



Planning Services

Interim Planning Policy Guidance on The Protection of Public Houses in the City of Cambridge

October 2012

Cambridge City Council

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1. INTRODUCTION

Scope and Purpose of this Guidance

- 1.1 In recent years more than twenty pubs in Cambridge have been lost to alternative uses, most commonly for residential development or conversion to restaurants or have simply closed and are currently vacant. A number of factors can be cited and attributed to the decline in public houses. These include competition from supermarket discounting of alcohol, changes to people's drinking habits, a ban on smoking in public areas, pressure to realise higher value housing development and the ability of public houses to change use to restaurants without the need for planning permission.
- 1.2 Many public houses occupy large plots and have capacity for several dwellings to be built on site or for conversion to apartments, making them attractive residential development investments. In a declining market, some breweries and pub companies have sought to take poor performing pubs out of the pub market (providing a better market for the remaining pubs in their portfolio) and realise their alternative use value. However, some closed public houses may still be commercially viable if managed by a different pub company or under a different system (e.g. as free houses).
- 1.3 Public houses can play a crucial social role in supporting local community interaction and activities to help maintain sustainable neighbourhoods; an economic role in contributing to the vibrancy and vitality shopping and commercial areas; and an environmental role in their intrinsic value to the cultural and historic heritage of local areas. This is reflected by the recent National Planning Policy Framework (NPPF), which encourages a positive approach towards the delivery and "use of community facilities (such as local shops, meeting places, ..., public houses and places of worship) ... to enhance the sustainability of communities and residential environments;" (NPPF, Para 70).
- 1.4 This Interim Planning Policy Guidance (IPPG) addresses the current concerns raised by local community groups to guide the protection of public houses in Cambridge. The IPPG therefore provides a supplement to the 'saved' policies in the Cambridge Local Plan (2006). The IPPG will be a material consideration in determining any planning applications for existing public houses in the City of Cambridge district.

Status of the IPPG

- 1.5 The plan led system would normally require a revised statutory planning policy to be prepared where a new approach to development is proposed. However, in the context of current development trends and local public concerns, the Council has agreed that the most appropriate policy approach is to develop an IPPG and for this to broadly follow the same process to that of developing a Supplementary Planning Document or SPD (see section below). It is intended that the policy approach in this IPPG (and the accompanying evidence base) is incorporated into the Council's forthcoming Local Plan Review at the earliest opportunity in order to provide a robust policy to protect public houses in the future.
- 1.6 This interim guidance will provide a policy framework prior to adoption of the new Local Plan to clarify the circumstances when it is acceptable for a public house to be lost to alternative uses and when it is not acceptable. The guidance will also be used

to help determine planning applications relating to the loss of a current or former public house to alternative uses.

Process of Preparation

- 1.7 In order to give the IPPG as much weight as possible as a material consideration in the determination of planning applications, its preparation has been similar to that for an SPD. A wide and detailed evidence base has been put together. Consultants were commissioned to carry out research, produce a report ("Cambridge Public House Study" by GVA Humberts Leisure, April 2012) and draft the IPPG.
- 1.8 The report included: (1) an analysis of national market trends, (2) a benchmarking analysis, (3) a local market assessment including an audit of existing Cambridge pubs (including the creation of a GIS layer), (4) a review of planning policy and decisions (including an analysis of those pubs lost to alternative uses/closure in recent years), and (5) an options appraisal of various policy approaches.
- 1.9 Consultation took place on the draft IPPG and the background report commencing on the 15 June and lasting for 6 weeks. The IPPG was amended in the light of comments received during consultation.
- 1.10 Following adoption at the Council's Environment Scrutiny Committee on 9 October 2012, the IPPG is a material consideration in the determination of planning applications submitted on or after 9 October 2012.

2. CONTEXT

Area Covered by the IPPG

- 2.1 This IPPG is applicable to all land within the administrative area of Cambridge City Council.

Timing & Commencement

- 2.2 The IPPG guidance is to be applied to premises that were public houses in July 2006, the date when the current Local Plan was adopted. This ensures consistency between the Local Plan and the NPPF. Buildings that were public houses in July 2006 are present on the list of safeguarded pubs at Section 5 and all of these are subject to the IPPG. This list includes any pubs with unimplemented planning permissions and applications involving these pubs will be determined in accordance with the IPPG despite the presence of unimplemented planning permissions for alternative uses.

