



25/04383/LBC – Market Square, Market Hill, Wheeler Street, Guildhall Street and Corn Exchange Street

Report to: Planning Committee

Lead Officer: Joint Director of Planning and Economic Development

Ward/parish: Market

Proposal: Refurbishment of Market Square, Peas Hill and Guildhall Street, including: provision of cycle parking, erection and siting of replacement fixed and temporary market stalls, refurbishment of Grade II listed setts, works to listed fountain and railings, and additional landscaping, street furniture and associated works

Applicant: Cambridge City Council

Presenting officer: Charlotte Spencer

Reason presented to committee: Land within the ownership of the Council

Member site visit date: N/A

Key issues: 1. Impact on heritage assets

Recommendation: Approve subject to conditions

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1. Executive summary

- 1.1. The application forms part of the wider Civic Quarter project which aims to reconnect the Guildhall, Market Square, Corn Exchange and surrounding public realm. Importantly, the project aims to reimagine Market Square to create a more inclusive, pedestrian friendly environment that will enhance the civic heart of Cambridge. It includes several key interventions, including relaying listed setts to make them more accessible, the removal of one set of railings and repair works the fountain. In addition, works are required to facilitate the installation of fixed and demountable stalls. The Market Square surfacing and the two sets of railings are Grade II Listed. The fountain is also Grade II Listed under a separate listing.
- 1.2. The application was deferred by members at Planning Committee on 25th March. This Listed Building Consent was deferred following the decision to defer the associated Full Planning Application for the following reasons:
- Highways and road safety issues, including the lack of a Road Safety Audit (RSA) and tracking swept path
 - Loss of cycle spaces
 - Insufficient time to review new setts, there was no response from Historic England on update;

- Clarification on why there was a lack of support for the proposal from market traders
- Concern that conditions were being used to mitigate issues that should have been resolved
- Lack of detail regarding the demountable stalls.

1.3. The only referral reason relevant to this listed building application is the insufficient time to review the new setts and that there was no response from Historic England on the update. All other issues are dealt with in the associated full planning report addendum.

1.4. Following the deferral the applicant has had discussions with the Local Planning Authority, the Local Highways Authority, Historic England, Active Travel, Cam Cycle, Cam Sight and Guide Dogs. Subsequently, the applicant has submitted further information to address the issues raised by members. The amendments relevant to the listed building consent are:

- Amended drawings;
- Additional drawings regarding the stalls;
- Amended Design and Access Statement;
- Submission of an Addendum to the Heritage Statement;
- Amendment to 'Accessibility Testing of Setts' report to include slip testing;
- Submission of a note regarding the mortar specification for the setts;
- Submission of a note regarding the fountain reinstatement;

1.5. To summarise, the relevant changes are:

Market Square

- Extent of the setts amended;
- Patterns and lines of the setts to be extended across the whole setted surface;
- Railings around the remaining staircase to remain in situ;
- Railings around the second staircase to be re-purposed as tree guards
- Square anchoring points proposed for the demountable stalls;
- A new stall type to be used that would be permanent but open on all sides, 12 no. of the new stalls would replace 10 demountable in the centre of the square;

1.6. The Historic England Officer has now had chance to review the trial setts in more detail along with the demountable stall anchors which have been installed.

- 1.7. Further justification for the works to the setts has been submitted. Both Historic England and the Council's Conservation Officer are now content that the choice of mortar has been justified and whilst Historic England do not consider the sawing of the setts to have been fully justified, officers, including conservation, are happy with the information provided.
- 1.8. There remains a disappointment that the scheme would not bring the fountain back into functional use and Historic England and Conservation Officers do not consider that this has been justified. However, as the works would not cause harm to the fountain, officers consider that a full justification is not needed in this instance. However, it remains that it would not offer a heritage benefit that can aid in balancing the harm.
- 1.9. Heritage harm still exists (primarily through the sawing of the setts and the use of cement mortar), however it is considered that it has now been better justified. The level of harm would not be substantial so it would need to be weighed against the public benefits.
- 1.10. Improvements and significant investment into this important civic space environment are therefore acutely needed to future proof the space as a matter of civic pride, recreating and reinvigorating the Market Square and its surrounds into a more welcoming and inclusive destination.
- 1.11. This report is an addendum report to the original Committee report appended at appendix A. It is considered by Officers that the additional information submitted addresses the reason for deferral as set out above.
- 1.12. Officers recommend that the Planning Committee **APPROVE** the application subject to conditions as highlighted at the end of this report.

Consultee	Object / No objection / No comment	Paragraph Reference
Conservation Officer	No formal objection but remaining technical concerns	6.1

Historic England	No formal objection, relies on local conservation advice, remaining technical concerns	6.22
Third Party Representations	4 representations have been received, 3 in objection and 1 raising neutral comments	7.1
Member Representations (0)		8.1

Table 2 Consultee summary

2. Site description and context

- 2.1. The application relates to the public realm around the 'Civic Quarter' redevelopment. The site includes Market Square which is a Grade II Listed surface, Market Hill which is circular carriageway which loops around Market Square, Peas Hill, Wheeler Street and Guildhall Street which run around the west, south and east sides of The Guildhall respectively, and Corn Exchange Street from the junction with Wheeler Street to the southern building line of The Corn Exchange. Market Square is under the ownership of Cambridge City Council with the rest of the relevant public realm being adopted public highway under the control of Cambridgeshire County Council.
- 2.2. The Market Square listing includes the setts and the two sets of iron railings, in addition, the fountain in the centre has a separate grade II listing.

