

Application Number	15/2232/FUL	Agenda Item	
Date Received	3rd December 2015	Officer	Mr Sav Patel
Target Date	28th January 2016		
Ward	Trumpington		
Site	Public Open Space, Adjacent To; Kingfisher Way Cambridge CB2 8DA		
Proposal	Revised location of footbridge north of originally approved location. Revised arrangement for footpath links.		
Applicant	Dr Nigel Harris 53 Aberdeen Avenue Cambridge CB2 8DL		

<p>SUMMARY</p>	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> □ The proposed footbridge in terms of its appearance, design and materials would not cause harm to the character or appearance of the Conservation Area or to the setting of the Green Belt and is in accordance with guidance as set out in the National Planning Policy Framework (2012) and policies 4/1 and 4/11 of the Cambridge Local Plan; □ The proposed footbridge improves permeability across Hobson’s Brook and will benefit pedestrians in accordance with policy 8/4 of the Cambridge Local Plan 2006; and □ The proposal adequately respects the residential amenity of its neighbours and the constraints of the site and is compliant with Cambridge Local Plan (2006) policies 3/4 and 3/7.
<p>RECOMMENDATION</p>	<p>APPROVAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

- 1.1 The application site is located in the south west corner of the Accordia development, which is a residential development of some 350 properties. The site lies to the north of the Grade II listed building, which is a former Nuclear Bunker. It is currently used for storage of archive information. To the north, east and south of the site is green/open space that is bordered by residential blocks of flats known as the Oak Building and Steel Building (both east of the application site). These buildings consist of five storeys of apartments excluding a semi-basement car parking area.
- 1.2 To the west is Hobson's Brook, which is a historic watercourse and on the west bank of the Brook is a footpath which forms part of 'Common Land' which is known as Empty Common. Empty Common contains allotments including a 'community garden', and borders Clare Wood to the south which is fenced off from public use. Vicar's Brook is located on the opposite side of Empty Common and runs parallel with Hobson's Brook.
- 1.3 The site is partly within residential context and partly also of semi-rural character, created by the green vegetation and Brook, which is designated as Green Belt. There are no tree preservation orders, but mature trees, grassed area and shrubs do provide a green buffer between the Accordia site and the Brook. There is a redundant hexagonal pill box adjacent to the Brook within the Accordia site, which is set within trees and shrubs.
- 1.4 In terms of land designations, according to the adopted Proposals Map (2009), the site falls within the Cambridge Green Belt and the Brooklands Conservation Area. The land to the west, opposite the Brook, (known as Empty Common) and land south of Vicar's Brook (known as Clare Wood) are designated as Sites of Local Nature Conservation Importance, and are also within Flood Zones 2 and 3. The application site is not located within Flood Zones 2 or 3. The site is located within the Brookland Avenue Conservation Area.
- 1.5 Empty Common is owned by the City Council and managed in cooperation with the Empty Common Allotment Association. Clare Wood is owned by Clare College and managed by the local residents association in Bentley Road (BENRA) in

conjunction with the Wildlife Trust of Cambridge. The wood is fenced off and there is no public right of way over the wood but resident can apply to access it.

2.0 THE PROPOSAL

- 2.1 The proposal as submitted has been through pre-application process with Officers.
- 2.2 The proposal is for a 5 metre long and 1.5 metre wide footbridge and 'kissing' gate over Hobson's Brook. The footbridge would link the pedestrian network within the Accordia development to the existing footpath alongside the western bank of Hobson's Brook. The footbridge would be located between the Oak and Steel Buildings, which are 4 storey blocks of residential apartments with basement level car parking.
- 2.3 The proposed footbridge would be of composite wood construction including steel balustrade panels for the side rails. The rails would sit on top of a 200mm supporting section of galvanised steel. The deck would be constructed of Streetlife 'Streetdeck 40', which is made of composite wood in medium grey and anchored at 200mm centres with 10mm drainage slots.
- 2.4 The bridge proposal also includes alterations to the land on the eastern side to provide a ramp for disabled access and a kissing gate in order to discourage cyclists from using the bridge as a short cut. The proposal does not include the loss of any existing trees but the applicant is proposing to install additional trees.
- 2.5 The bridge would be above the water line of the brook by 450mm, and 200mm above the 1:100 year floor (+ climate change).
- 2.6 The application is accompanied by the following supporting information:
1. Design and Access Statement;
 2. Plans
- 2.7 The planning application was originally submitted as a second reserved matters application in connection with the Outline

