

Application Number	11/1064/FUL	Agenda Item	
Date Received	9th September 2011	Officer	Mrs Angela Briggs
Target Date	9th December 2011		
Ward	Newnham		
Site	Paradise Local Nature Reserve Grantchester Meadows Cambridge		
Proposal	Earthworks to enhance the riparian habitats on Paradise Local Nature Reserve. Proposals involve the removal of existing vegetation and top soil to re-wet the marsh and enhance biodiversity.		
Applicant	Mr G Belcher P O Box 700 Cambridge CB1 0JH		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <p>The development will enhance the biodiversity of Paradise Local Nature Reserve.</p> <p>The development is not harmful to the Green Belt, Protected Open Space or Newnham Croft Conservation Area.</p> <p>The development will not lead to flooding.</p>
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1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is the Paradise Nature Reserve in Newnham. It is located to the south of Lammas Land and is bounded to the east and south by the River Cam and to the west by Newnham Croft Primary School and Owlstone Croft which is part of Queens College.
- 1.2 The site falls within the Green Belt, the Flood Zone and Protected Open Space as identified in the Cambridge Local Plan 2006. The site falls within Newnham Croft Conservation Area. The trees on the site are protected by virtue of their location in the Conservation Area. The nature reserve is designated as a Local Nature Reserve in the Cambridge Local Plan 2006.

2.0 THE PROPOSAL

- 2.1 The proposed works support the objectives contained within the Cambridge City Council Nature Conservation Strategy through the enhancement of an existing Local Nature Reserve to benefit biodiversity. The application specifically relates to proposed earthworks that will result in the re-profiling of the marsh and reduction of Greater Pond Sedge to enhance the biodiversity value, including amphibians and invertebrates.
- 2.2 Additional works are not included in the application include removal of trees to reduce shading, erection of bat boxes, upgrading pathways, a new car park access, upgrading of access points and interpretation boards.
- 2.3 The application is accompanied by the following supporting information:
 1. Design and Access Statement

- 2. Flood Risk Assessment
- 3. Ecological Method Statement

2.4 The application is brought before Planning Committee because the applicant is the City Council and an objection to the application has been received.

3.0 SITE HISTORY

3.1 None relevant.

4.0 PUBLICITY

4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notice Displayed: Yes

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, East of England Plan 2008 policies, Cambridgeshire and Peterborough Structure Plan 2003 policies, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
East of England Plan 2008	ENV6
Cambridge Local Plan 2006	3/2, 3/3, 3/9 4/1 4/2 4/3 4/4 4/6 4/8 4/11, 4/16

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

<p>Central Government Guidance</p>	<p>National Planning Policy Framework March 2012 Circular 11/95</p>
<p>Material Considerations</p>	<p><u>Central Government:</u> Letter from Secretary of State for Communities and Local Government (27 May 2010) Written Ministerial Statement: Planning for Growth (23 March 2011)</p>
	<p><u>Citywide:</u> Arboricultural Strategy Biodiversity Checklist Cambridge Landscape and Character Assessment Cambridge City Nature Conservation Strategy Criteria for the Designation of Wildlife Sites Cambridge City Wildlife Sites Register Cambridge and South Cambridgeshire Strategic Flood Risk Assessment Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan</p>

	Open Space and Recreation Strategy Green Infrastructure Strategy for the Cambridgeshire Sub-Region
	<u>Area Guidelines:</u> Conservation Area Appraisal: Newnham Croft

6.0 CONSULTATIONS

Cambridgeshire County Council (Engineering)

6.1 No comment.

Head of Environmental Services

6.2 No known contamination issues and activity noise not an issue.

Urban Design and Conservation Team

6.3 No objections.

Access Officer

6.4 No objections.

Head of Streets and Open Spaces (Landscape Team)

6.5 No objections.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.6 The Nature Conservation Officer is the applicant.

Natural England

6.7 No objections.

Environment Agency

6.8 No objections.

Cambridgeshire County Council (Archaeology)

6.9 The site should be subject to an archaeological investigation and a condition to ensure that this is implemented is recommended.

6.10 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

7.1 The owners/occupiers of the following addresses have made representations:

60 Eltisley Avenue

7.2 The representations can be summarised as follows:

Questions are raised about how much the project will cost.

The use of the term 'rewet the marsh' is questioned as the area has not been a marsh for at least 60 years.

The money used for the project should be used to maintain existing services instead.

