

Representations by James Moore, 6 Sturton Street, re:

16/1760/FUL

REPLACEMENT OF EXISTING ROOF PLANT, 2 STURTON STREET, CAMBRIDGE CB1 2QA

I have resided continuously at 6 Sturton Street for 28 years, since 24 December 1988, including the ten years in which 2 Sturton Street was developed from 'The White Hart' public house (purpose-built about 1874) and then run as the 'Back Street Bistro'. My representations are based on close acquaintance with the former pub premises, with 'Sturton Town' (as the streets east of the cemetery as far as the railway used to be called) and with neighbours now deceased, including Harold Oakman (born 1918 at 18 Hooper Street; died 2002) and Cora Smith Oakman (born 1913 at 1 Sturton Street, resident at 4 Sturton Street from 1915 and with Harold there from 1950; died 2000). Thus I possess first and second-hand knowledge of the neighbourhood that extends, through the Oakmans, back to their parents, who were born in Victorian times when 2 Sturton Street was built.

My representations are also based on many private conversations and e-mail contacts with long and shorter-term residents of 'Sturton Town'.

NB – Commencement of works at 2 Sturton Street before any planning decision was put on record

No decision is recorded for planning application 16/1760/FU, dated 4 October 2016, and therefore no pre-commencement conditions are known to have been laid down for the proposed redevelopment at 2 Sturton Street. According to the 'planning statement' (16_1760_FUL-PLANNING_STATEMENT-2021067) filed by City Pub Company (East) PLC:

'2.1 The proposal relates to external alterations arising from works that are primarily internal. The internal works do not, under s55 of the 1990 Act, require planning permission'.

An acknowledgement letter, dated 7 October, was sent from Council Planning Services (16_1760_FUL-ACKNOWLEDGEMENT_LETTER-2024603-3). A notification of works to commence on 10 October was then fixed to the inside of a ground-floor window at 2 Sturton Street, about 8 feet above the pavement level and not legible except by very tall persons or

those with steps. Internal works commenced on or about Monday 10 October and continue to date. Ground floor windows were (and remain) blacked out, so progress of the works cannot be monitored except through a ground-floor door occasionally left open. The interior appears to have been gutted; fittings, fixtures and much rubble have been seen removed. The licensed area of the Back Street Bistro now appears to have been enlarged to include areas formerly occupied by the kitchen (6.25 sq. m.), lavatories (12.25 sq. m.) and dry store (5.25 sq. m), or **some 15-20% increase in the previous licensed trading area**, in conformity with drawings submitted in the planning application

It is clear that no other applications submitted in recent years relate to these works, so it must be the case that the works now under way relate to application 16/1760/FUL, which is clearly marked as 'Pending Consideration'. Accordingly, **I wish it to be noted that alterations have been and are being made at 2 Sturton Street specifically for a proposed redevelopment on which a planning decision has not been put on record.** And I wish it further noted that the formal 'application for planning permission' (16_1760_FUL-APPLICATION_FORM_-_NO_PERSONAL_INFO-2021042) makes the following **apparently false statement**:

18. All Types of Development: Non-residential Floorspace	
Does your proposal involve the loss, gain or change of use of non-residential floorspace?	<input type="radio"/> Yes <input checked="" type="radio"/> No

This denial appears above a declaration, dated 3 October, made by an agent of City Pub Company (East) PLC: 'I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate'.

Whether the proposal accords with planning policy and is appropriate for the area

References below are to the City Council's *Cambridge Local Plan 2014: Proposed Submission* (July 2013), submitted 28 March 2014.