3. The proposal

- 3.1. The application is seeking listed building consent for the refurbishment of Market Square, Peas Hill and Guildhall Street, including: provision of cycle parking, erection and siting of replacement fixed and temporary market stalls, refurbishment of Grade II listed setts, works to listed fountain (to include repair of the stone but not to provide a functional fountain) and railings, and additional landscaping, street furniture and associated works.
- 3.2. The application has been amended to address reasons for deferral and further consultations have been carried out as appropriate. The

amendments and additional information have been summarised within the Executive Summary above.

3.3. During the latest consultation period, further minor amendments have been submitted and further consultations have been carried out. The amendments include:

- Amendments to the Design and Access statement to fix the cycle parking error and provide further details of lighting;
- Updated accessibility report to make it explicitly which setts trial is proposed to be used;
- Submission of a Pendulum Slip Test Summary to provide an explanation of what the slip test in the accessibility report found;
- Further details regarding the proposed mortar;
- Clarification as to why there is a 'kink' on the western edge of the market square which is due to tracking requirements;
- Clarification on the fountain re-instatement confirming there is no intention to re-instate it as a working water feature.

4. Relevant site history

Reference	Description	Outcome
25/04382/FUL	Refurbishment of Market Square, Peas Hill and Guildhall Street, including: provision of cycle parking, erection and siting of replacement fixed and temporary market stalls, refurbishment of Grade II listed setts, works to listed fountain and railings, and additional landscaping, street furniture and associated works	Under determination
C/94/0547	Listed Building Consent - Demolition of fountain including granite base.	Refused 14.09.1994
C/94/0915	Removal of railings from toilet entrances and retention for future use.	Approved 04.01.1995
C/65/0094	Snack bar and car park attendant's office.	Approved 25.03.1965

Table 2 Relevant site history

5. Policy

5.1. National policy

National Planning Policy Framework 2026

National Planning Practice Guidance

National Design Guide 2021

Circular 11/95 (Conditions, Annex A)

5.2. National Planning Policy Framework 2026

- 5.2.1. Since the March 2026 committee a new version of the NPPF has been adopted on 17 August 2026. Whilst the new version is a complete re-write of the NPPF with policy numbers replacing paragraph numbers, much of the intent remains. In regards to this application, the changes to the heritage section are the most relevant. Paragraphs 207-211 which cover 'Proposals affecting heritage assets' and paragraphs 212-221 which cover 'Considering potential impacts' have been replaced with policies HE4, HE5 and HE6 of the new NPPF.
- 5.2.2. Policy HE5(2) states 'assessments of the potential effects of the development proposals on the significance of the heritage assets (including through effects on their setting) should identify whether proposals would be likely to:
- a. Have a positive effect, which is where the significance of a heritage asset would be enhanced, or better revealed; or
 - b. Have no effect on the significance of a heritage asset; or
 - c. Result in harm to the significance of a heritage asset, either from work affecting the asset itself or from development within its setting. The degree of harm should be identified: substantial harm would occur where the development proposal would seriously affect a key element of the asset's significance; or
 - d. Cause the total loss of the significance of a heritage asset.

- 5.2.3. Policy HE6(4) states that where a development proposal would harm the significance of a designated heritage asset, the effect on the asset should be weighed against any public benefits. HE6(5) states that where a development would cause substantial harm to, or total loss of, the significance of a designated heritage asset consent should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits.
- 5.2.4. The 2026 NPPF also provides advice specifically related to Conservation Areas within HE9.
- 5.2.5. The main alteration regarding heritage assets within the newly adopted NPPF is the replacement of the phrase 'less than substantial harm' with 'harm'. However, there is still a differentiation between 'harm' and 'substantial harm'.
- 5.2.6. Officers consider that the purpose and intent of policies HE5 and HE6 of the 2026 NPPF match that of paragraphs 207-221 of the 2024 NPPF and as such do not consider that all heritage elements need to be re-considered in this appended report. Therefore, this addendum report only refers to the elements that are impacted by the amended and additional information. The 2026 policy numbers are now referred to. However, it should be noted that both Conservation and Historic England made their comments under the 2024 NPPF and so do refer to the phrase 'less than substantial harm'.

5.3. Draft Greater Cambridge Local Plan 2024-2045 (Regulation 18 Stage Consultation - December 2025 to January 2026)

- 5.3.1. The Proposed Submission Greater Cambridge Local Plan represents the latest stage of preparing a new joint Local Plan for Greater Cambridge. Once it is adopted, it will become the statutory development plan for the Greater Cambridge area, replacing the current (adopted) Local Plans for Cambridge City and South Cambridgeshire District.
- 5.3.2. The Proposed Submission Local Plan was published for public consultation (under Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012) between 3 August and 25 September 2026.