7.3 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Impact on the Green Belt/Protected Open Space/Local Nature Reserve
2. Impact on Heritage Assets
3. Impact on the Flood Zone
4. Third party representations

Impact on the Green Belt/Protected Open Space/City/County Wildlife Site and Local Nature Reserve

8.2 There is a presumption against inappropriate development in the Green Belt, development that is harmful to the character of Protected Open Space and development that would have a harmful effect on a Local Nature Reserve (LNR).

8.3 The proposed works involve engineering operations to change the levels of the site. It is proposed to deepen and extend the marsh. The level of the marsh has gradually risen due to a natural growth decay cycle. This has led to the marsh drying out throughout the summer months where previously it remained wet. It is proposed to lower the level of the marsh by an average of 1 m and extend the marsh into the area that was previously wet. The rewetting of the marsh will provide habitats for a range of species and will increase the biodiversity of the site.

- 8.4 The proposed works have been the subject of extensive pre-application discussions between both technical officers within the Council and outside bodies such as the Wildlife Trust. I am confident that the proposals represent an enhancement of the LNR. The development also does not harm the Green Belt or the Protected Area of Open Space.
- 8.5 The Ecological Method Statement that supports the application sets out how the impacts of the works will be mitigated to protect Protected Species such as breeding birds, Grass Snakes and Common Lizards. The Arboricultural Implications Statement sets out the expected impacts on trees that will be controlled by tree protection measures that are shown on the plans. In the future trees will be managed to ensure that the new habitat is protected.
- 8.6 In my opinion, the development accords with policies 3/2, 3/3, 3/4, 3/9, 4/6 and 4/8 of the Cambridge Local Plan 2006.

Impact on Heritage Assets

- 8.7 Newnham Croft Conservation Area is a heritage asset. The Conservation Area Appraisal states as follows with regard to the Nature Reserve:

Paragraph 3.33 Paradise Nature Reserve is a meadow which has been allowed to turn into woodland, with huge willows and towering alders. In its informal, unkempt state this area is very attractive to walkers and anglers. It still has some open areas with fen plants such as *Stachys palustris*, and an important collection of different species of willow. It should be maintained and not allowed to get further overgrown: Cambridgeshire Wildlife Trust has this in hand. New pollard trees should be started along the river bank to

replace those that have fallen into the river. The muddy paths (the nearest rough ground to the middle of Cambridge) should not be levelled or hardened but broadwalks would be useful in places to prevent erosion.

- 8.8 In my view the development will maintain and enhance the character and amenity value of the LNR as identified in the Conservation Area Appraisal. In my opinion, the development accords with policy 4/11 of the Cambridge Local Plan 2006.

Impact on the Flood Zone

- 8.9 The application is accompanied by a Flood Risk Assessment (FRA). The FRA concludes that the development will not remove any storage from the flood plain or prevent the flow of water during a flood, it will provide a small amount of additional flood plain storage and will not represent a flood risk.

- 8.10 In my opinion, the development accords with policy 4/16 of the Cambridge Local Plan 2006.

Third Party Representations

- 8.11 One letter of objection has been received. I can confirm that the project will be funded from s106 contributions and not from the Council's budget. S106 contributions have been made by developers to mitigate the impact of new development and in this case can be spent on a City Wide basis. This project has been identified as an appropriate way in which these contributions can be used.

9.0 CONCLUSION

- 9.1 The proposed development will enhance the biodiversity of a Local Nature Reserve and in so doing will not have a harmful effect on the Green Belt, Protected Open Space or Newnham Croft Conservation Area or the Flood Zone. The development accords with the Cambridge Local Plan.

10.0 RECOMMENDATION

APPROVE subject to the following conditions and reasons for approval:

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

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place within the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that an appropriate archaeological investigation of the site has been implemented before development commences. (Cambridge Local Plan 2006 policy 4/9)

3. The approved development shall be carried out strictly in accordance with the Ecological Method Statement (Protected Species) dated August 2011 unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the protection of the nature conservation value of the site (Cambridge Local Plan policy 4/6)

4. The approved development shall be carried out strictly in accordance with the Works Method Statement which forms part of the Arboricultural Implications Statement dated 5 August 2011 and tree protection measures shall be installed in accordance with the approved plan prior to commencement of works unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of trees of amenity value (Cambridge Local Plan policy 4/4)

INFORMATIVE: New development can sometimes cause inconvenience, disturbance and disruption to local residents, businesses and passers by. As a result the City Council runs a Considerate Contractor Scheme aimed at promoting high standards of care during construction. The City Council encourages the developer of the site, through its building contractor, to join the scheme and agree to comply with the model Code of Good Practice, in the interests of good neighbourliness. Information about the scheme can be obtained from The Considerate Contractor project Officer in the Planning Department (Tel: 01223 457121).