planning permission ref: 12/1078/OUT (dated 23/11/2012) which was approved at Planning Committee in November 2012. However, due to the revised location of the proposed bridge; being outside the red line of the approved bridge in the Outline consent, the reserved matters application was converted into a full planning application with the consent of the applicant.

- 2.8 The approved footbridge was located south of the proposed location and whilst the details of the footbridge were approved in a Reserved Matters (13/1572/REM) application, it is understood that due to issues over land ownership, the applicant was not able to be progress and deliver. The new proposed location of the bridge is therefore an alternative that the applicants consider they can deliver.

3.0 SITE HISTORY

Reference	Description	Outcome
12/1078/OUT	Construction of a wooden footbridge across Hobson's Brook with sections of path at each end, connecting Accordia with the public footpath network west of the brook.	APPROVED
13/1572/REM	Construction of a wooden footbridge across Hobson's Brook with sections of path at each end, connecting Accordia with the public footpath west of the brook. Adjacent to The Oak Building & former Regional Seat of Government and adjacent to corner Of Kingfisher Way & Gilpin Road (reserved matters details of appearance, access, layout and landscaping). Ref: 13/1572/REM	APPROVED

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, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/7 3/9 4/1 4/4 4/6 4/10 8/2 8/4 8/5

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

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95 Planning Policy Statement – Green Belt protection and intentional unauthorised development August 2015
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)

<p>Material Considerations</p>	<p><u>City Wide Guidance</u></p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p> <p>Green Infrastructure Strategy for the Cambridgeshire Sub-Region (2006)</p> <p>Cambridge Walking and Cycling Strategy (2002)</p>
	<p><u>Area Guidelines</u></p> <p>Brooklands Avenue Conservation Area Appraisal (2013)</p>

5.4 Status of Proposed Submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

Original comments

- 6.1 Clarification on what purpose is intended to be addressed by the kissing gate. The design will make use of the route for cyclists and buggies awkward.

Landscape Team

Original comments:

- 6.2 No objection to the location of the proposed bridge. However, further information has been requested regarding the protection of retained vegetation and the protection of the ground around the installation site including during construction; do not support the choice of species given in the Design and Access Statement; if any ground layer is required, it should be limited to a native grass and wildflower seed mix suitable for damp locations; would like to see a planting general arrangement plan to show what species are to be planted where and at what size.

Street and Open Space Team (Nature Conservation Officer)

- 6.3 Content with the proposed location and support the proposed tree protection but does not support the proposed use of non-native planting in this location.

Drainage Officer

Original comments:

- 6.4 The proposal is acceptable subject to condition on foundation details for the bridge.

Updated comments:

6.5 The proposal is acceptable subject to conditions on foundation details for the bridge.

- Hydraulic modelling undertaken by the Environment Agency and more recently by Faber Maunsell indicates that for a 1 in 100 year event the watercourse remains in bank in this location. There is flooding from Vicar's Brook but not from Hobson's Brook. Any bridge proposed would have to be above this level to ensure there is no impact on flood risk. The bridge soffit is 200mm above the 1 in 100 year + 20% allowance for climate change flood level and does not intrude into the channel itself; therefore the bridge does not increase the risk of flooding.
- Blockages beneath the bridge are another consideration and due to the fact that Hobson's Brook is a very slow moving watercourse and reasonably shallow, large debris that may block the bridge is unlikely and in the extremely unlikely event of a flood in this location the land is lower on the allotment side and water would enter the allotments before finding its way into Vicar's Brook.
- The bank in this location has a level of 11.2m AOD, the 1 in 100 year + 20% for climate change level is 11.193m AOD. The land gradually rises towards the Oak and Steel building and the lowest level between the two is on the gravel footpath and this level is 11.66m AOD.
- The proposal for the bridge is therefore generally supported as it will not increase flood risk in this area. However, there are some practical concerns about the details provided for the foundations and would recommend that an appropriate condition is attached as the engineering in this location is complicated due to the location of the University of Cambridge fibre optic cable beneath the footpath. I am of the opinion that a suitable detail could be designed that takes into account this constraint.

Hobson's Conduit Trust

6.6 Concerned by the narrow width of the footpath on the western side of the bank and the potential for slippages and erosion into the Brook. Not convinced the kiss gate design will deter cyclists from using the route. The footpath is not a cycle path and should not be used for such whether by default or design. Glad the revised design is lighter in visual density and revised

location will intrude less on the landscape than the previous application. However, there are concerns that there will be a very large impact on the vista walking both ways along the Brook. This is not welcome.

Cambridge City Council Access Officer

6.7 Not all Access Officers would agree to kissing gates, but if mobility scooters can pass through then it is ok. The requirement of dismounting to pass through the gates would deter most cyclists

6.8 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:

Objection:

- 123 Birdwood Road;
- 11 The Oak Building, Kingfisher Way;
- 23 The Oak Building Kingfisher Way;
- Encore Property Management Group (Managing Agents appointed by the Freeholder of the Oak & Steel Building);
- Chairman of Hobson's Conduit Trust;
- 16 The Oak Building, Kingfisher Way,
- Bidwells on behalf of Clare College;
- 25 Newton Road;
- 31 Newton Road;
- 39 Newton Road;
- 43 Newton Road;
- 46 Newton Road;
- 5 Diamond Close
- 10 Diamond Close;
- 19 Bentley Road;
- 29 Bentley Road;
- 41 Bentley Road;
- 15 Greenlands;
- 1 Rayleigh Close;

Support:

- 1 The Oak Building, Kingfisher Way
- 1 Aberdeen Square;
- 3 Aberdeen Square;
- 11 Aberdeen Avenue;
- 32 Aberdeen Avenue (incorrectly posted as an objection);
- 5 Bentley Road;
- 11 Henslow Mews;
- 12 Henlow Mews;
- 23 Henslow Mews;
- 3 Lennox Walk
- 3 Morland Terrace;
- 8 Morland Terrace

7.2 The representations can be summarised as follows:

In objection:-

Principle:

- The proposed bridge would not bring any benefit to local residents – bridge will not reduce journeys or improve access;
- The bridge would threaten the natural environment of the Hobson's Conduit corridor;
- The proposed bridge is a very poorly conceived idea;
- The bridge would not increase access to anywhere that is not already easily accessible;
- The 1963 covenant forbids the construction of any footbridge across the brook;
- Incorrect ownership certificate has been signed thus making the application invalid;
- The proposal would be contrary to policy 4/2 and 4/3 of the Local Plan (2006);
- The bridge would compound the negative impact already suffered by the community from the closure of the wood which was caused by the previous bridge application;
- The proposal would not bring communities together;
- No public benefit in the proposed bridge;

Design, access and use:

- Bridge is being positioned at the narrowest point along the footpath;

- The bridge will allow the inhabitants of Accordia much greater access to the brook even though there is sufficient provision already;
- The bridge will encourage people to use the footpath to gain access to other parts of the city;
- The path is very busy and further intensification is totally undesirable;
- Brookland Avenue already provides access to the path leading to the community orchard;
- The design fails to respect the character and context of the site and the surrounding area;
- The proposed bridge would contribute to the over-management of the Accordia site leading to suburbanisation of the green space;
- The west side footpath is totally unusable by wheelchair users;
- The landing pad would not allow wheelchair users to turnaround;
- The kissing gate will not deter bicycles;