- 5.3.3. In line with Policy DM4 of the National Planning Policy Framework (NPPF), local planning authorities may give weight to relevant policies in emerging plans according to several factors. The Proposed Submission Local Plan is consistent with policies in the National Planning Policy Framework 2026. Whilst the joint Local Plan is at an advanced stage in the plan making process, the Regulation 19 consultation is yet to be completed.
- 5.3.4. Therefore, at this stage, the Proposed Submission Local Plan and its policies can only be afforded limited weight as a material consideration in decision making.
- 5.3.5. Submission of the Local Plan to the Secretary of State is anticipated by the end of December 2026.

5.4. Cambridge Local Plan (2018)

Policy 61: Conservation and enhancement of Cambridge's historic environment

5.5. Area Guidelines

Cambridge Historic Core Conservation Area Appraisal (2015)

6. Consultations following 25 March 2026 Committee

Publicity

Neighbour letters – Y

Site Notice – Y

Press Notice – Y – Listed Building/ Affecting Conservation Area

Conservation Officer- No Formal Objection but Technical Concerns (Summary of comments received 15.07.2026 and 10.08.2026)

- 6.1. The historic setts are in poor condition with areas of settlement, loose stones and patches are cementitious screed. The much altered fountain is in poor state of repair and out of functional use.
- 6.2. Following past Conservation Officer comments, the scheme has been revised and several issues have been addressed. However, a number of elements remain insufficiently justified or require further revision.

Setts

- 6.3. The repair of the setts is necessary, however the methodology raises concerns. A key consideration is the long-term ability to lift repair and relay the stones without unacceptable loss or damage and whether the cementitious bedding would inhibit this. Officers had requested the applicant to explore how other high quality or award winning heritage projects have approached similar issues, this has now been submitted and a more detailed explanation for the mortar and which pitch jointing isn't suitable in this location. The justification is considered satisfactory.
- 6.4. The grip testing results have been further explained and shows a substantial improvement can be achieved with the proposed works helping to justify the harm from the proposals.
- 6.5. The final details of the mortar and supplementary replacement setts are required by condition.

Fountain

- 6.6. Reinstating the fountain as a functioning water feature would deliver substantial heritage and public benefits providing a worthy central feature to the marketplace and help with cooling and regulating temperature.
- 6.7. However, this is no longer being proposed with space constraints being cited for associated plant equipment being provided as reasoning, however, this justification is weak.
- 6.8. A structural assessment by Conisbee has been provided, however no drainage survey has been undertaken and so the report remains preliminary. It is noted that the addendum to the heritage statement states that works will be undertaken to ensure that the future use of the fountain is not jeopardised by the current works.
- 6.9. Without the reinstatement, the visitor experience risks being underwhelming and associated heritage interpretation including the recessed metal strip referencing Hobson's Conduit would be significantly weakened. A clear commitment to restoring the fountains working use is essential to the overall success of the proposals.

Railings

- 6.10. Works to the listed railings would result in a degree of harm. This harm would be partially offset by their proposed reuse elsewhere within the square as tree guards. At this stage the precise method has not been provided and this would be required by condition.

Market Square Form and Alignment

- 6.11. The overall enlargement of the marketplace is not objectionable, however, the kink on the eastern side requires explanation and justification, this has been confirmed to be needed for Highways safety. This is considered reasonable justification despite a harmful impact.

Granite Kerb Stones

- 6.12. The alteration to the raised pink granite kerbs contribute to the spaces legibility and historic character. Therefore, the removal or alterations would result in a degree of harm. However, given the demonstratable public benefits associated with level access this element is not opposed, provided that the perimeter of the market place continues to be defined by a continuous kerb line that matches the Victorian granite.

Lighting

- 6.13. The number of lighting columns has been reduced and amended. The lighting is supported subject to the submission of a lighting strategy, this can be secured by way of condition.

Stalls

- 6.14. The details of the solar panels should be required by condition. A management /maintenance plan should be submitted to ensure the green roofs are well maintained. The solar panels and green roofs would impact the overall consistency and it would be preferable for all to have the same roof treatment.

- 6.15. There are a handful of stalls extending out of the market places which is slightly irregular and would mean further anchors within the highway paving. It is understood that these stalls may not be a permanent feature but clarity on this would be appreciated.

- 6.16. The demountable stalls would require anchors to be permanently affixed to the setts which involve the cutting out of a base pad. Best efforts should be made to avoid cutting through multiple setts and for the mortar to remain tight. The floor plan also shows multiple access hatches /services covers for servicing requirements. This could create visual clutter and so details should be provided which can be covered by condition.

Gates

- 6.17. The gates reduces permeability and openness of the marketplace which forms a vital part of its special interest, the use of four gates is unjustified. The detailed design of the gates would need to be controlled by way of

condition and a heritage interpretation condition also added to ensure that their resulting appearance is contextual and interpretation accurate.

Other

- 6.18. All street furniture must be of durable, high-quality materials appropriate to the historic context. There is seating in front of the Guildhall, if this is attached then LBC is required.

