character and appearance of the existing buildings, and not preserve or enhance the character and appearance of the Conservation Area and would result in a high level of less than substantial harm, as referred to within paragraph 208 of the NPPF.
- 8.100 As mentioned above, whilst the LPA acknowledges the improvements proposed within the immediate public realm around the site, such as along the enhanced user experience along Hobsons Passage, these public benefits are not considered to result in achieving substantial public benefits that would outweigh the high level of less than substantial harm identified, as referred to within paragraph 208 of the NPPF.
- 8.101 In summary, by virtue of the amount of demolition and inappropriate scale and design of the redevelopment proposed, the development is considered to result in a high level of less than substantial harm upon the character and appearance of the Conservation Area. The proposed building that would replace three existing buildings which would result in a form of unsympathetic development of a wholly inappropriate scale and massing in comparison with the existing finer historical urban grain found within this part of the Conservation Area. As such, the proposal is not in

accordance with Policy 61 of the Local Plan, as well as paragraphs 203, 205, 206, 208, 212 and 213 of the NPPF, and Section 72 of the LBCA Act 1990.

#### Loss of No. 21 Hobson Street (Former Cinema Building)

- 8.102 Policy 62 of the Local Plan seeks to retain local heritage assets and protect against harm incurred upon non-designated heritage assets. In the case where development would lead to harm or substantial harm upon a non-designated heritage asset, a balanced judgement should be adopted having regard to the scale of any harm or loss and the significance of the heritage asset. This policy is in accordance with paragraph 209 of the NPPF which states similar.
- 8.103 The other main objection raised by the Conservation Officer, Historic England and other third party representations, is the complete loss of the former cinema building. The building is listed within Appendix G of the Local Plan as a designated BLI, due to its rare architectural style and iconic façade, which provides a unique focal point within this part of Cambridge.
- 8.104 The applicant has undertaken a Hobson Street Façade Retention Options Appraisal Report and a Façade Retention Structural Feasibility Report. The conclusions drawn from these reports imply that through marketing exercises and viability issues, the building cannot sustain a viable use for any prospective purchaser. The HIA concludes that the proposed development would lead to a high level of harm to No. 21 Hobson Street, however its low level of significance via confirmation of the Certificate of Immunity (from listing) issued by Historic England in February 2024, outweighs this harm. The applicant claims that there is no information to demonstrate the significance of this building and therefore its loss is not considered significant when adopting the balanced judgement referred to within Policy 62 and paragraph 209 of the NPPF. The LPA is of the view that the lack of national level statutory listing of the building does not mean it is not of local heritage significance as has been determined by its designation as a BLI. This is further supported by the objection comments submitted by Historic England.
- 8.105 The building was constructed in the 1930s and was initially used as a cinema which ceased in the 1970s. The building then hosted Bingo sessions until 2009 and has not been used since. The building was completed in clad with bright white 'faience', which is a type of enamel earthenware. The glazed brick is a typical Egyptian Art Deco style with designs resembling wings and flowers, all of which contribute to its distinctiveness within the Hobson street scene. In addition to this, as already mentioned above, the building is read as an individual plot alongside the other individual buildings within the site, which defines the character of this part of the Conservation Area. Therefore, the complete loss of this building is unacceptable in principle as it has a distinct and

unique presence within Hobson Street and positively contributes to the character and appearance of the Conservation Area.