Residential amenity

- The majority of local residents oppose the development;
- Disturbance and loss of privacy to residents of the apartments overlooking the site;
- Invasion of privacy;
- The location of the proposed bridge would allow people to look right into the lounge/living area of the ground floor apartments at a short distance;
- Upper floors would lose privacy from balcony areas;
- Compromise the outlook and quality environment for residents that overlook the brook;
- The proposal will increase noise and disturbance experienced by local residents who overlook the brook;
- The proposal will increase cycle use;
- The applicant has failed to admit to the objections to the bridge in the public consultations;
- The proposed bridge would only benefit residents of Accordia and have a detrimental impact on the residents on the west side of the brook;

Impact on wildlife and trees:

- Impact on wildlife and chalk stream from intensive use of the Brook;
- Impact on the bats roosting the Pill Box;

- The old trees along the brook might have to be felled and potential loss of another 100 year old tree;
- How are we going to be compensated for the destruction of the habitat that we created for the protection of bats?
- Concerned with the impact of the bridge as well as increased footfall will have on the flora and fauna along the Brook – not enough consideration has been given to this;
- The bridge could become a focal point for children and teenagers to gather which could have a negative impact on the natural environment and wildlife;
- Any lights would further adversely affect the natural habitat;
- The environmental risks outweigh any perceived benefits of the bridge;
- The proposed bridge would not preserve the hedges on either side of Hobson's brook;
- The fragile green corridor should be protected and not used as a short cut for a selected few;

Security and safety:

- The condition of the existing path is dangerous to unsupervised children and disabled people;
- Clare College has an ongoing problem with trespass into Clare Wood and the existing perimeter fence has been vandalised several times. The proposed bridge will exaggerate this with larger footfall coming from the Accordia site;
- The existing footpath on the western side of the Brook is commonly used by cyclists. The combination of cyclists and increase footfall is a significant concern;
- Clare Wood has had to be fenced off to protect Clare College's liability and the college is concerned about safety along the brook from enhanced use;
- The proposal would increase dangerous parking congestion in Newton and Bentley Road;
- The proposal would permit more cyclists to access the footpath and impact its delicate bankside;
- Increase security risk and provide an easy escape route to the disadvantage of all residents;
- Existing anti-social and criminal activity problems would be exacerbated;

Flooding and drainage

- Concerned by the inconsistent comments made by the drainage officer given the site is within flood zone 3;

- The parking garage under the Oak and Steel Buildings are 1 metre below ground level and could be flooded;
- Concerns with potential impact of any blockages given what has happened in the past;
- The proposal will compromise the existing safety of the site and deter parents from allowing their children to play in the play spaces by themselves;
- The revised scheme represents a reduced standard of flood protection which is inappropriate due to the flood problems in the local area;
- Construction work will increase risk of flooding;

Other:

- Why is taxpayer money being used to fund this scheme when funds are scarce and funding cuts to schools, transport and street lighting;
- The maintenance of the path and lighting would lead to continuing maintenance and legal liability for the city;
- Not a sensible use of money and would increase Council's liabilities;
- The bridge is not a short cut to anywhere;
- Alternative options should be considered such as extending the path on the east side of the brook;
- The proposed bridge is not a priority over other much needed local infrastructure projects;
- Concerned with the timing of this application over the Christmas holidays;
- The applicant has failed to consult all landowners;
- The proposed bridge would encourage further commuter parking in Diamond Close, Bentley Road and Newton Road;
- Potential impact on the fibre optic cable under the existing path;

In support:-

- The bridge will be a pleasant amenity for general use by the public;
- It will give access for walkers from east of the brook;
- Pleasant amenity for walkers to access the station area by a quiet route avoiding main roads;
- Many objections raised are exaggerated and there are no serious downsides to allowing this development;
- Important to preserve and enhance amenities for the general public;