Excluding bakeries, delis, coffee shops, take-aways, shisha bars and recent closures, Petersfield has 13 restaurants and 12 'protected public houses' (Policy 76 and pp. 277-78). Of the latter, 7 offer regular menus and 5 of these lie within a 300 meter radius – a few minutes' walk – of the former White Hart pub at 2 Sturton Street. The Kingston Arms, the Cambridge Blue, the Alexandra Arms, the Geldart and the White Swan thrive at the heart of old 'Sturton Town'. The White Hart was removed from the protected list (though oddly the Locomotive in Mill Road, lately The Loco restaurant, remains), presumably after becoming the Back Street Bistro. When full, this locally owned and managed boutique eatery seated about 40; it was smaller than all the other 5 local establishments. **But now City Pub Company (East) PLC proposes to transform 2 Sturton Street into the biggest, accommodating as much as 120 persons. At a stroke, this would add more than 25% to the total capacity of the establishments within the 300-meter radius, which itself borders Mill Road west with its 13 restaurants (and many other eating outlets).**

All these businesses lie within the Mill Road and St Matthews Conservation Area (so designated in 1993), which includes the Mill Road Opportunity Area (Policy 23), overlapping sites and places in the Mill Road West ‘District Centre’ extending north to the Norfolk Street ‘Neighbourhood Centre’ (Figure 3.10). Within the boundaries of such centres, business uses

‘will be permitted if they are in proportion to the scale and function of the centre ... [and] would not give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems’ (Policy 72, sec [8.3]c, emphasis added).

Such centres ‘need to be protected and enhanced’ (Policy 72, sec. 8.7), and

‘as centres are often surrounded by residential properties, it is important that the potential effects of food and drink uses (use classes A3, A4 and A5), such as restaurants, pubs and takeaways are considered in relation to local amenity. In particular, the cumulative effect of the proposed use with existing uses needs to be considered’ (Policy 72, sec. 8.9, emphasis added)).

Under ‘Mill Road Opportunity Area’ (Policy 23), the Local Plan recognizes Mill Road’s

‘large number of diverse and independent retail traders, which lend the area a cosmopolitan feel. There is a wide range of restaurants, cafés and hot food takeaways, particularly west of the railway bridge, which add to its viability but which can also lead to amenity problems ... The policy seeks to safeguard the independent, cosmopolitan feel of the street’ (Policy 23, sec. 3.94, emphasis added).

By ‘street’, the Local Plan envisages both Mill Road and the ‘surrounding ... terraced residential streets’ (Policy 23, sec. 3.95, emphasis added).

So it has to be asked whether the application by City Pub Company (East) PLC to redevelop the premises at 2 Sturton Street accords with planning policy in respect of:

- *the **individual effect** of the new premises on ‘smell, litter, noise or traffic’ in its immediate vicinity, at the corner of Hooper and Sturton Streets (see below);*
- *the contribution of the new premises to the **cumulative effect** of a high concentration of pub-restaurants within its wider neighbourhood, each making its own contribution to ‘smell, litter, noise or traffic’;*
- *the **independent nature of businesses** in the neighbourhood, given that City Pub Company (East) PLC is a chain provider of pub-restaurant services.*

In my opinion, by granting permission to open a pub-restaurant at 2 Sturton Street which, in trebling the premises’ former capacity, would become the sixth and largest pub-restaurant within a 300-meter radius in a quiet residential neighbourhood (indeed, the biggest restaurant in the whole Mill Road area) – by granting permission to replace a local family-run boutique

eatery with a high-street style gastro-pub, owned and managed by a public limited company with a portfolio of 13 other such establishments, the Council would

1. add disproportionately to the effects of 'smell, litter, noise or traffic' arising from an ***over-concentration of pubs and restaurants***;
2. give ***precedent for the entry of other large corporate businesses*** in an area where 'diverse and independent' businesses are to be 'protected and enhanced'; and
3. ***degrade the character and amenity*** of a quiet densely-housed 'back street' neighbourhood.

In a word: the development is inappropriate and the application should be refused.

Whether the design of any new building /or alterations to an existing building respects the character and context of the site and the surrounding area

City Pub Company (East) PLC seek permission for 'the replacement of existing roof plant', i.e., according to their planning statement, 'external alterations arising from works that are primarily internal' and 'do not, under s55 of the 1990 Act, require planning permission' (see above). ***The key phrase is 'arising from'. It binds together Planning and Licensing issues raised by the application, rendering them, in my opinion, inseparable.*** No internal works, no need for the external works. The internal redevelopment of the Back Street Bistro is the *sine qua non* of 'the replacement of existing roof plant' and so must also be considered by Planning.