- 8.106 Whilst the LPA acknowledges that a viable use has been difficult to secure for the building, for reasons set out within the submitted Planning Statement, the LPA finds it difficult to fully understand why the application proposes the total demolition of this building, which is contradictory to the previous advice provided by the LPA and the LPA's Design Review Panel during pre-application discussions (Appendix 1). The application has not demonstrated whether a more nuanced approach which retains more of the building could be achieved, and instead concludes that total demolition is the only viable option for the building.
- 8.107 Paragraph 202 of the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision. This essentially means that should a heritage asset contain any damage or evidence of neglect, this should not be a reason to justify its loss. In this instance, although the former cinema building is a BLI and not designated as a listed building, given the significance of the building in terms of its role in positively contributing to the Conservation Area and acting as a focal point within it and within Hobson Street, as stated within the Historic Core Appraisal, it is not an unreasonable proposition for the LPA to argue that paragraph 202 applies in this instance.
- 8.108 The Façade Retention Structural Feasibility Report highlights the poor condition of some of the brick work of the building and presents a case that the building has not been well maintained since its last use ceased in 2009. This suggests that no effort has been made to maintain or restore the building and ensure a viable use could be reinvigorated. It does not appear to Officers that there is sufficient evidence to demonstrate otherwise and therefore the application does not satisfactorily demonstrate the building has not been deliberately neglected and that sufficient effort has been made to repair the exterior facade. Instead, the application highlights these elements as defects which detract from the significance of the building in an attempt to support a reason for its demolition, which is contrary to the intentions of paragraph 202 of the NPPF.
- 8.109 Moreover, paragraph 209 of the NPPF and Policy 62 both state that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this instance, the LPA considers the scale of harm identified is high by virtue of the total loss of the former cinema building which is a positive building within the Conservation Area for the reasons already mentioned above.



8.110 In summary, the former cinema building is an iconic building which acts as a focal point of interest along Hobson Street and positively contributes to the character and appearance of the Conservation Area. The total demolition of the building is unacceptable and unjustified in this instance and therefore the proposal is not in accordance with Policies 61 and 62 of the Local Plan, as well as paragraphs 202, 203, 205, 206, 208, 209 and 213 of the NPPF, and Section 72 of the LBCA Act 1990.

#### Settings of Listed Buildings and Non-Designated Heritage Assets

8.111 Other than the being located within a Conservation Area, the site is also located within the settings of a range of listed buildings and non-designated heritage assets. The buildings listed below are within the immediate locality of the site:

- Church of the Holy Trinity (Grade II\*) and its railings (Grade II)
- Pair of K6S Telephone Box (Grade II)
- 1 Market Street and 2 Market Street (Grade II)
- Lloyd's Bank (Grade II\*)
- Christ's College, Tutor's House (early C19, Grade II)
- Christ's College X Staircase (Grade II)
- Christ's College, North East Range, Third Court (Grade II)
- County Hall (Grade II)
- Harrington House, Kent House, Sidney House, Montagu House and Sussex House (Grade II)
- No.22 Sidney Street (Waterstones)

8.112 As listed above, the site is within the setting of a number of heritage assets. As mentioned within the above section under criterion b) of Policy 60, the information contained within the TVIA and HIA lacks view analyses taken from within the grounds of Christ's College to the east. These are Grade II listed buildings which are set within Historic Park and Gardens. The Conservation Officer has briefly mentioned the harm upon these heritage assets within their comments and without a full analysis being submitted, it is difficult to fully assess the impact upon the setting of these heritage assets. These views are also echoed by Historic England.

8.113 Section 66 of the LBCA 1990 Act seeks to preserve the settings of listed buildings.

8.114 The most significant listed buildings of note are the Lloyd's Bank building and the Church of the Holy Trinity, which are both Grade II\* listed and are located to the south east and south west of the site, respectively. The railing around the Church is Grade II listed. It is agreed with the conclusions drawn within the HIA, that the limited intervisibility and

location in relation to the siting of the redevelopment, that the proposal would have no impact upon the setting of the Lloyds Bank building.