Planning Policy Context

National

- 2.3 The NPPF was published on 27 March 2012 and resulted in the cancellation of the national planning policy guidance notes and statements (with the exception of certain practice guides).
- 2.4 The NPPF sets the achievement of sustainable development as its key focus. Sustainable development encompasses economic, social and environmental factors. Public houses contribute to and support all three of these factors and as such they have an essential role to play in the building and maintaining of a strong, responsive and competitive local economy. Cambridge's pubs contribute strongly to attracting students, academics, young workers and tourists that its economy and future growth depend upon. Moreover, pubs help to support social and cultural well-being by providing a place for social interaction within a community. Many pubs are also integral to the physical and cultural heritage of the city. A thriving local pub sector is therefore important to achieving sustainable development. Given these significant economic and social benefits, it is vital to consider safeguarding pubs in order to ensure sustainable development as per the NPPF.
- 2.5 The NPPF provides a wealth of general support for economic development, development that promotes social inclusion & cohesion and community facilities. In particular, paragraph 70 deals with community facilities and services including public houses. It recommends that planning policies and decisions should:
- *“plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
 - *guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*

- ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community; and
 - ensure an integrated approach to considering the location of housing, economic uses and community facilities and services."
- 2.6 National planning policy advises that community facilities including public houses enhance the sustainability of local communities and should be safeguarded and retained for the benefit of the community while allowing them to develop and modernise in a sustainable way.
- 2.7 Paragraph 28 whilst targeted at rural areas is relevant to the outlying areas of Cambridge such as Trumpington and Cherry Hinton. It states that:
- "Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:*
- (4) promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship."*
- 2.8 With regard to maintaining flexibility to respond to changes in economic circumstances, paragraph 14 of the NPPF includes the following on plan-making:
- "Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: (a) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or (b) specific policies in this Framework indicate development should be restricted"* (emphasis underlined).
- 2.9 In addition, paragraph 21 states that:
- "Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing. In drawing up Local Plans, local planning authorities should: (3) support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances"* (emphasis underlined).
- 2.10 This need for flexibility is also highlighted in Paragraph 153 with regard to Local Plans. This states that:
- "Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should*

not be used to add unnecessarily to the financial burdens on development" (emphasis underlined).

- 2.11 The IPPG accords with the NPPF in terms of providing protection to public houses being important community facilities while ensuring that redevelopment or change of use is possible subject to a set of criteria being met. This ensures that the IPPG is not anti development and that there is the flexibility to allow development where it would be in the interests of the economy or community.
- 2.12 Notwithstanding the terms of the IPPG, public houses will retain a significant degree of economic flexibility with their ability to change to any of Use Classes A1, A2 or A3 without planning consent. Please note that it is not proposed to withdraw these rights (through the use of an Article 4 Direction) in order to retain sufficient flexibility to allow the pub market to be able to adapt to rapid change. However, the Council will investigate Article 4¹ directions as a separate legal process.
- 2.13 Paragraph 130 of the NPPF is also relevant. It refers to the deliberate neglect of heritage assets and would relate to public houses where they are locally or nationally listed or part of a Conservation Area. The NPPF advises that the deteriorated state of the heritage asset should not be taken into account in any planning decision. The NPPF definition of a heritage asset is included in the Glossary to this IPPG.

Local

- 2.14 Existing policy relating to pubs and community facilities is set out in the Cambridge Local Plan (2006) (policies saved in July 2009) - Saved Policy 6/6 (Change of Use in the City Centre), Saved Policy 6/7 (Shopping Development and Change of Use in District and Local Centres), Saved Policy 6/10 (Food & Drink Outlets), Saved Policy 5/11 (Community Facilities: Protection of Existing Facilities), Saved Policy 5/12 (New Community Facilities) and Saved Policy 3/10 (Sub-division of Existing Plots).
- 2.15 None of the first three policies seek to prevent the redevelopment or change of use of public houses. Furthermore, Policy 5/11 relates only to traditionally defined community facilities specifically and does not include public houses within its remit.
- 2.16 In the appeal dismissal concerning The Carpenters Arms (182-186 Victoria Road, Cambridge), the Inspector followed advice in the NPPF concerning public houses being community facilities and applied significant weight to the NPPF in respect of this guidance. The Inspector concluded that in order to determine whether a change of use of the building (a valued community facility) is necessary it should first be marketed as a public house. This approach would also be consistent with how applications for changes of use in relation to other local community facilities are dealt with under policy 5/11 of the Local Plan.
- 2.17 In respect of new public houses, Saved Policy 5/12 "New Community Facilities" would apply. The NPPF states that a public house is a community facility and therefore new public houses would be determined against Saved Policy 5/12. Essentially, it is necessary to prove a local need in order to be in accordance with the policy.