And it should be recognized that ***the internal redevelopment for a new and enlarged licensed area does indeed fail to respect 'the character and context of ... the surrounding area'***, as argued in my representations made to Licensing and in the following:

Expansion of ground floor terrace/covered area

In the Back Street Bistro, the ground floor terrace/covered area was opened as a courtesy for smokers; it seated a handful of persons, perhaps a dozen, and had a thin plastic roof. Even so, a continuing nuisance was caused, especially in the evening, for the adjacent neighbours at 11/11a Hooper Street and 4 Sturton Street – loud conversing, merry-making and smoking went on just beyond a seven-foot brick wall – as well as neighbours at 6 Sturton Street and beyond. There was no peaceful sitting on one's own terrace, chatting under the stars, as I know from long experience, with the Bistro's terrace buzzing, occasionally erupting, just few meters away.

Worse is in store if City Pub Company (East) PLC expands the ground floor terrace/covered area, as proposed, to accommodate 38 covers. The area occupies an enclosed right-angled space; noises are reflected from its hard surfaces and projected beyond the walls. It follows from the proposal that the clicking and clanking of tableware and crockery are to be added to

the noise – high-pitched sounds that carry well in the daytime and even better at night. And the odour/health nuisance from smokers on the ground-floor terrace/covered area will be multiplied under City Pub Company (East) PLC’s plan. Smoke also carries well over walls and into adjacent properties.

The expansion of the ground floor terrace/covered area fails to respect the ‘character and context’ the immediate neighbourhood.

No amendment of the planning application should be considered for approval which does not: undertake to *furnish the ground floor terrace/covered area with appropriate **sound absorbent surfaces and baffles** as well as **fans to expel smoke** into Hooper Street; undertake to limit the cover in the area to **half or less of the proposed new capacity**; undertake to **clear the area by 22:00 on Sunday to Thursday and no later than 23:00 on Fridays and Saturdays**; and, not least, undertake that, **at all times, music (amplified or otherwise) should not be heard in this area**; the doors to the main licensed area should remain closed if music is played.*

Whether impact on adjoining properties and any possible overshadowing, overlooking or loss of privacy

These issues would not arise except in so far as noise and odours have impacts.

Whether there will be any increase in noise and disturbance

Note the comments on noise above under ‘Expansion of ground floor terrace/covered area’. Many of the real and likely issues are also dealt with in my representations made to Licensing, as well as in the following:

Lavatory noise and odour nuisance to surrounding area

The proposed new first-floor lavatories and kitchen have special ventilation requirements that, if properly met, demand a ‘replacement of existing roof plant’ at least as extensive as that for which the planning application has been made. Again, planning and licensing issues are bound together. But the nuisances likely to be caused by the new lavatories and kitchen would remain.

The lavatories (except the disabled WC), are to be relocated to the first floor in order to maximize the proposed new licensed area to accommodate up to 114 covers. One source of disturbance is the socializing, door-slamming and horse-play that typically go on in or around toilets. Another obvious nuisance is offensive odours. If the first-floor toilet cubicles and urinal area are ventilated externally to Sturton Street, odours will be apparent. ***But ventilation should not be either to the street or to the rear of the property*** where odours will cause nuisance to neighbours in their gardens. For my part, I have never known a pub or restaurant to situate any toilet area at the front of the premises, as if it were a badge-of-honour or source-of-pride, with

bright windows opening directly onto a closely built residential street, 10 meters opposite neighbours' bedrooms and living rooms. (NB The window shown in one female cubicle would open 1 meter from a bedroom window of 4 Sturton Street.) The potential for nuisance should be reduced by ***immobilizing and shading or shuttering, as well as double-glazing the lavatory windows***. But City Pub Company (East) PLC should be required to explain ***why the basement is unsuitable for the lavatories***, given that countless pubs and restaurants have basement loos.