- 8.115 The Church of Holy Trinity and associated railings is located directly to the west of the site, and within the immediate settings of nos. 16-17 and 18-19 Sidney Street. Visualisation VP05 looking northwards along Sidney Street illustrates that the most prominent part of the redevelopment proposals would be the new shopfront designs to No. 16-17 Sidney Street and the redesign of the roof form associated with No. 18-19 Sidney Street. These elements of the proposal are acceptable and would preserve the setting of the Church. The main bulk of the upper floor and roof extension on top is illustrated as not being particularly prevalent within VP05, except for a glimpse view of the roof pitch of the proposed roof extension. As such, the HIA concludes the development would have a positive impact upon the setting of the Church, especially given the public realm improvements in relation to Hobsons Passage.
- 8.116 As mentioned previously, no visual analysis has been presented to inform the impact of the proposals when viewed from the junction between Sidney Street and Market Street. Historic England have noted that there is a lack of information in this regard and is difficult therefore to establish whether any harm would arise upon the setting of this Grade II\* listed church, with particular reference to its spire. Visualisation VP04 provides some visual assessment of this view however it does not fully illustrate the views taken nearer the church, which given the significant scale of the proposed development at roof level, would be clearly visible. The LPA would have expected more information in this regard and is it disappointing that the applicant has not explored this visual relationship, especially given the significance of the church.
- 8.117 Nos. 1 and 2 Market Street is located directly to the west of the site and is Grade II listed. The changes to the shop front of No. 16-17 and the roof form of No. 18-19 are considered acceptable and would preserve the setting of the building. Again, a visual assessment taken from within the frontage of this building would have given the LPA more clarity as to what extent the proposed development would have resulted upon the setting of this listed building, and therefore the LPA cannot fully assess the harm.
- 8.118 Harrington House, Kent House, Sidney House, Montagu House and Sussex House are all Grade II listed buildings and would be set further to the north of the site, behind No. 22 Sidney Street. Although the new building would be partially seen in street scene views along Hobson Street, as illustrated in visualisations VP08 and VP09, No. 22 is considered to provide separation between the new building and this group of listed buildings and would not result in any significant harm upon their setting.

- 8.119 As mentioned above under the assessment of Criterion b) of Policy 60, the submitted TVIA has not provided a full analysis of the potential impact upon the setting of Christ's College and its Historic Park and Gardens, which lie to the east of the site. Tutors House lies directly opposite the site on the other side of Hobson Street, with the North East Range set further within the grounds to the north east. The County Hall and Christ's College X Staircase is set further to the north. All of these heritage assets are Grade II listed.
- 8.120 Fixed point visualisations cannot provide a full indication of the impact the setting of any heritage asset. Due to the angles at which the County Hall and Christ's College Staircase X are set in relation to the site, the experiential impact on their settings is not represented. Similarly, the Tutors House lies directly opposite the site and its setting would be directly impacted by the loss of the cinema and introduction of the non-contextual replacement building. The impact on the settings of these buildings is therefore considered harmful.
- 8.121 Christ's College North East Range is set to the north east of the site and within the gardens of Christ's College. Given the lack of any public access to this building and unknown functional association, the HIA claims there would be no impact upon the setting of this heritage asset. Given the location of this building and the intervisibility of the site from this building, it is considered that there would be no harm upon the setting of this heritage asset.
- 8.122 The TVIA claims that due to the appropriate design of the proposed development, no impact would arise upon the settings of the buildings within Christ's College and its grounds, especially due to the existing height of the boundary wall. These claims are further explored within the HIA, concluding that the loss of the former cinema building and the new building would result in a positive impact upon the significance of the settings of the buildings of Christ's College, and that whilst there may be views of the new building from within the gardens, the separation and appropriate design would result in a positive impact.
- 8.123 It is appreciated that the existing boundary wall would somewhat limit views of the proposal however the extent of this limited visibility is not presented. However, given the significant scale and height of the proposed building, which would be exacerbated with the roof extension on top, the proposal would be more visible than the existing former cinema building and would therefore have more of a presence within views when standing within the gardens and within setting of Tutor's House. As such, the conclusions drawn within the HIA and TVIA have little weight without providing satisfactory evidence to support this, which is a concern raised by the LPA and Historic England.

- 8.124 Other than the former cinema building, there are other BLIs within the vicinity of the site. One of these is No. 22 Sidney Street, which is occupied by Waterstones and is located on the other side of Hobson's Passage. Despite the proposed building being directly adjacent to this building, the visual enhancements along Hobson Passage which separates No. 22 with No. 21 (the former cinema), would somewhat improve the setting of this BLI when viewed along Hobson Street. As for views along Sidney Street, VP05 does illustrate that the setting of this BLI would be somewhat changed however given its location further to the north, on balance, would not be significantly harmed in this instance.
- 8.125 The settings of other BLI's within the locality would not be significantly harmed for similar reasons as set out above in terms of distance from the site and the height at which the main bulk of the proposed development would be visible.
- 8.126 In summary, the application fails to sufficiently demonstrate the impact upon the settings of surrounding heritage assets within close proximity to the site and therefore the level of harm cannot be fully assessed. By virtue of the proposed scale and height of the proposed development, as well as its non-contextual design, it is considered that the proposal would result in a high level of less than substantial harm, which is not outweighed by any public benefits. As such, the proposal is not in accordance with Policy 61 of the Local Plan, as well as paragraphs 200, 201, 203, 205, 206, 208, 212 and 213 of the NPPF and Section 66 of the LBCA Act 1990.