Harm Assessment/ Conclusion

- 6.19. The level of harm is at the medium to upper end of 'less than substantial harm'
- 6.20. The proposals have the potential to deliver a transformative upgrade to Cambridge's most important civic space and many elements are welcomed. However, some matters of details and justification remain unresolved and these are fundamental to ensuring the heritage benefits of the scheme are fully realised and that the benefits of the proposals outweigh the harm.
- 6.21. If minded to approve, recommend the following conditions:
- Material samples
 - Fountain works
 - Sample panels for the sett treatment
 - Lighting strategy
 - Details for street furniture;
 - Gate details
 - Material palette and samples for stalls;
 - Heritage interpretation strategy;
 - PV panels details
 - Maintenance for green roof
 - Public art.

Historic England - No Formal Objection but Technical Concerns (Summary of comments received 13.07.2026 and 07.08.2026)

- 6.22. Historic England welcomes the positive evolution of the scheme in line with the advice given and the amount of detail that has now been provided.
- 6.23. Supportive of the overall approach and recognise the complex but transformative project that would see the most important civic space upgraded and enhanced.
- 6.24. Whilst the revised scheme has addressed some of our previous concerns, there remain some important aspects which require further revision and/or better justification. These relate to:

- Fountain:
 - o Reinstatement would have public benefits and would reinstate the listed structure;
 - o Would strongly recommend that argued space constraints are examined in more details.
 - o Would help weigh against the harm from the other alterations.
- Market Square design and layout:
 - o Slight bend on the eastern side of the square, the cover email provides some detail but it is not clear why this is now needed when not previously present.
 - o Happy to defer to Conservation and Urban Design Officers
- Lighting:
 - o Note the revised position of the lighting columns and further detail provided;
 - o Welcome the improved regularity, however, previous queries regarding the duplication of lamps on the Guildhall front remain.
 - o Support the establishment of a lighting strategy as a condition.
- Setts:
 - o Now more clarity about the Pendulum Tests;
 - o Note that all trials would score above the threshold for a low risk of slipping and therefore compliant;
 - o Acknowledge treated surfaces would score a higher rating but would have a significant impact on the Market Square which raises concerns.
- Mortar Joints:
 - o The updated mortar specification note addresses out queries;
 - o Happy for finer details to be discussed and agreed with Conservation Officers
- Stalls
 - o No objection to new open stalls but would recommend that the same roof type be used to provide a more consistent appearance
- Gates
 - o Object to the four gates being used as per previous comments.

6.25. Welcome the refinements and subject to comments above being addresses the proposals could overcome previous objections and reach a stage we would be comfortable for subsequent detail to be discussed via a condition.

7. Third party representations following 25 March 2026 Committee

7.1. 3 representations in objection and 1 neutral comment have been received:

7.2. Those in objection have raised the following issues:

- Character, appearance and scale
 - Kiosks out of character
- Impact on Traders
 - Demountable stalls are inadequate;
 - Lack of traditional stalls
 - High costs to traders

- 7.3. Those raising neutral comments have given the following reasons:
- Welcome a more balanced proportion of kiosk to gazebos and additional fixed stalls;
 - Do not welcome the loss of landscaping
- 7.4. 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. Member Representations

- 8.1. None received.

9. Local Groups / Petition

- 9.1. None received

10. Heritage assets

- 10.1. The Market Square listing includes the setts and the two sets of iron railings, in addition, the fountain in the centre has a separate grade II listing. The whole site lies within the Historic Core Conservation Area and the site is located within the setting of numerous listed buildings as highlighted in figure 1.

Direct Impact on Listed Setts

- 10.2. Following deferral from March Committee Historic England have had the chance to properly review the sample setts that were installed outside the Giggling Squid on the western side of the Guildhall. In addition, the extent of the setts has been amended and the patterns have been extended across the whole setted surface. Samples of anchoring points have also been installed on the sample surface with square anchoring points being agreed as the best option which the applicants have proposed. Further

details regarding the accessibility of the setts, both existing and proposed has been submitted.

- 10.3. The lifting, treatment and re-laying of setts would result in harm to this heritage asset by way of the physical works that would need to be done to them. The trial which is now proposed is Trial 05 as shown in the following figure which is taken from the submitted Accessibility Testing document.