- Walking around the city is to be encouraged and there should be a presumption in favour of facilitating such healthy, pleasant and sustainable activity;
- The proposal would encourage walking and access between both sides of the brook;
- The proposed bridge would benefit the community garden allotments and avoiding having to walk within close proximity to traffic;
- The proposed bridge would bring enjoyment to the neighbourhood;
- Design of the bridge is low-key and sensitive;
- Help to improve access to amenities for city residents and encourage use of local footpaths;
- The existing Brooklands Avenue route is not satisfactory or fit for purpose;
- Improve access to the community garden;
- A notice to restrict cyclist from using the path would be helpful;
- The bridge would not lead to an increase in crimes due to the design of the Accordia buildings;
- The proposal would allow dog walkers to avoid using the overburdened thoroughfare of Brooklands Avenue;
- A small bridge would enable the next generation to access a more natural environment other than alongside roads;
- Need to encourage the protection of valuable green spaces by allowing these areas to be appreciated and enjoyed not by fencing them off and preserving only for the minority;
- Closure of Clare Wood with an unsightly fence is regretted but not a valid reason not to proceed with a project to improve access to the footpath along the brook and allotments

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. Background
2. Impact upon the Green Belt and City Wildlife Site

3. Pedestrian link and disabled access
4. Trees
5. Ecology
6. Drainage and Flooding
7. Impact upon the listed building
8. Residential amenity
9. Third party representations

Background

- 8.2 The principle of a footbridge approximately 45 metres to the south of the application site was established under Outline planning permission 12/1078/OUT. The application was presented to Planning Committee on 19 November 2012 with an officer recommendation for approval subject to conditions. Members resolved to approve the application and the decision notice was issued on 23 November 2013. A subsequent reserved matters application was submitted and registered as 13/1572/REM. The application sought approval for the details relating to access, appearance, landscaping, layout and scale of the footbridge. The application was approved under delegated powers on 17 January 2014 subject to conditions. However, it is understood that following the fencing off the Clare Wood by Clare College (due to concerns of intensification and liability issues from risk of accidents from the increased use of the existing footpath from users of the footbridge), not enough space to create a landing area due to the fencing issues, and over landownership, the applicant was unable to implement the permission and so was forced to seek an alternative location for the footbridge.
- 8.3 The proposed footbridge is being proposed by the same applicant. The applicant is a voluntary group of Accordia residents working together under the title 'The Bridge Group'. The group essentially consists of five members. They have taken it upon themselves to identify and propose possible community projects which could be funded through S106 contributions. The group, through consultation with local residents, key stakeholders, relevant departments in the City and County Council, have identified a footbridge as the principal project, which they believe would enhance the brook, improve pedestrian movement within and from Accordia, open up access to the conduit and green spaces for residents and neighbouring communities while protecting and improving the

wildlife habitats. It should be noted that not all residents of Accordia are in support of the proposed footbridge.

- 8.4 The Bridge Group have, subject to planning permission, received funding from South Area Committee (on 14 December 2015) and the Cycling and Walking Committee for the proposed footbridge. The City Council's Streets and Open Spaces team have confirmed that the existing Hobson's Brook footpath is managed by the City Council and shall continue to be if the footbridge is approved.
- 8.5 With regards to the funding of the bridge, I will provide a further update on this on the amendment sheet or orally at the Committee meeting.
- 8.6 Paragraphs 8.3 and 8.4 in this background section are for information only, and are not material to my recommendation and should not influence any decision made by Members of the Planning Committee.