### **Carbon Reduction and Sustainable Design**

- 8.127 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 policy states that for new non residential development, proposals should achieve 'Excellent BREEAM Level' for carbon emissions as well as achieve full credits for category Wat 01 for water efficiency.
- 8.128 Policy 29 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.
- 8.129 The Sustainability Officer has been consulted on the application and has raised no objections to the application in respect of the new development which will achieve BREEAM Excellent standards as well as maximum 5 Wat01 credits for water efficiency. Conditions can be imposed to secure the pre and post BREEAM certifications, as well as securing water efficiency measures.

- 8.130 The concern raised is regarding the embodied carbon within the existing buildings to be demolished. This is also raised as a concern amongst the representations received. The Retention Options Assessment makes some general assumptions around embodied carbon for each of the options considered, but there is little detail as to the extent of an understanding of the levels of embodied carbon already locked into the existing buildings. Within the Sustainability section under point 1, it states that the embodied carbon of the steelwork required for the temporary works and the carbon cost/implications of its production and recycling at the end of the project is considered to be an implication of retaining the façade. Given the amount of demolition proposed, it is considered that a more detailed assessment to demonstrate the level of embodied carbon and the carbon emissions generated from the redevelopment should be submitted to demonstrate the comparison with this conclusion drawn in respect of embodied carbon.
- 8.131 Notwithstanding this, whilst there is a concern raised on the level of carbon emissions associated with the amount of demolition proposed, the main thread of carbon reduction outlined within both policies 28 and 29 of the Local Plan relates to the construction of new development. Given that the proposed new building would achieve BREEAM excellent standards and achieve maximum credits for water consumption, the proposal is in accordance with these policies and would contribute to reducing carbon emissions within Cambridge.
- 8.132 As such, subject to the above conditions, the proposal is in accordance with policies 28 and 29 of the Local Plan and is acceptable.

### **Residential Amenity**

- 8.133 Policies 34, 35, 55, 57 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise, disturbance, overshadowing, overlooking, overbearing and through providing high quality internal and external spaces. Criterion d) of Policy 60 is also of relevance to this section, as it refers to respecting the amenities of neighbouring properties.
- 8.134 Waterstones is located to the north of the site, on the other side of Hobson's Passage. The Next store is located to the south of units 16-17 Sidney Street. Given the commercial uses of these premises, it is not considered that the proposed development would adversely impact upon the operations or amenities of either of these adjacent properties.
- 8.135 Although an office use would occupy the upper floors and the roof extension of the proposed building, it is not considered that an office use would afford the same level of overlooking impact as a residential use would, and therefore the level of overlooking impact would not be significantly harmful in this instance due to the nature of the proposed office use.

### Wider Environmental Impact

- 8.136 The Environmental Health Officer has been consulted on the application, and has raised no objections, subject to conditions to minimise any disturbance upon the local premises in respect of noise, odour emissions, dust mitigation and hours of operation to restrict the operation times of the premises. In addition, conditions regarding working hours and construction delivery times are also recommended.
- 8.137 As such, subject to the above conditions and informatives, the proposal is in accordance with policies 34, 35, 55, 56, 57, 58 and criterion (d) of Policy 60 of the Local Plan.