¹ An Article 4 direction allows Local Planning Authorities to withdraw the 'permitted development' rights that would otherwise apply by virtue of the Town and Country Planning (General Permitted Development) Order 1995 as amended. An article 4 direction will not prevent the development to which it applies, but instead requires that planning permission is first obtained from the LPA for that development.

However, it would also be necessary to adhere to other general design policies and have regard to normal environmental and amenity considerations.

- 2.18 In respect of the protection or retention of large pub gardens or car parks, Saved Policy 3/10 "Sub-division of Existing Plots" will be applied. Large outdoor spaces attached to pubs will be subject to similar pressures for residential development as for large private dwellinghouse gardens or other open spaces. This policy includes as criterion b, the need to provide adequate amenity space and parking for existing properties. Therefore, residential development proposed on pub gardens or car parks will need to ensure that there is sufficient open amenity space left for the needs of the pub and its customers.

Need for the IPPG

- 2.19 At the time of writing, there are approximately 86 public houses still open and trading in Cambridge. More than 20 public houses have disappeared in the past five years; more if those that have become restaurants are included.
- 2.20 The closure of public houses in recent years has become a local concern. Many have subsequently been demolished and rebuilt as flats or student accommodation; others have been converted into dwellings while retaining their existing structure. A number have changed into restaurants and have lost their appearance and usage as a public house. Some have just been closed.
- 2.21 Nevertheless there is still a market for public houses given the right management and sales offer. The Carlton Arms, Cambridge Blue, Devonshire Arms and Maypole are examples of some of the successful public houses in Cambridge that offer a wide range of real ales. The Old Spring, d'Arrys Cookhouse, and St John's Chop House, are examples of pubs which have increased turnover by developing as 'gastro-pubs' with a high quality food offer and many other pubs have sought to introduce a stronger food offer, with many breweries demonstrating increased like for like sales during the recession largely based on a growth in food sales. Other pubs, such as the Emperor have successfully increased sales by putting on a variety of entertainment including comedy evenings and bands/music groups playing live in the evening. Others host dance classes, quiz nights and a meeting area for local community groups. All these activities provide opportunities for social interaction and promote social cohesion.
- 2.22 The Council has thus far in their reasons for refusal and appeal statements made reference to the draft NPPF² and Planning Policy Statement 4 "Planning for Sustainable Economic Growth"³. The Council's position has improved with the publication of the NPPF but there remains a clear need for local planning guidance that has been prepared with specific regard to the needs of public houses in Cambridge.