Impact upon the Green Belt, City Wildlife Sites and Conservation Area

Green Belt

- 8.7 The adopted Proposal Map shows the application site is located within the Cambridge Green Belt and Brookland Avenue Conservation Area. To the west of the site, opposite the Brook, is Empty Common Allotments and Clare Wood to south. These areas of land are both also within the Green Belt but are also Sites of Local Nature Conservation Importance, and within Flood Zones 2 and 3. Hobson's Brook and Vicar's Brook are a City Wildlife Site.
- 8.8 In terms of the Local Plan (2006), policy 4/1 (Green Belt) states that there is a presumption against inappropriate development in the Cambridge Green Belt. Supporting paragraph 4.5 states proposals that improve opportunities for outdoor sports and recreation and increase public access, improve amenity and enhance biodiversity will be supported. With regards to this policy, the proposed footbridge would introduce a connection point from the existing footpath and open space on the Accordia site to the existing footpath along the Brook and to Empty Common. Currently, there is no direct link from Accordia to

Empty Common or the existing footpath. To access these, residents of Accordia would have to leave the Accordia site and use the existing footpath entrance point on Brooklands Avenue. Therefore, the provision of a footbridge would improve access to recreation and increase public access. The proposal would not have a significant detrimental impact on the existing biodiversity but instead would present an opportunity for enhancements through conditions. The Council's Nature Conservation Officer supports the proposal on these terms.

- 8.9 The provision of a footbridge that is of limited scale and constructed of wood to assimilate sympathetically within the natural environment of Hobson's Brook would preserve the character and appearance of this part of the Green Belt and would not conflict with the land use allocations around it. The proposed footbridge would enable the local community to more easily access the footpath which runs alongside the Brook for recreational purposes, to enjoy the natural environment and to access to the nearby allotments. Therefore the proposed footbridge is not considered to be inappropriate development within the Green Belt.
- 8.10 There is no conflict between the adopted Local Plan (2006) and the NPPF (2012) in regards to development within the Green Belt. The NPPF provides a policy framework within which to appropriately apply policy 4/1. Therefore, the proposal is considered to be an appropriate form of development in the Green Belt and is therefore considered to comply with policy 4/1 of the Local Plan and NPPF Guidance in terms of paragraph 81.

City Wildlife Site

- 8.11 In terms of the City Wildlife Site, policy 4/3 (Safeguarding Features of Amenity or Nature Conservation Value) states that development should seek to enhance features of landscape importance for amenity or nature conservation and development which adversely impacts or results in the loss of those features will not be permitted unless it is avoidable and there are demonstrable and overriding wider public benefits. There is no evidence before me that the proposal would adversely harm nearby landscape and nature conservation sites.
- 8.12 Hobson's Brook/Vicar's Brook is designated City Wildlife Site (CWS), as is Empty Common and Clare Wood. However, as the

proposal does not directly connect to Empty Common or Clare Wood, there is unlikely to be any significant adverse material impact on these sites. In terms of Hobson's Brook, the proposed footbridge would not affect the alignment of the Brook or the existing footpath.

- 8.13 The western footpath needs improvement as, particularly in the rainy season, it becomes muddy and difficult to walk across. The proposal includes a new landing area with a 1 in 12 ramp for 2 metres along the existing western footpath. The landing area and ramp would maintain access along the footpaths for pedestrians to walk past without restriction. Details of the construction methodology will need to be carefully formulated, particularly due to the existing cable underneath the western footpath. A section plan has been provided showing the support structure for the footbridge which includes steel beams foundations but does not show the location of the fibre optic cable. I have recommended a condition for the applicant to make sure that they take this into consideration to mitigate any impact to it.
- 8.14 The proposal would also include path enhancements to the edge of the Brook to allow plants to grow. I have recommended a hard and soft landscaping condition so that these enhancements are submitted to and agreed in writing prior to the use of the footbridge.
- 8.15 In terms of mitigation, the Nature Conservation Officer has not raised any concerns with the ecological or biological impact of the proposed footbridge on the site but has raised concerns with the species of planting that the applicant has proposed around the bridge. The Landscape Officer has raised a similar concern regarding the proposed planting. I have therefore, with the agreement of both Officers, recommended a hard and soft landscaping condition which would enable a comprehensive landscape strategy to be agreed and implemented prior to use of the bridge.
- 8.16 I am therefore satisfied that with appropriate conditions, the proposed footbridge can be installed without any harmful long terms damage to the existing natural environment. My view is that the footbridge should be viewed as making a positive contribution by improving accessibility and connectivity to wider areas for local people. Concerns have been raised regarding