### **Highway Safety**

- 8.138 Following the receipt of drawing no. KMC22091/001 Rev A, the original objection has been removed by the Local Highway Authority (LHA). This is because the door (or window) which opened onto the footway of Sidney Street has been amended and therefore the proposal no longer poses any harm upon highway safety.
- 8.139 Other comments relate to the functioning of the existing bus stop on Hobson Street and how large delivery vehicles will still be able to serve the city centre. These concerns are raised in respect of the submitted red line boundary which extends into the middle of Hobson Street. An agreement will be required between the applicant and the LHA to ensure these arrangements – including a loading bay and yellow lines - are secured.
- 8.140 Similarly, the proposed works along Hobson's Passage will need to be agreed with the LHA via a S278 Agreement. If officers were minded to support the proposal, highways works could be secured through an appropriately worded Grampian planning condition.
- 8.141 Other conditions requested include the provision of a traffic management plan, and basement wall design, which are considered reasonable and necessary.
- 8.142 Therefore, subject to conditions, no significant risk would be imposed upon users of the highway within the locality and the proposal is in accordance with paragraph 115 of the NPPF and Policy 81 of the Local Plan.

### **Transport**

- 8.143 The Transport Assessment Team of the County Council have been consulted on the application. Following the receipt of additional information

in respect of the anticipated trips generated from the proposed development, the original objection has been removed, subject to a condition to ensure the development is operated in accordance with the submitted Travel Plan.

- 8.144 A financial contribution of £125,000 is sought to secure the provision of the widening of the footway along Hobson Street, directly to the front of the site, in order to facilitate a new bus stop and shelter. In addition, some of this money sought is to be contributed to the Hills Road Improvement scheme. This money is to be secured via a S106 Agreement, should planning permission be granted.
- 8.145 Given that a vast majority of the future occupiers of the office use would arrive to Cambridge by train, it is expected that the main route of travel would be via Hills Road from Cambridge train station to the site, either by cycle or by bus. The existing bus stop on Hobson Street is not very legible and the moneys sought would be able to assist with the upgrading of this bus stop. Therefore, the contributions sought are considered to be reasonable in this instance.
- 8.146 Subject to these contributions and condition, the proposal is considered to be in accordance with Policy 80 and 81 of the Local Plan and is CIL compliant.

### **Parking**

- 8.147 No designated car parking is proposed to serve the development. Given the location of the site being within the city centre, this is considered acceptable in this instance and is supported. There is a bus stop located directly outside the site on Hobson Street, which is understood to be retained. As such, given the sustainable location of the site, the lack of dedicated car parking is acceptable and is in accordance with Policy 82 of the Local Plan.
- 8.148 A total of 200no. cycle spaces are proposed at ground and basement floor levels. The parking located at ground floor level will be accessed via Hobson's Passage, whereas the basement cycle parking would be accessed via a cycle lift adjacent to the office reception area. This arrangement and level of cycle parking would be acceptable to serve the different uses and future users and is in accordance with the standards within Appendix L of the Local Plan.

### **Drainage**

- 8.149 The site is located within Flood Zone 1 (low flood risk). The LLFA has been consulted on the application and has raised an objection due to the lack of information regarding the existing drainage connection. It is assumed that the existing Anglian Water sewer would serve the

development however there is no guarantee for this. As such, more information regarding the location and condition of the existing network is required, to demonstrate that the existing sewer has capacity to serve the development and not result in flood risk elsewhere.

- 8.150 Anglian Water have been consulted on the application and have not raised any objections to the application, subject to a condition to secure a scheme for surface water mitigation, which is considered to be reasonable and necessary.
- 8.151 The main objection raised by the LLFA refers to the hydraulic calculations which do not account for rainfall events occurring within quick succession. The calculations need to address the half drain time for less than 24 hours to be able to demonstrate this. If this is not achievable, then calculations for the subsequent 10% AEP (1 in 10 year) rainfall event need to be submitted. The calculations also don't take into account the climate change allowance for the 3.3% annual exceedance probability rainfall event. The applicant had submitted additional information in this regard, which the LLFA have objected to again. Without agreement to these calculations, the LLFA cannot confirm the new development would not result in flood risk.
- 8.152 As such, the application lacks sufficient drainage information to demonstrate the development would not result in flood risk within and around the site and is not in accordance with Policy 32 of the Local Plan, and the NPPF. At the time of writing this report the applicants are in the process of attempting to overcome this technical objection and an update will be reported on the amendment sheet as appropriate.