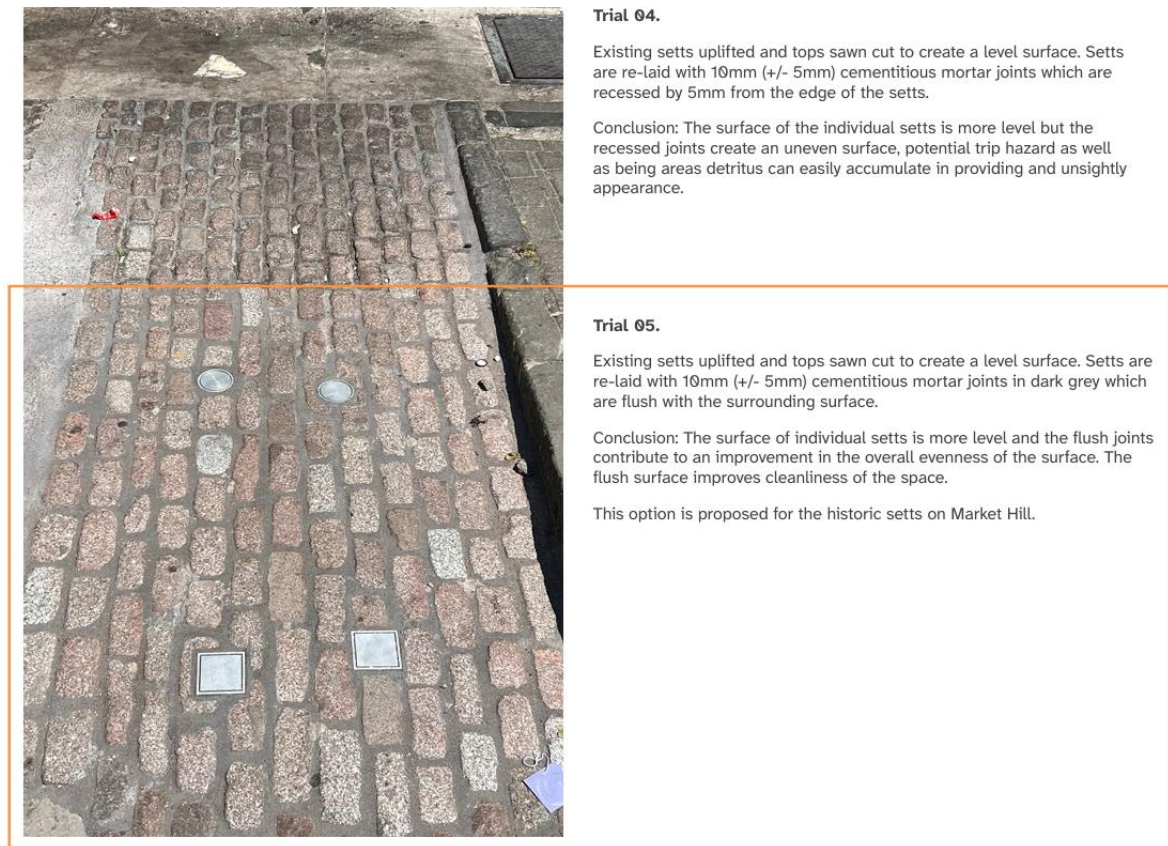


Figure 1: Images of trial setts

- 10.4. As shown in figure 1 the proposed option is to lift the existing setts and saw the top to create a level access and grippier surface. Cementitious mortar in a dark grey which would be flush with the setts is proposed.
- 10.5. This option would result in a high level of harm to the listed surface due to original setts being cut and treated and the use of cementitious mortar over lime mortar. Policy HE4(2) of the NPPF states that any harm to the significance of a designated heritage asset required clear and convincing justification.

- 10.6. Further justification has been provided for these works by way of Accessibility Testing documents which now includes a pendulum slip test. The Accessibility Testing was partially considered within the Committee Amendment Sheet for the March Committee. However, it was noted that Historic England had not had the opportunity to review this.
- 10.7. The Accessibility Testing document shows that when an audit was taken in 2023 by Idacs UK, undulations of 20-25mm were recorded between sett units within the Market Square. Photographs from the audit have been included within the Accessibility Testing documents as shown below.



Photo 18: Zone 11 showing unevenness and worn pointing



Photo 20: Undulation of 20mm on walkway in zone 3.



Photo 19: Zone 11 showing significant hazard and rounded/damage setts.



Photo 21: Undulation of 25mm on the edge of zone 3 and zone 11.

Figure 2: Photos from the Idacs UK Access Audit 2023

- 10.8. Officers acknowledge that the existing setts are uneven and can cause trip hazards, along with difficult conditions for those with mobility issues including wheelchairs.
- 10.9. The applicant measured the undulations on the trial setts and found the height variations to be between 0-8mm which is a significant improvement as shown by the photographs from the Accessibility Testing document below.



↑ Photo 01: Undulation of 5mm on walkway



↑ Photo 03: Undulation of 8mm on walkway



↑ Photo 02: Undulation of 6mm on walkway



↑ Photo 04: Undulation of 3mm on walkway

Figure 3: Photos of undulations on the trial setts, Peas Hill 2026

- 10.10. The applicant has also stated that the treated setts would also provide a grippier surface. Whilst officers accepted this on a visit to the trial setts, the applicant has submitted quantitative evidence to demonstrate this in the form of pendulum testing. A Pendulum Slip Test uses a small swinging arm fitted with a rubber slide which is designed to represent the contact between a shoe and the floor. The arm is released and swings across the surface and the more the rubber slider grips the more the swing is slowed down. The result is recorded as a Pendulum Test Value (PTV) and a higher value generally means the surface provides better slip resistance while a lower value may indicate a greater risk of slipping. The below figure 4 shows the Health and Safety Executive (HSE) categorisation of risk of slip in both table and graph form which shows that the PTV should be no less than 36 in dry, wet and (where relevant) contaminated conditions.
- 10.11. The setts were tested at 3 points within the existing Market Square and at trials 04 and 05 which have included the sawn setts.