Kitchen noise and odour nuisance to surrounding area

Extractor fan noise from the Back Street Bistro was so obtrusive that near neighbours were often unable to sit comfortably in their gardens. Even more uncomfortable were those neighbours forced to keep windows shut in warm weather because of the persistent cloud of repelling cooking odours expelled by the Bistro. ***If the proposal to treble the premises' capacity were approved, the odoriferous cloud would become more potent and more obtrusive.***

And the proposed redevelopment would move the exhaust stack only a few meters onto the rear roof, placing the 'termination cone' at the level of the loft dormers for which planning permission is now being sought at the adjacent property, 4 Sturton Street. An 'odour control assessment' was undertaken for City Pub Company (East) PLC and a 'high impact risk ... established', according to the Planning Consultation Response by Ben Walther, dated 27 October (16_1760_FUL-ENVIRONMENTAL_HEALTH-2035232-1). But that Response acknowledges only 'the standard odour condition'. If 'the standard' is the odours from Back Street Bistro, this condition is too lax. ***More filtration should be required***, above that of DEFRA level 1, 'Low' (as in 16_1760_FUL-ODOUR_CONTROL_ASSESSMENT-2021070), such as level 10 filtering employed at curry houses.

No one familiar with TV series such as 'Hell's Kitchen' or 'Ramsay's Kitchen Nightmares' will doubt that a brightly lit busy kitchen is bedlam – clattering pots and pans, clanking dishes, slamming pantry doors and whooshing of dish-washers are the routine (as I know, having worked in an institutional kitchen). The Back Street Bistro had one regular chef; I understand the City Pub Company (East) PLC plan to employ at least two in the new premises to cater for a proposed trebling of covers, the chefs and their skivvies working (as shown in the drawings) directly in front of the 4 original sash windows at the first-floor corner of the premises, 2 overlooking Hooper Street, 2 overlooking Sturton Street, all broadcasting *son et lumière* directly into the bedrooms and sitting-rooms of homes 10 meters away. (The same goes for the other 2 first-floor windows on the Sturton Street side, each opening directly into a toilet cubicle. One can only imagine the warm-weather broadcasts from here, day and night, pumping whatever into the bedrooms and sitting-rooms across the street.) For these reasons, ***the 4 kitchen windows also should be immobilized and shaded or shuttered, as well as double-glazed.***

All the above noise and odour nuisances impinge directly on neighbouring properties; ***the plan submitted by City Pub Company (East) PLC does not respect 'the character and context of ... the surrounding area' and will lead inevitably to an increase of 'noise and disturbance'.***

Closure of ground-floor external windows and doors

With the required closure of ‘all doors/windows accessing the ground floor covered/terrace area and those that serve the first floor terrace’ (Planning Consultation Response by Ben Walther, dated 27 October, 16_1760_FUL-ENVIRONMENTAL_HEALTH-2035232-1), and assuming that the sealing of the lavatory and kitchen windows is required (above), the ***closure of all windows and doors opening onto the street from the ground-floor licensed area should also be required*** (as in the Kingston Arms &c), so that, in sum, *all windows* on the premises are kept closed at all times. City Pub Company (East) PLC should be ***held to explain whether double-glazing throughout the premises has been considered, and if not, why not.***

Further strictures under ‘Acoustic assessment’

With the premises effectively sealed against noise disturbance, air-conditioned interiors and cold beverages would have appeal, not least in warm weather when window and doors might otherwise be left open. The two new air-conditioning condenser units to be located on the rear flat roof/terrace, and the existing cellar cooling units to be relocated adjacent, would then be running at full-tilt. This ***seasonal extra noise disturbance should be addressed; it does not appear to be taken into account*** in the Planning Consultation Response by Ben Walther, dated 27 October (16_1760_FUL-ENVIRONMENTAL_HEALTH-2035232-1); the strictures there under ‘Acoustic assessment’ must be tightened.