intensification of movement from people using the footbridge including cyclists and the potential adverse impact this would have on the existing footpath. The existing footpath is used currently by walkers and joggers, and sometimes cyclists, as a green and tranquil route to the south of the City and beyond. Therefore, the addition of a footbridge which deters cyclists, would not only allow better access to the existing green routes/corridors from the Accordia site but also improves linkages within the city for local people.

- 8.17 I am therefore satisfied that the proposed footbridge would not have a significantly adverse impact on the nature conservation value of Hobson's Brook or adjacent sites. In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 4/3.

Conservation Area

- 8.18 The site is located at the southern end of the Brooklands Avenue Conservation Area and north of the existing Grade II Listed Building (cold war bunker) which is/has been partially used for storage by Cambridge Press. The site is also located adjacent to a pill box, which is a concrete structure that has been integrated into the landscape of the site and currently used as a "bat hotel". The pill box identified in the Conservation Area Appraisal (June 2013) as a 'potential building of local interest'.
- 8.19 The Conservation Area Appraisal (CAA) does acknowledge the previous successful planning application for the bridge but does not give any further commentary of this. The CAA does make reference to the character of this part of the Conservation Area as being semi-wild with mature trees and a wide range of wildlife, and being uniquely tranquil compared to other parts. These characteristics are also sited as key positive features of Empty Common and the allotments. The key issues for this area is the care of many of the mature trees, maintenance of the water courses; and ensuring the allotments continue to be used and maintained properly.
- 8.20 The proposal does not include any tree removal but instead the applicant has proposed to plant additional trees which would add to the natural environment. The proposed footbridge would not have a material detrimental impact on the water course. The

landing area would enhance a section of the existing footpath. Whilst the footbridge would make the footpath more accessible this is not considered to be justification to warrant refusal. Instead provision should be made to support any additional movement/access to the green corridor not limit it. The footbridge would improve access to the allotments from the Accordia development.

8.21 The Conservation Team has not raised any concerns with the proposed bridge and I therefore consider it would not have a detrimental impact on the character and appearance of the Conservation Area and is compliant with Cambridge Local Plan (2006) policy 4/11.

8.22 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/1, 4/3 and 4/11 and NPPF Guidance (2012).

Pedestrian links and disabled access

8.23 The introduction of the footbridge would add to the existing linkages into and out of the Accordia site. The main (vehicular) access into Accordia is located off Brooklands Avenue and there are also two pedestrian links along Shaftesbury Road to the east. Hobson's Brook and the associated footpath on its west bank run along the length of the Accordia development and the footpath provides part of a wider pedestrian route link from Nine Wells, to Long Road and to the City Centre. The applicants seek to connect into this route.

8.24 Policy 8/4 of the Cambridge Local Plan 2006 states that:

To support walking and cycling, all developments will be designed to:

- a) give priority for these modes over the car;
- b) ensure maximum convenience for these modes;
- c) be accessible to those with impaired mobility; and
- d) link with the surrounding walking and cycling network.

8.25 The existing footpath along Hobson's Brook is restricted mainly for walkers and joggers. However, there are low numbers of cyclists that do use the footpath even though it is not suitable. There is no dedicated cycle route along the Hobson's Brook.

The nearest dedicated cycle lane is located along Trumpington Road. The proposed footbridge is to provide a sustainable link for walkers and joggers to existing green routes and the allotments in Empty Common. The footbridge has been designed to such a width that it allows pedestrians, pushchairs and disabled people include wheelchair users to access along it. The footbridge has been designed with a kissing gate on the Accordia side to discourage cyclists from using it.