² Final version published on 27 March 2012

³ Cancelled on 27 March 2012 due to publication of the NPPF

3. THE IMPORTANCE OF THE PUBLIC HOUSE

- 3.1 The public house is more than just a retail business. It plays an important role at the heart of many local communities, providing a hub through which social networks can be maintained and extended.
- 3.2 According to "Pubs and Places", 2nd Edition (IPPR, Jan 2012), pubs are important for a number of reasons, including:
- They act as hubs for the development of social networks between local people;
 - They contribute to the local economy and provide jobs both directly (at the pub) and indirectly (e.g. at a brewery);
 - Pubs promote community cohesion by facilitating interactions between people from different backgrounds at the local level;
 - Pubs provide facilities/space for recreation and leisure activities including amongst others: pub quizzes, darts competitions, pool leagues, political discussion, meetings of local interest groups and community events;
 - Pubs often promote and/or provide certain additional public services; and
 - Pubs are culturally important institutions and are considered to offer certain things that are becoming rare in a society being shaped by global commercial pressures.
- 3.3 Recent research undertaken by CAMRA as described in a press release⁴ announcing the first ever Community Pubs Month shows that pubs play an integral role throughout the lives of local communities. The research shows that just fewer than 9 in 10 young pub going adults visit their local pub to meet friends and socialise. Furthermore, about a quarter of all currently married couples met their partner at a pub. Further research shows that over 1 in 3 adults use their pub for events such 'community events' such as weddings, christenings and funerals.
- 3.4 Moreover, pubs are an important part of the Cambridge economy, not just for the direct and indirect jobs they provide in the pub supplier, food and brewing industries, but in supporting the city's main industries by attracting and providing a meeting place for students, academics, scientists and entrepreneurs, and in attracting office workers, shoppers and tourists.
- 3.5 Furthermore, the network of existing public houses makes a positive contribution to the historic character and appearance of the city. This is particularly the case for those pubs in the town centre or along the riverside. Along the River Cam, pubs help to retain and enhance the quality of the river's setting and appearance. Often older public houses are located in and contribute to the character of Conservation Areas or are considered to be of sufficient architectural or historic merit to warrant listed buildings protection. Some public houses not benefiting from national listed building protection are designated as Buildings of Local Interest (BLI). Fourteen public houses in Cambridge benefit from national listing (LB). A further ten are included within the BLI list. The list of pubs at Section 5 is annotated with either LB or BLI to show which

⁴ 02 April 2012 - http://www.camra.org.uk/article.php?group_id=5675

benefit from this additional protection. The presence of public houses in a city help to enable local people and visitors alike to enjoy the City's character, including its history.

4. DEVELOPMENT MANAGEMENT PRINCIPLES

- 4.1 This guidance has been prepared to take account of three main principles:
- a) The need to preserve the important social/community function of the public house;
 - b) The need to preserve the important economic function of the public house; and
 - c) The need to allow flexibility in terms of responding to economic change.

Proposals affecting properties currently or previously used as a Class A4 public house

- 4.2 This section of the IPPG sets out the principles for development affecting public house sites in Cambridge. Applicants should justify their proposals for change of use/conversion/redevelopment (where planning permission is required) against the principles and criteria in this section.
- 4.3 Following an audit of Cambridge's pubs (including some former pubs in use as restaurants), these have been assessed as meeting a local suburban community need, or a broader city wide and local community need within an important cluster of related pub types, or a city/village centre economic and tourist need. These are listed in Section 5 of this IPPG.
- 4.4 The following criteria should be used in the assessment of the application for development proposals affecting the loss of a current or former public house (as listed in Section 5).
- 4.5 Development will only be permitted where evidence has been provided to satisfy the following criteria:
- (a) The pub has been marketed for 12 months as a public house free of tie and restrictive covenant and for alternative local commercial or community facility, at a price agreed with the Council following an independent professional valuation (paid for by the developer) and there has been no interest in either the free- or lease-hold either as a public house, restaurant or other use falling within the 'A' use classes or as a community facility falling within 'D1' use class; and
 - (b) All reasonable efforts⁵ have been made to preserve the facility (including all diversification options explored – and evidence supplied to illustrate this) but it has been proven that it would not be economically viable to retain the building or site for its existing or any other 'A' or 'D1' class use; and
 - (c) It has been otherwise demonstrated⁶ that the local community no longer needs the public house or any alternative 'A' or 'D1' class use and its loss would not damage the availability of local commercial or community facilities that provide for day-to-day needs in the local area.

⁵ See Annex B

⁶ See Annex C

- 4.6 In order to demonstrate that the site has been adequately marketed in accordance with criteria (a) the marketing exercise should be carried out in accordance with the guidance given in Annex A to this IPPG.
- 4.7 In order to demonstrate that the operation is no longer economically financially viable in accordance with (b) the Council will expect to see full financial evidence to substantiate the claim in accordance with Annex B to this IPPG.
- 4.8 In order to demonstrate that there will be adequate alternative provision of commercial community facilities to serve the needs of the local population in accordance with criteria (c) the applicant will need to address the guidance in Annex C of this IPPG.
- 4.9 In preparing the IPPG, a number of appeal decisions dealing with the need for marketing were considered. These are set out in the Cambridge Public House Study Report.
- 4.10 In cases where a planning application concerns a heritage asset (please refer to the glossary in section 6. for a definition) and there is evidence of deliberate neglect of or damage then the deteriorated state of the heritage asset will not be taken into account in any planning decision.