### **Biodiversity**

- 8.153 Given the existing hard surfacing of the site, the existing BNG baseline would be zero and therefore the proposed enhancement recommendations would provide an uplift in BNG on site. Conditions to secure green roofs and ecological enhancements should be imposed to any consent granted, in accordance with Policy 70 of the Local Plan, the Biodiversity SPD and the NPPF.

### **Other Matters**

- 8.154 The County Council's Archaeology Team have been consulted on the application and have raised no objections, subject to a condition to secure a Scheme of Written Investigation to ensure the development does not result in damage or loss of historic artefacts within the site. This condition is deemed necessary and reasonable and will be imposed, should planning permission be granted.

### **Planning Balance**



- 8.155 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).
- 8.156 The application presents public benefits in relation to the economic, social and environmental objectives, as set out within the NPPF regarding sustainable development. In the view of the applicant, these benefits should be given significant weight in the planning balance to outweigh any harm identified.

*Economic*

- 8.157 The economic benefits put forward by the applicants are related to the proposed office and research and development use, within this sustainable location. The proposal would contribute towards the economic growth of the City in providing the following:

- Replacing 3,606 m<sup>2</sup> of existing poor quality floorspace, of which only 29% is utilised, with 7,260 m<sup>2</sup> of high quality modern floorspace that will be fully utilised.
- Supporting in the region of 626 FTE jobs, both direct and indirect, during each year of the two-year demolition and construction phase.
- Generating up to £68.1 million in GVA during each year of demolition and construction through direct, indirect and induced effects.
- Supporting 268 net additional FTE jobs directly (on-site) once the proposed development is fully operational and occupied, in addition to a further 126 FTE jobs created more widely through indirect and induced effects.
- Contributing up to £42.8 million in net additional GVA per year in the operational phase through direct, indirect and induced effects.
- Generating in the region of £1.5 million in additional business rates receipts each year.

- 8.158 Officers acknowledge this range of economic benefits. The proposal would generate jobs, both through the construction of the development and the delivery of office and research and development type uses, with reference to the economic growth aspirations for the area. The Greater Cambridge Growth Sectors Study: Life science and ICT locational, land and accommodation needs (Final Report, September 2024) clearly sets out the

need for providing more office space within the region to retain Greater Cambridge's renown status within ICT and life sciences sectors. The office floor space would assist in delivering high quality commercial floor space within this sustainable location within the city centre.

- 8.159 Significant weight is attached to the economic benefits arising from the development proposal, with reference to para. 85 of the NPPF.

#### *Social*

- 8.160 The social benefits of the proposal relate to the improvements within the public realm and the provision of a community use on the site. These benefits, as put forward by the applicant, are listed below:

- Improving the local townscape character and local views from the adjacent streets and will have a positive impact on the conservation area and 11 other designated heritage assets
- Improving city centre permeability, accessibility and inclusivity
- Providing 349 m<sup>2</sup> of genuinely affordable community space that will be provided rent-free to local community uses with the potential for promoting community engagement, acting as a catalyst for change and promoting better health and wellbeing outcomes
- Providing a Fitwel accredited building, the aim of which will be to optimise the health and wellbeing of future occupants.

- 8.161 Officers are of the view that the proposed community use could provide a significant social benefit, as there is an indication that more community uses are required this location. However, it is not clear as to how this space will function and what specific community use(s) this space will serve, lessening the weight which can be given to this particular benefit.

- 8.162 The enhanced user experience within the vicinity of the site by virtue of introducing a more vibrant and visually attractive form of development within this part of Hobson Street, and along Hobsons Passage, is acknowledged. However, in the view of Officers, these benefits could still be achieved by adopting a more nuanced approach in developing the site and do not provide significant justification for the amount of demolition, excessive scale and inappropriate design proposed, which would lead to a high level of less than substantial harm upon the Conservation Area and the settings of surrounding heritage assets, as well as the total loss of the former cinema building.

- 8.163 As such, Officers consider that low to moderate weight can be given to the agreed social benefits presented.