Customers exiting the premises

Since the Back Street Bistro closed in May 2016, local residents have remarked on how their parking problems have eased (see below). And with the drive-in Bistro traffic gone, so too are the taxis full of canny customers who arrive having anticipated the parking problem. Mercifully the door-slamming late into the night is gone also – for now. ***City Pub Company (East) PLC would re-start the racket, not just at the same level but with up to three times more traffic noise and disturbance than caused by the old Bistro, which catered for only 40 customers.***

City Pub Company (East) should be required to put up signs prominently asking customers to ***respect the quiet back-street character of the neighbourhood*** and to help ensure that others do so also. City Pub should be required to ***show how they would enforce these requests.***

Whether surrounding roads can cope with any additional traffic

Sturton Street is not a thoroughfare; it runs south to Hooper Street as far as the bollards blocking vehicular access to Kingston Street. From there Hooper Street runs a block east to Ainsworth Street and then to a dead-end. Ainsworth Street runs north from Hooper parallel to Sturton Street, completing a loop through the north of Sturton Town. ***The premises at 2 Sturton Street, which City Pub Company (East) PLC propose to turn into the biggest pub-***

restaurant in Petersfield, lies on the northeast corner of Hooper and Sturton, effectively at the bottom of a cul-de-sac formed by the Sturton-Hooper-Ainsworth loop. It is a naturally quiet area, cut off from through traffic by the bollards and with traffic flow restricted by close parking on both sides Ainsworth Street. Lorries come down Sturton Street at their (and our) peril; those unable to round the Hooper-Ainsworth corner reverse gingerly up Sturton Street, belching derv exhaust into bedrooms and parlours en route. The proposed redevelopment of the Back Street Bistro would **attract extra traffic in direct proportion its enlargement – more deliveries, more drive-in customers, more taxi drop-offs and pick-ups, more refuse collection,** and this is highly undesirable in a neighbourhood already overburdened with vehicles.

Whether there is adequate car parking, cycle, refuse and storage facilities [item from online Planning ‘guidance’]

In these close streets, lined with Victorian terraces, **parking is a constant problem and getting worse.** There are more residents’ cars than residences, even before the morning in-rush of commuters looking for free spaces. By evening, as they leave, returning residents (as I know too well) drive round and round the loop, hoping desperately to find an empty space. The chance of getting one near one’s house, or sometimes at all, is slight.

In ‘Petersfield Streets for People’, a report published in 2001 summarizing, street-by-street, views expressed at public meetings across the ward, the complaints made most frequently and most vociferously are related to excess traffic. In the Sturton Town area, speeding, ‘rat-running’, commuting, child safety and above all parking cry out to be dealt with. And those complaints came out of meetings held 17 years ago, when the White Hart was at the Hooper-Sturton corner and the Back Street Bistro did not exist. Today, with rising car ownership and a dramatic surge in online delivery vans, **the traffic problems are a major quantum worse, even without the Bistro; and they will escalate to become unbearable if City Pub Company (East) PLC should expand into the neighbourhood as proposed** (not to mention impacts on the Kingston-Gwydir Street side of the bollards).

City Pub Company (East) PLC’s plans **do not appear to allow for or even address the issue of waste storage and disposal.** In response to questions under item 7 in the application, ‘Have arrangements been made for the separate storage and collection of recyclable waste?’ and ‘Do the plans incorporate areas to store and aid the collection of waste?’, the answer in both cases is ‘No’ (16_1760_FUL-APPLICATION_FORM_-_NO_PERSONAL_INFO-2021042). Waste collection containers should not be stored on the pavement, but **no storage space is allotted for them in the application’s drawings.**

Employees of Back Street Bistro regularly made late-night and early-morning trips to deposit boxes of refuse in commercial waste containers at the entrance of The Courtyard, 11-19 Sturton Street. Often I have been awakened early on a morning by the crashing of bottles and other waste tipped into the bins. One wonders how neighbours directly opposite The Courtyard

endured it. City Pub Company (East) PLC should be required to ***show how refuse will be dealt with, especially food waste, including its removal from the premises at appropriate hours***

Nor should customers' bicycles be allowed to block pavements near the premises, as often happened with the Back Street Bistro. The Local Plan now requires applications to include full details of provision for cycle parking, but ***City Pub (East) PLC's application to as much as treble the Bistro's seating capacity does not comply with this requirement.*** The Kingston Arms, with a smaller capacity, provides for on-street cycle parking. Given the size of the proposed redevelopment, provision for at least twice as many cycles should be made across two car-parking spaces in Hooper Street, Sturton Street or in both, though this would reduce parking space for cars. In short, City Pub Company (East) PLC should be required to ***show how pavements near the premises will be kept clear of both waste collection containers and bicycles.***