Proposals affecting other Class A uses which were previously in a Class A4 pub use

- 4.11 Cambridge City Council recognises that it is possible to use permitted development rights contained in the Use Classes Order to change the use of a pub to a restaurant/café (Class A3), financial or professional services office (Class A2) or retail shop (Class A1).
- 4.12 In approximately the last ten years, 6 pubs have been lost to restaurant uses. The council considers it is important to allow the flexibility for pubs to pass in and out of pub use according to market conditions; although, no permission is required to change use from a pub to a restaurant, A2 office or shop, permission is still required to change back to a public house.
- 4.13 Therefore, the above criteria allow flexibility in the re-use of pubs for alternative commercial community leisure, retail and business uses falling within 'A' use classes as market circumstances dictate or as a community facility⁷. In addition, the Council will consider applications on their merits for the reinstatement of a former public house use from an A1, A2, A3, A5, or D1 use (subject to highway and amenity considerations and normal conditions).
- 4.14 Any proposals to convert or redevelop a former public house (as listed in Section 5 of this IPPG) since converted to a different 'A' use to a non-A use, will still be subject to the above Development Management Principles.

Proposals for new Public Houses (A4 uses)

- 4.15 The current Local Plan is under review and should strategic sites for new housing development come forward in the next plan period, there could be opportunities to

⁷ defined under Policy 5/11 Community Facilities: Protection of Existing Facilities

provide new public houses to satisfy local demand and help to create vibrant and sustainable communities.

- 4.16 Saved Policy 5/12 "New Community Facilities" encourages new community facilities. The NPPF at paragraph 70 confirms that planning policies should plan positively for community facilities including public houses, in order to secure sustainable communities.
- 4.17 Accordingly, proposals for public houses will be encouraged to serve new residential communities of more than 3,000 new households; where the pub is co-located with other new commercial, retail & community facilities including recreational and amenity open space; and, where the pub is centrally located on a prominent site with good visibility or on the main arterial transport route into and out of the new community.
- 4.18 It would also be necessary to adhere to other general design policies and have regard to normal environmental and amenity considerations.

Proposals affecting pub gardens and car parks

- 4.19 Saved Policy 3/10 "Subdivision of Existing Plots" would be applied to any proposals for the subdivision of a public house plot such as development in pub gardens or car parking areas. Policy 3/10 states that:

Residential development within the garden area or curtilage of existing properties will not be permitted if it will:

- (a) have a significant adverse impact on the amenities of neighbouring properties through loss of privacy, loss of light, an overbearing sense of enclosure and the generation of unreasonable levels of traffic or noise nuisance;
 - (b) provide inadequate amenity space, or vehicular access arrangements and parking spaces for the proposed and existing properties;
 - (c) detract from the prevailing character and appearance of the area;
 - (d) adversely affect the setting of Listed Buildings, or buildings or gardens of local interest within or close to the site;
 - (e) adversely affect trees, wildlife features or architectural features of local importance located within or close to the site; and
 - (f) prejudice the comprehensive development of the wider area of which the site forms part.
- 4.20 It will be important in any development proposal affecting a pub garden that sufficient garden space is maintained to provide outdoor space for both smokers all year round and summer use by non smokers.
- 4.21 When considering proposals for the development of car parking areas, the Council will require evidence that this will not undermine the viability of the pub, especially in the outer suburbs or village areas or site adjacent to main roads.

5. LIST OF SAFEGUARDED EXISTING AND FORMER PUB SITES

- 5.1 The following is a list of all of those existing and former public house sites to which the IPPG relates.
- 5.2 The public houses in the list are annotated with (LB) or (BLI) to indicate whether a Listed Building or Building of Local Interest.