#### *Environmental*

- 8.164 The environmental benefits arising from the proposal relate to the provision of a form of sustainable development and enhanced biodiversity on the site. The benefits as put forward by the applicants are listed below:
- Making very effective use of land, notably brownfield land.
  - Providing a carbon efficient new building that achieves a LETI “B” rating<sup>3</sup>
  - Providing a BREEAM “Excellent” building
  - Generating enough energy and energy savings to meet 56% of the building’s total energy consumption
  - Incorporating a rainwater and greywater harvesting and use system serving toilets, irrigation systems and cleaning functions
  - Using of sustainable materials for significant components of the new building’s construction
  - Creating habitats for wildlife where previously there were none, resulting in a biodiversity net gain.
- 8.165 As for the environmental benefits, the development would provide onsite biodiversity gain, albeit officers are of the view that this would be limited in amount given the constrained nature of the site and existing zero baseline. The proposal would also provide a sustainable form of development in regard to BREEAM Excellence standard. However, this standard of building is expected to be delivered with all proposed development of this scale, as directed local planning policy, and is not unique to this proposal.
- 8.166 Officers accept that the proposed development would be more energy efficient than the existing building, with particular reference to the former cinema building. There is no doubt that the new building would be built to a higher standard in delivering a more sustainable form of development, but this would be the case with any redevelopment scheme on this site and the proposal as put forward is not an exemplar. This does not justify the total loss of the building and resultant high level of less than substantial harm identified by virtue of its positive significance within this part of the Conservation Area.
- 8.167 As such, Officers consider that low to moderate weight is given to the environmental benefits of the proposal.

#### Summarising The Harm Identified

- 8.168 Section 16 of NPPF sets out criteria which should form part of the assessment when considering harm upon heritage and non-designated heritage assets. The relevant paragraphs (200-213) are set out above within this report. In addition, policies 61 and 62 of the Local Plan accords with the criteria set out within the relevant paragraphs of the NPPF, in relation to the assessment of heritage impact.
- 8.169 Moreover, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area (Conservation Area).
- 8.170 In addition to this, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states that when considering whether to grant planning permission for development which affects a listed building or its setting, special regard should be given to the desirability of preserving the building or its setting or any features of special architecture or historic interest which it possesses. The level of harm identified upon the setting of a heritage asset will be dependent on its significance, with the higher significance the more weight should be attributed to preserving its setting. This is further directed within the NPPF.
- 8.171 The application proposes a substantial amount of demolition to existing buildings which provide historic context and character by virtue of their individual plot definition within this part of the Conservation Area. Due to amount of demolition proposed and the excessive scale and inappropriate design of the proposed development, the heritage significance provided by the buildings within this part of the Conservation Area would be almost entirely lost and what would be re-provided would harm the Conservation Area. The scale of harm arising would be a high level of less than substantial harm upon the character and appearance of the Conservation Area. The level harm that would arise from the proposal is not outweighed by its public benefits. The proposed is therefore not justified as set against paragraphs 205, 206, 208 and 213 of the NPPF, Section 72 of the LBCA Act 1990 and is contrary to Policy 61 of the Local Plan.
- 8.172 Moreover, the amount of demolition proposed would result in the complete loss of the former cinema building, which is a designated BLI. This building comprises 1930's Egyptian Art Deco style with bright white 'faience' cladding, with wings and flower like features, all of which contribute to its heritage significance within this part of the Conservation Area and Hobson Street. The positive significance of this building within this part of the Conservation Area is such that its total loss is unacceptable. The building's deteriorated state and poor condition are not a valid reason, in accordance with paragraph 202 of the NPPF, to allow for complete demolition. In forming a balanced judgment on this matter, officers are of the view that the total loss of this non-designated heritage asset is not justified as set against paragraphs 202 and 209 of the NPPF and is contrary to Policy 62 of the Local Plan.

- 8.173 The site is located within the settings of a number of designated heritage and non-designated heritage assets. The information provided within the visual assessments and HIA is not considered to provide a full analysis of the impact upon some of the heritage assets identified above. In accordance with the NPPF and Section 66 of the Act, great weight should be given to preserve the significance of heritage assets identified, with the more significant the heritage asset, the greater the weight should be afforded to preserving its setting. In this instance, the Church of Holy Trinity is a Grade II\* listed church and there are other Grade II listed buildings within the setting of the development site. Officers are of the view that the scale of development proposed would likely result in a high level of less than substantial harm upon the settings of surrounding heritage assets and is not justified as set against paragraphs 200, 201, 203, 205, 206, 208 and 213 of the NPPF, Section 66 of the LBCA Act 1990 and is contrary to Policy 61 of the Local Plan.
- 8.174 In addition to the above, by virtue of the excessive height, massing and bulk, as well as the out of context design and appearance, the proposal would significantly interrupt the existing skyline of this part of Cambridge and result in visual harm upon the local area. The proposal is not in accordance with policies 60(a-c), 55, 56 and 57 of the Local Plan.