Reasons for Approval

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:

East of England plan 2008: ENV6

Cambridge Local Plan (2006): 3/2, 3/3, 3/94/1 4/2 4/3
4/4 4/6 4/8 4/11, 4/16

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report [online](http://www.cambridge.gov.uk/planningpublicaccess) at www.cambridge.gov.uk/planningpublicaccess or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

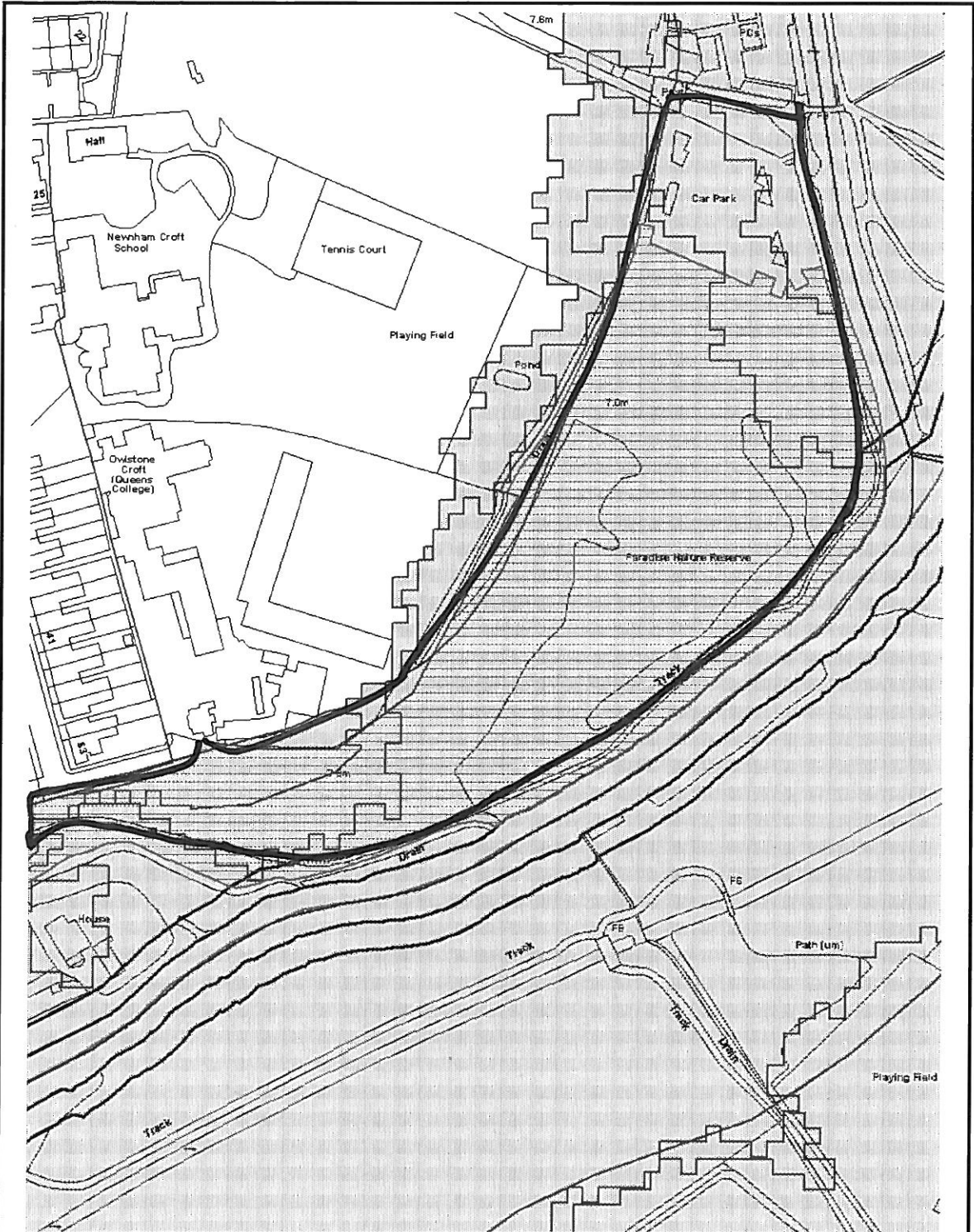
1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;

4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected on the City Council website at:

www.cambridge.gov.uk/planningpublicaccess

or by visiting the Customer Service Centre at Mandela House.



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