Pub Sites providing an important Local Community Facility in Suburban Areas

The Brook	25 Brookfields
Carlton Arms	Carlton Way
The Corner House	231 Newmarket Road
Dobblers Inn	184 Sturton Street
The Dog & Pheasant	169 High Street, Chesterton
Earl of Beaconsfield	133 Mill Road
Five Bells	126 – 128 Newmarket Road
Fleur de Lys	73 Humberstone Road
Golden Hind (BLI)	355 Milton Road
Green Dragon (LB)	5 Water Street
Haymakers	54 High Street, Chesterton
Jenny Wren	80 Campkin Road
The Med	Perne Road
Milton Arms	205 Milton Road
Panton Arms	43 Panton Street
Portland Arms (BLI)	129 Chesterton Road
Queen Edith	Wulfstan Way
The Ranch	100 Histon Road
Red Bull	11 Barton Road
Robin Hood	1 Fulbourn Road
The Rock	200 Cherry Hinton Road
Rosemary Branch	503 Coldhams Lane ⁸
Royal Standard	292 Mill Road
Seven Stars	249 Newmarket Road
The Ship	Northfield Avenue
Six Bells	11 Covent Garden
Spice Merchant (former Volunteer)	60 Trumpington Road
The Tally Ho	77 High Street
The Tivoli	16 Chesterton Road
The Unicorn	15 High Street, Cherry Hinton
The Wrestlers	337 Newmarket Road

Pub Sites within edge of city clusters providing an important city wide economic and local community function

Alexandra Arms	22-24 Gwydir Street
The Alma	26 Russell Court
The Bakers	176 East Road
Baron of Beef (LB)	19 Bridge Street
The Bird in Hand	73 Newmarket Road
Burleigh Arms	9-11 Newmarket Road
Cambridge Blue	85-87 Gwydir Street
Carpenters Arms	182 Victoria Road
Castle Inn (LB)	36-38 Castle Street

⁸ This has been moved into this category on the grounds that initial concerns over a small local catchment may not be valid due to the potential for development in the surrounding area.

Champion of the Thames (LB)	68 King Street
Clarendon Arms	35-36 Clarendon Street
County Arms	43 Castle Street
Devonshire Arms	1 Devonshire Road
Elm Tree	Orchard Street
The Emperor	21 Hills Road
The Empress	72 Thoday Street
The First & Last	18 Melbourne Place
The Flying Pig	106 Hills Road
The Free Press (BLI)	7 Prospect Row
The Geldart	1 Ainsworth Street
The Grapes	Northfield Avenue
Hopbine	11-12 Fair Street
King Street Run (LB)	88 King Street
Kingston Arms	33 Kingston Street
Live & Let Live	40 Mawson Road
The Locomotive	44 Mill Road
Man on the Moon	2 Norfolk Street
Maypole	20A Portugal Place
Meghana (former Blackamoors Head)	205 Victoria Road
The Mitre (LB)	17-18 Bridge Street
The Old Spring	1 Ferry Path
Osbourne Arms	108 Hills Road
Panton Arms	43 Panton Street
The Punter (BLI)	3 Pound Hill
The Ranch	100 Histon Road
Salisbury Arms	76 Tenison Road
Sir Isaac Newton	84 Castle Street
The Snug	170 East Road
St John's Chophouse	21-24 Northampton Street
St Radegund	129 King Street
Tang (former Ancient Druids)	Napier Street
Tram Depot	5 Dover Street
Waterman	32 Chesterton Road
The White Swan	109 Mill Road
Zebra	80 Maids Causeway

City centre, riverside or village pub and bar sites providing an important economic and tourist function

All Bar One	36 St Andrews Street
The Anchor (BLI)	Silver Street
The Avery	69-73 Regent Street
Baroosh (BLI)	8 Market Passage
The Bath House (LB)	3 Benedict Street
Boathouse	14 Chesterton Road
The Castle (BLI)	37 St Andrews Street
The Cow (LB)	Corn Exchange Street
d'Arry's Cookhouse	2-4 King Street
Eagle (LB)	Benedict Street
Earl of Derby (BLI)	129 Hills Road
Fort St George (LB)	Victoria Avenue
The Fountain	12 Regent Street
The Granta	14 Newnham Terrace
Great Northern (BLI)	1-3 Station Road
Green Man (LB)	55 High Street
Henry's	Quayside
Japas (former Cross Keys)	9 Saxon Street