### Conclusion

- 8.175 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the LBCA Act 1990 (sections 66 and 72) and particularly the requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area, Officers conclude that the sum of the public benefits associated with the proposal are not sufficient to outweigh the considerable importance and weight to be attributed to the high level of less than substantial harm to the significance of the designated heritage assets which would arise. Additionally, the balance of consideration regarding the impact of the loss of the cinema building - a non-designated heritage asset BLI - does not fall in favour of the proposal. Considering this and taking into account the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for refusal for the reasons as set out below.

## **9.0 Recommendation**

### **9.1 Refuse** for the following reasons:

- 1) By virtue of the excessive scale, height and mass of the proposed development, the proposal would result in an incongruous and inappropriate form of development which would not be well integrated within the existing skyline of Cambridge and would therefore result in significant visual harm upon the local area. As such, the proposal is not

in accordance with Policy 40(a), Policy 60(a) and (c) and policies 55, 56 and 57 of the Cambridge Local Plan 2018 and would fail to satisfy the requirements of paras. 131-141 of the NPPF.

- 2) The proposal would result in the substantial demolition of existing buildings which contribute to the historic context of development within this part of the Conservation Area. The proposal would remove all historic reference and individual plot definition of these buildings and replace them with a development of significant mass and non contextual form which would cause a high level of less than substantial harm upon the character and appearance of the Conservation Area. The development is not considered to present significant public benefits which would outweigh the level of harm identified, and therefore the proposal is not in accordance with paragraphs 203, 205, 206, 208, and 213 of the NPPF, Policy 60 (b), Policy 61 and Policy 10(c) of the Cambridge Local Plan 2018 and Section 72 of the Listed Building and Conservation Area Act 1990.
  
- 3) The demolition proposed would result in the total loss of No. 21 Hobson Street (former cinema building). This building is a designated Building of Local Interest (BLI) and positively contributes to the character and appearance of the Conservation Area due to its iconic and rare architectural style within this part of Cambridge. The application suggests there is no viable use for the building however the marketing information provided is deficient in supporting this conclusion and relies on the evidence of deterioration and poor condition to justify its loss. These are not valid reasons to demolish this significant building and is not outweighed by the public benefits presented. The loss of this building and associated rare architectural references is therefore not justified and the proposal would result in a high level of less than substantial harm to heritage assets. As such, the proposal is not in accordance with paragraphs 202, 205, 206, 208, 209 and 213 of the NPPF, policies 61 and 62 of the Cambridge Local Plan 2018, and Section 72 of the Listed Buildings and Conservation Act 1990.
  
- 4) The site is located within the setting of a number of heritage assets. The application lacks evidence within the submitted documents to justify the significant scale and non contextual form of development proposed to demonstrate that significant harm upon the settings of surrounding heritage assets would not arise. The proposal is therefore not in accordance with paragraphs 200, 201, 203, 205, 206, 208 and 213 of the NPPF, Policy 60(b) and Policy 61 of the Cambridge Local Plan 2018 and Section 66 of the Listed Buildings and Conservation Act 1990.
  
- 5) The application lacks sufficient information to demonstrate that the proposed development would not result in flooding within the site and

surrounding areas, and is therefore not in accordance with Policy 32 of the Cambridge Local Plan 2018 and NPPF para. 173.

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- In the event that planning permission is refused and appealed, delegated authority is sought by officers to remove / adjust from its case any reasons for refusal in the event that further information be forthcoming which, in the opinion of officers, overcome the harm identified.
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- Delegated authority is sought by officers to agree the terms of any S106 agreement on behalf of the Council (on a without prejudice basis) in respect of appeal proceedings.
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#### 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 SPD