* * *

The City Pub Company (East) PLC, with £19 million backing, has a 'growing portfolio' of 13 pubs in 'affluent cities and major provincial towns', 3 of the pubs in Cambridge: The Mill overlooking Mill Pond, the Cambridge Brew House in King Street and The Old Bicycle Shop in Regent Street. These 'distinctive high quality pubs', according to the company website – next to a non-residential tourist hot-spot, amongst shops in a bustling student precinct and beside a noisy commercial thoroughfare – are to be joined, it seems, by a new 'City Pub' bang in the middle of the quiet, densely-built and village-like residential neighbourhood at the corner of Hooper and Sturton Streets. The intimate decade-old, locally owned and managed but now defunct Back Street Bistro (formerly 'The White Hart' since the 1870s) is poised to become, as part of City Pub's expanding empire, ***the biggest pub-restaurant in Petersfield – bigger than each and every restaurant in Mill Road, bigger than each and every gastro-pub with al fresco smoking areas, bigger than all the other eat-and-drink establishments in the ward.*** (I visited them all, counted seating capacity and took advice from the managers.)

But here lies the Achilles' Heel of the redevelopment – BIGNESS. Most of the drawbacks in City Pub's planning application stem from an evident intention to ***maximize revenue by turning a small purpose-built Victorian public house into a fat cash cow, a site for milking a growing customer base with scant regard for the needs and character of the neighbourhood.*** By trebling the Back Street Bistro's covers, City Pub Company (East) PLC would as much as treble the amount of in-coming traffic, the used-up parking spaces, the car-door-slamming drop-offs and pick-ups until after midnight, the customers making merry al fresco beside neighbours' gardens, the music wafting from open windows and doors, and the volume of overpowering kitchen odours (never mind the clattering, clanking and whooshing) – all to the sound of toilets flushing 10 meters opposite bedrooms and sitting-rooms in Hooper and Sturton Streets.

You could make it into a comedy, or a tragedy, so simple is the solution: ***think small.*** Petite, bespoke, boutique. Imagine a family-friendly corner eatery scaled to a quiet neighbourhood where well patronized and established competitors (Kingston Arms, Cambridge Blue, Alexandra

Arms, Devonshire Arms, even The Geldart) thrive on a customer base that could be lured away by quality meals like those served in City Pub restaurants further afield.

Besides the points insisted upon above, here are positive proposals:

- Restrict the number of customers on the premises to a maximum of 60 – a 50% increase on the Back Street Bistro, *not the proposed three-fold increase*;
- Permit up to 20 customers only to sit in the ground floor terrace/covered area;
- Keep the kitchen and lavatories where they belong, on the ground floor (or in the basement – if not, why not?), not slap in the neighbourhood's face upstairs;
- Modify the licensed area to cover the first-floor rooms on the corner and along Sturton Street, leaving the upstairs rear wing along Hooper Street (as proposed) for office, staff and storage;
- Make these first-floor rooms (or the ground floor, or both) a themed dining area – to celebrate a 'town' (not-'gown') neighbourhood 'built' by the London and North Eastern Railway; to memorialize the notables associated with (and buried in) Mill Road Cemetery; to feature the Eagle Foundry formerly across Hooper Street (and other local historic sites) and of course 'The White Hart' with its past of public inquests and its connections with colourful characters – Sturton, Gwydir, Geldart and not least Arthur Smith, the Royal Engine driver for the LNER, who lived next door;
- Refuse to play music, live or recorded, at any time;
- Designate some or all of the premises, part-time or full-time, as a device-free zone for 'digital detox' ('the next big thing'; Hot Numbers in Gwydir Street is behind the trend), so the new, improved and *somewhat more capacious* (but not Big) bistro would stand out as a calm oasis of conversation and conviviality, a mecca for locals and a magnet for discerning diners everywhere.

James Moore (Prof.), 6 Sturton Street, Cambridge CB1 2QA