Probability of Slip on FLAT SURFACE	Pendulum Test Value	Probability of Slip	HSE Categorisation of Risk of Slip
The table shown here* is the table adopted by the HSE/HSL's Showing Slip Probability. *As researched by Pye and Harrison	PTV OF 36	1 in 1,000,000	Low Risk
	PTV OF 34	1 in 1,00,000	Moderate Risk
	PTV OF 29	1 in 10,000	
	PTV OF 27	1 in 200	
	PTV OF 24	1 in 20	High Risk
	PTV of less than 24	Less than 1 in 20	

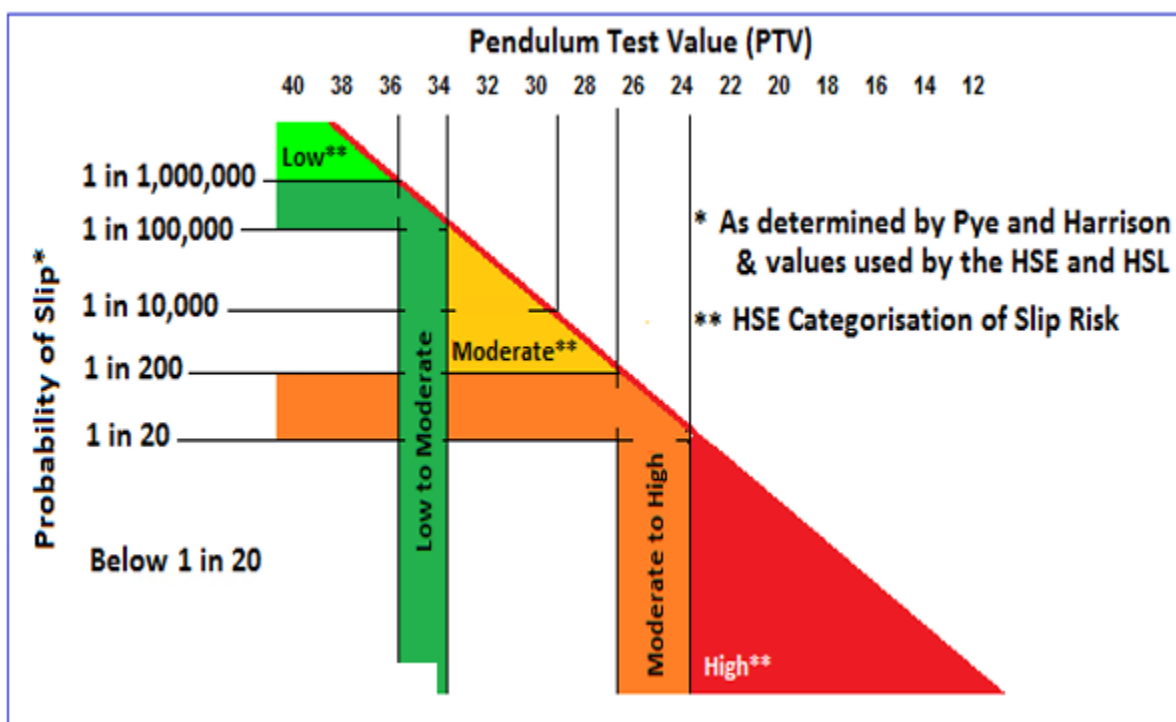


Figure 4: HSE Categorisation of risk of slip

- 10.12. The three samples from the existing Market Square measured between 72 and 79 PTV when dry and between 39 and 50 when wet. The two samples taken from the trial, treated setts, measured 84 PTV when dry and between 73 and 75 when wet.
- 10.13. Whilst all 5 samples were found to be a Low Risk of Slip (above 36 PTV), and the dry samples were not too dissimilar; there is a considerable improvement to the grippiness of the treated setts when wet. As all setts are considered to have a low risk of slip Historic England do not consider that this provides sufficient justification for the harm it would cause to the heritage asset. These comments are noted. However, one of the existing samples was only 3 PTV above the acceptable level whereas the treated setts were at least 37 PTV above this level.

- 10.14. It is also noted that the existing setts vary considerably when wet ranging between 39 and 50 PTV which could result in greater instability when traversing across the square due to the varying levels of slippiness. The Pendulum Slip Test does attempt to represent a shoe on the ground however, shoes can vary in terms of the level of grip that they can provide. The Market Square is a heavily used public space which a wide range of users and so it is recognised that the surface should provide a robust reliable and accessible surface that performs well in all weather conditions.
- 10.15. Whilst Historic England have raised concerns, the Conservation Officer acknowledges the substantial improvement to the surface grip by the works proposed and accept that it helps justify the harm.
- 10.16. To summarise, officers are satisfied that the harm to the setts by way of providing flush mortar and the sawing of the setts to prevent trip hazards and improve the grip of the surface has been justified in accordance with Policy HE4(2) of the NPPF. Notwithstanding the justification, the works would still result in a high level harm, although it is not considered to be substantial harm and so Policy HE6(4) is relevant. Officers consider that the Accessibility Testing document also offers the public benefit specific to this element as it demonstrates the improved accessibility of the space. However, the full planning balance will be discussed in the concluding paragraphs of this report.
- 10.17. Throughout the process, both the Conservation Officer and Historic England have raised concerns with the use of cementitious mortar due to the ability to lift, repair and re-lay the stones without unacceptable damage and have consistently suggested a lime based mortar. However, Conisbee, the Applicant's Civil and Structural Designers have advised that lime mortar would be insufficient for the amount of footfall and vehicle movements and the cementitious mortar is required to comply with the recommendations for BS 7533-101. They also highlighted that the low porosity of granite means that the adhesion is not as strong such that the mortar can be removed from the setts and have submitted a photograph to demonstrate this as shown in the image below.