The Jolly Scholar	1 King Street
The Mill (LB)	14 Mill Lane
Oak Bistro (LB)	6 Lensfield Road
Old Orleans	Mill Lane
Penny Ferry	110 Water Street
Pickerel Inn (LB)	30 Magdalene Street
Prince Regent	19 Regent Street
Quinns	20 Downing Street
Red Lion (LB)	20 Mill End Road
The Regal (BLI)	38-39 St Andrews Street
Revolution Bar	3-8 Downing Street
Slug & Lettuce	34-35 Green Street
The Snug	67 Lensfield Road
Travellers Rest	Huntington Road
The Unicorn	22 Church Lane, Trumpington

Pubs not included within the above and why

Cow & Calf	Pound Hill	- redeveloped
Duke of Argyle	90 Argyle Street	- redeveloped
Five Bells	143 High Street, Cherry Hinton	- redeveloped
Greyhound	93 Coldhams Lane	- severed from local catchment
The Grove	Arbury Court	- permission for community centre and place of worship
Hat & Feathers	35 Barton Road	- redeveloped
Jubilee	73 Catharine Street	- redeveloped
Rose & Crown	110 Newmarket Road	- permission for change of use to offices/residential and financial professional services

6. GLOSSARY

District Centres - will usually comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.

Heritage Asset - A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and undesignated heritage assets identified by the local planning authority (including local listing).

Local Centres - include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include, amongst other shops, a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.

NPPF – The National Planning Policy Framework (as published 27 March 2012)

Sui Generis - Where uses do not fall within the four main use classes. Examples include Theatres, Nightclubs and Casinos.

Use Classes - The Town and Country Planning (Use Classes) Order 1987 (as amended 2005) established Use Classes, which is a system of categories of different types of uses.

Use Class A1 - Shops where the sale, display or service is to visiting members of the public (shops, hairdressers).

Use Class A2 - Financial and professional services where the services are provided principally to visiting members of the public (banks, estate agents).

Use Class A3 - Restaurants & cafés - places where the primary purpose is the sale and consumption of food and light refreshment on the premises.

Use Class A4 - Public houses, wine bars or other drinking establishments - premises where the primary purpose is the sale and consumption of alcoholic drinks on the premises.

Use Class A5 - Take-aways - premises where the primary purpose is the sale of hot food to take-away.

Use Class D1 - Non-Residential Institutions - Clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law courts, non-residential education & training centres.

7. BACKGROUND DOCUMENTS

Cambridge Local Plan, Cambridge City Council, 2006

National Planning Policy Framework, March 2012

Cambridge Public House Study(GVA Hotels and Leisure, May 2012)

ANNEX A – MARKETING STRATEGIES

With respect to the Policy contained within this IPPG, developers should note the following in terms of marketing a current or former public house listed in section 6:

- Details shall be provided of the company/person who carried out the marketing exercise.
- The Marketing process should last for 12 months, unless a focussed marketing strategy has been pre-agreed in writing with the local planning authority, in which case only 6 months is required.
- The asking price⁹ should be pre-agreed in writing with the local planning authority following independent valuation (funded by the developer) by a professional RICS valuer with expertise in the licensed leisure sector and who is not engaged to market the property.
- The marketing exercise should be sufficiently thorough and utilise all available forms of advertising media and therefore include as a minimum:
 - A For Sale/For Rent Signboard;
 - Advertisements¹⁰ in the Local Press;
 - Advertisements⁹ in appropriate trade magazines/journals;
 - Advertisements⁹ on appropriate trade websites;
 - Advertisements⁹ through both national and local estate agents (including their websites); and
 - A targeted mail shot or email to an agreed list of potential purchasers.

Copies of all sales literature (and in the case of a signboard, dated photographs) will be required.

- Both freehold and leasehold options should be made available without a 'tie' requiring the purchase of drinks through the vendor and without restrictive covenants that would otherwise prevent re-use as a public house such that other pub operators, breweries, local businesses or community groups wishing to take over the premises and trade it as a pub are not excluded.
- Copies of all details of approaches and offers should be provided together with full reasons as to why any offer has not been accepted.

⁹ The asking price(s) should be based on the valuation of the site as a trading pub without tie. Although the pub site should be marketed as a site for a pub, or alternative A and D1 class uses, it is considered unreasonable to ask for a valuation to agree a price for such a wide range of uses.

¹⁰ Adverts should contain a similar amount of detail as a property listing in an estate agents.