Figure 5: Photo of setts during previous trial pit works

- 10.18. Notwithstanding this, during the discussions with the applicant it was requested by Conservation and Historic England that the applicant reviews how this issue was resolved successfully in other historic locations. These examples have now been provided by the applicant and include Belton House Estate (National Trust) and Market Place and Victoria Square in Ashbourne which is a Grade II listed sett and flagstone surface both of which used a cement bedding base. The document refers to the Grade II* Soane Stable Yard at the Royal Hospital Chelsea where a more porous mortar was used for drainage purposes however, it explains that this is not suitable in Cambridge and other examples where the final details are not known. The document also explored other alternative solutions such as pitch jointing (bituminous) which is considered to have limited resistance to vehicular loading, sensitive to temperature and high maintenance, and lime mortar, which lacks strength and subject to degradation.
- 10.19. Both the Conservation Officer and Historic England are content with this information and consider the use of cementitious mortar to have been adequately justified in line with Policy HE4(2) of the NPPF. The final mortar mix and colour can be secured by way of condition as part of a condition to this LBC consent.

- 10.20. The demountable stalls would require anchors for them to be safe in incremental weather. This is proposed to be achieved by the installation of ground anchors fitted into the surface of the square. Circular and square shaped anchors were installed into the sample setts on the western side of the Guildhall as shown in figure 1 above.
- 10.21. There is plan within the addendum to the Design and Access Statement demonstrating their proposed indicative locations which shows they will be laid out in a regular pattern. However, as these are not shown on any plan this cannot be secured at this stage. As the demountable stalls have yet to be decided the layout may need to be readjusted accordingly and so it is considered reasonable to deal with the final layout at condition stage.
- 10.22. It is important that best efforts are made to avoid cutting through multiple historic setts and the jointing around them to remain tight. Discussions were held regarding the materials and a darker matte tone with an anodised bronze finish is preferred and it is noted that there is potential for heritage interpretations to the covers and this should be explored. All this final detail can be dealt with by way of condition as the anchors are acceptable in principle.

Direct Impact on the Listed Railings

- 10.23. One set of the listed railings would be removed from their current position and the applicants now propose that they will be re-purposed as tree guards within the square. As such, the harm of their removal would be partially offset as it would allow the historic material to stay present and functional within its original setting. The precise method of dismantling, adaption and re-fixing has not been provided however, this can be dealt with by condition to ensure the re-purposing is undertaken sensitively and without avoidable loss of the historic fabric.

Direct Impact on the Fountain

- 10.24. The application seeks to repair the stone work of the fountain, however, the applicant has confirmed that they will not bring the fountain back into use as a water feature. The applicant has stated that this is due to the lack of space required for the plant needed to bring water back to the fountain.
- 10.25. Both the Conservation Officer and Historic England have raised their disappointment with the lack of the reinstatement of the functionality of fountain and do not consider the lack of storage space to be sufficient

justification for its exclusion. Despite requests for more justification in terms of explanation as to why a stall cannot be set aside for the necessary plant, no further justification has been submitted by the applicant.

- 10.26. Officers concur with the disappointment raised by conservation colleagues and acknowledge that if it were to be brought back into functional use it would represent a significant heritage benefit that could be used to balance the harm to heritage assets by the proposed works. However, Policy HE4(2) of the NPPF only requires full and robust justification when harm is caused. As the applicants are proposing minor repair works the fountain it is not considered that harm is being created in this instance and so officers do not consider a full justification is required.
- 10.27. Subsequently, without this identified benefit, it is considered that the works to the fountain would have a neutral impact on the significance of the heritage asset.
- 10.28. The applicant is proposing that they will install the necessary duct work below ground to enable a future water connection without disturbing the reinstated sett surface. Whilst this approach is limited, it is welcomed as it would safeguard the opportunity to reinstate the fountain at a later date. However, limited information has been provided regarding this. It is noted that there is limited information about what is beneath the setts and so it is not possible to understand the level of work or whether it may actually be feasible to bring reinstate the water until the setts have been lifted. As such, it is considered reasonable to add a condition to request a strategy to provide these details. As a potentially working fountain the future would also improve the public realm and bring benefits such as urban cooling, it is considered reasonable to add this condition to the full application if approved.

Summary

- 10.29. As explained above and within part 10 of the previous report (Appendix A) submitted for the March Committee parts of the proposal would result in harm to the heritage assets. It is important to understand the overall impact of the works on the heritage assets to consider whether Policy HE6(4) is triggered.
- 10.30. Whilst this was summarised in the previous officer report, for ease this is summarised again. Below the table shows of the summary of direct impacts from the main elements of the works on the listed structures.