- As part of the community consultation exercise (refer to Annex C), the public are to be informed about the marketing strategy and allowed the opportunity to put together their own bid.
- Any attempts to sell the business at a price which reflects its current use should relate to the business in its entirety, and not to parts of it, for example the buildings without the accompanying garden or car park.

ANNEX B - VIABILITY APPRAISALS

With respect to the Policy contained within this IPPG, developers should note the following in terms of the provision of data to help the local authority determine whether the public house is no longer economically viable as a commercial community facility:

- A commercial viability study should accompany any application for redevelopment or change of use.
- As a part of this study, evidence is required in the form of at least the last three trading years of audited accounts.
- All reasonable efforts have been made to preserve the public house (including all diversification options explored) and evidence supplied to illustrate that it would not be economically viable to retain the building or site for its existing or any other 'A' use class. Examples of the initiatives or proposals that could be explored are as follows:
 - Adding a kitchen and serving food with or without a dining area, or improving the existing food offer;
 - Making the pub, garden, food offer more 'family-friendly';
 - Providing events and entertainment such as quiz nights, amplified or non-amplified live music, comedy/cabaret nights;
 - Hiring rooms out or otherwise providing a venue for local meetings, community groups, businesses, youth groups, children's day nurseries;
 - Provision of bed & breakfast or other guest accommodation;
 - The setting up of micro-brewery;
 - Sharing the premises with other businesses;
 - Providing smoking shelters;
 - Providing Tourist Accommodation on upper floors (i.e. a Bed & Breakfast option);
 - Providing a local shop in part or all of the premises; and
 - Altering opening hours;
 - Offering take-away food and off-licence services.

Note that this list is not exhaustive and not all ideas will apply to every public house. Diversification should initially focus on ways to retain the public house use before changing the site to alternative 'A' uses.

- Details should also be provided of any changes to the public house in the period that corresponds with the trading information plus 1 year beforehand (so 4 years in total) that may have impacted on the business. For example:
 - Did the opening hours alter so that the pub opened less often or less frequently?
 - Were any facilities (e.g. kitchen, darts board, pool table etc) removed or regular events (e.g. quiz) cancelled?
 - Was space for meetings redeveloped or were any local groups told they could no longer use the space?

Note that this list is not exhaustive and the local planning authority may seek evidence through standard community consultation procedures.

- The local planning authority will require evidence that demonstrates that the public house has been operated positively i.e. that it has not been run poorly in order to smooth the way for redevelopment. Applicants should be aware that local people/customers will provide anecdotal evidence in response to neighbourhood consultations on any planning application submission.
- With regard to the evidence mentioned in respect of diversification options, changes to the public house and how it has been operated, the local planning authority will require written records. This could take the form of a Statutory Declaration undertaken by the owner/manager (or a written report) together with supporting documents such as letters from customers/suppliers/staff, invoices for works carried out, dated photographs to allow a comparison of facilities.

ANNEX C - COMMUNITY CATCHMENTS AND CONSULTATION

With respect to the guidance contained within this IPPG, and for local community pubs in particular, applicants should note the following in terms of carrying out community consultation:

- A consultation exercise of all residents and businesses (in order to take account of employees who might visit the pub) within a 400m radius of the public house site shall be carried out in two stages:
 - Firstly, in advance of the marketing period as set out in the IPPG and in Annex A, the local community (residents/businesses within 400m as per above) shall be afforded the opportunity in writing to comment on the proposed marketing strategy and pre-agreed asking prices¹¹. Their comments shall be forwarded to the local planning authority for the pre-agreement set out in Annex A; and
 - Secondly, at least 6 months before the planning application, residents and businesses within the 400m radius shall be notified again in writing and asked for their opinions on the loss of the existing or former public house facility. The results of this exercise shall be submitted to the local planning authority as part of the application submission.
- Developers are required to carry out an assessment of the needs of the local community for community facilities to show that the existing or former public house is no longer needed and whether adequate alternative provision is available in the area to provide at least one pub per 750 working age adults within a 400m catchment radius.
- The Council will maintain a Register of Community Assets. The Localism Act 2011 is clear that pubs can be nominated for inclusion on this Register. The Council will consider all such nominations through its agreed process.

¹¹ Criterion 3 of Annex A