Proposal	Direct Impact on Listed Structures
Relaying of Setts	High level of 'harm'
Replacement of concrete slabs with setts	Positive
Installation of fixed stalls	Neutral
Demountable stalls anchors	Neutral
Installation of trees	Neutral
Removal and re-use of one set of railings	Low level of 'harm'
Repairing Fountain	Neutral
<i>Net Heritage impact</i>	<i>High level of 'harm'</i>

Table 3 Summary of direct impact on the listed structures in Market Square

- 10.31. As explained above, officers are now comfortable that the harm identified has been justified in line with Policy HE4(2) of the NPPF.
- 10.32. As 'harm' has been identified, Policy HE6(4) of the NPPF is therefore engaged and the harm needs to be considered against the public benefits of the scheme. The net impact of harm varies between the different heritage assets. However, as the highest level of harm is a high level of 'harm' any benefits would need to outweigh this higher identified harm.
- 10.33. Paragraphs 12.5 -12.7 of the previous report explain the public benefits provided by the proposed works. Officers consider these have not been altered since March Committee, however, the accessibility benefit has been strengthened by the Accessibility Testing document which demonstrates the improvement that sawing the setts would bring.
- 10.34. Officers consider that these benefits outweigh the identified harm. It is considered that the proposal is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and policy 61 of the Local Plan.

11. Third party representations

- 11.1. The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third party comment	Officer response
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Comments regarding any elements not directly related to the listed structures	Many comments relate to elements of the scheme which have been considered under 25/04382/FUL which is the linked full planning application for the scheme. This listed building consent only deals with matters relating to elements directly affecting the listed structures.
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Table 4 Officer response to third party representations

12. Planning balance

- 12.1. 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).
- 12.2. Summary of harm
- 12.3. Harm has been identified in relation to the heritage assets. The level of harm varies between each of the heritage assets, however, a high level of 'harm' has been identified to the listed setts due to the listing, sawing and resetting of them in a cementitious mortar. The harm has been summarised within table 3 of the report. Officers consider this should be given significant weight in the planning balance.
- 12.4. Summary of benefits
- 12.5. The proposed works are considered to significantly improve the accessibility of the Civic Quarter, particularly for users with mobility impairments. The re-laying and treatment of the setts would allow for a more level, safer surface for the market area which benefits from a high footfall. Due to the historic nature of Cambridge city centre there are large areas that are difficult to traverse for those with mobility disabilities, and the development would introduce an inclusive space in a central location. It is considered that this should be given significant weight.
- 12.6. The consistent paving across the space along with the removal of the concrete slabs on the listed surface of Market Square would allow for an increased legibility of the area. These visual improvements are considered to have significant weight.
- 12.7. Subject to sufficient management, the use of demountable stalls within the southern half of Market Square would result in a more flexible and open space which is beneficial to the designated public open space. As, the

northern half of the site would contain more permanent fixed stalls, it is considered that this should be given moderate weight.

12.8. Taking all of the above into account, officers conclude that the development, on balance is acceptable. Officers iterate that this conclusion is finely balance and is reliant on further details which can be secured by conditions.

12.9. Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for **approval**.

13. Recommendation

13.1. **Approve** subject to:

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

14. Planning conditions

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to the removal of any of the setts within Market Square, a methodology for the works to the historic setts shall be submitted to and approved in writing by the Local Planning Authority. The methodology shall include details of how the setts shall be lifted,

carefully stored, treated and re-laid. The works shall be carried out in accordance with the approved details.

Reason: To ensure appropriate treatment methods are used and to ensure that the setts will not be unduly damaged to ensure important features of the listed structure are conserved and to be in accordance with Policy 61 of the Cambridge Local Plan 2018

4. Prior to the removal of any of the setts within Market Square, a sample panel of reused setts, mortar mix and joint widths (including as a guide, 12 lines of setts per linear meter, joint widths of 10-20mm, in a lime based mortar recessed from the sett tops) to be approved by the Local Planning Authority and retained in-situ as a reference area. The re-laying works shall be carried out in accordance with the approved sample.

Reason: to ensure important features of the listed surface are conserved and to be in accordance with Policy 61 of the Cambridge Local Plan 2018

5. Any additional setts which may be needed to make up shortfalls in the surface shall be agreed to in writing with the Conservation Officer. No additional setts shall be used without this prior agreement.

Reason: to ensure important features of the listed surface are conserved and to be in accordance with Policy 61 of the Cambridge Local Plan 2018

6. Prior to the installation of any fixed stalls, the final details of the mechanism for the foundations shall be submitted to and approved in writing by the Local Planning Authority. The pedestal interface with the Listed setts shall be designed to be detachable at surface level. The works shall be carried out in accordance with the approved details.

Reason: To avoid permanent damage to the market surface should the stalls need to be renewed / altered in future in accordance with Policy 61 of the Cambridge Local Plan 2018

7. Prior to the installation of any in ground anchors for the demountable stalls, final details of the anchors shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: to ensure important features of the listed surface are conserved and to be in accordance with Policy 61 of the Cambridge Local Plan 2018

8. The setts shall continue underneath any fixed market stall positions.

Reason: So that the original extents of the finish of the market square are retained in accordance with Policy 61 of the Cambridge Local Plan 2018.