- 8.26 There are concerns that the footbridge would encourage cyclists to use it as a cut-through to and from the station either entering or exiting the Accordia site and that in turn this would increase cycle usage along the footpath more generally. In order to discourage this, the applicant has proposed a 'kissing gate' on the Accordia side of the footbridge. The Access Officer believes this would be a deterrent for cyclists. Cycling can be very difficult along the existing footpath, particularly due to its narrow width and especially during winter months. However, I do recognise that it is not possible to completely design out the prospect that some determined cyclists may seek to use the bridge as a cut-through. Use of the footpath by cyclists is an existing problem which goes beyond the ability of the applicants to resolve as part of their application in terms of the availability of cycle access to it at other points. The proposed 'kissing gate' is, in my view, a reasonable and proportionate response to the existing issue.

I recognise also that wheelchair users and people with buggies may also find use of the footpath to be difficult at the point of access from the bridge. The use of the bridge would be on a 'user beware' basis and most local residents of Accordia will already be aware of the limitations of the existing footpath for all users. My view is that these concerns should not frustrate the wider benefits of connectivity to existing linkages and destination points such as the allotments for local people that the proposed footbridge would bring.

- 8.27 I note also that it is the view of the Highways and the Access Officers', which the benefits that this bridge would bring to the wider cycling public would be relatively small and only to those most determined. Whilst I cannot rule out a limited amount of cycle usage of the footbridge, I consider that a reasonable conclusion to reach is that any limited harm arising from cyclist

use should not outweigh the benefits of the link for pedestrians more generally.

- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/4.

Trees

- 8.29 No trees are to be removed from the site as part of the proposal and the proposed ramp and platform are proposed to be constructed above the root protection zones of existing trees. The applicant is proposing to retain and protect as much of the existing trees and shrubs, as possible and carry out replacement planting if any trees are required to be removed. The Design and Access Statement contains details of the proposed tree planting which would preserve and enhance the green corridor environment at this part of the brook. Whilst none of the trees are protected by a tree preservation order, no specific tree survey has been undertaken to assess the health/quality, age or species of the trees. The existing trees nevertheless have amenity value as they contribute towards the character of the green environment. I have therefore recommended conditions relating to tree protection.
- 8.30 Subject to the imposition of conditions to ensure the protection of the trees during construction, the proposed development is acceptable and in accordance with Cambridge Local Plan 2006 policy 4/4.

Ecology

- 8.31 The section of the Brook on the west bank is a wildlife haven and in its totality Hobson's Brook is designated as a City Wildlife Site. The Nature Conservation Officer considers that the introduction of the pedestrian bridge would have little ecological impact with only a short section of bramble removed. The Officer also confirms the proposed footbridge will not impact on bats roosting in the pill box.
- 8.32 The section of vegetation that spans along the west boundary of Accordia, along with the public open space adjacent is managed by the City Council. The Nature Conservation Officer is involved with this boundary management and its role, which plays a part of a wildlife habitat.

- 8.33 In order to ensure that wildlife is protected during the stages of construction, full details will need to be submitted prior to development. This can be secured through an appropriate condition.
- 8.34 The Nature Projects Officer has requested that a condition is imposed so that floodlighting cannot be installed. This is because the Brook provides a route for foraging bats. I consider it reasonable to impose such a condition.
- 8.35 Subject to the imposition of conditions to ensure the protection of wildlife during construction, I am confident that the proposed footbridge can be incorporated over Hobson's Brook without causing significant harm to the existing ecology. On this basis, the proposal is acceptable and in accordance with Cambridge Local Plan 2006 policy 4/6.

Drainage and Flooding

- 8.36 The site is located within a flood zone, given the presence of the watercourse.
The Council's Sustainable Drainage Officer has raised no concerns with the proposed footbridge in terms of flood risk. However, the Officer has some practical concerns about the foundation details due to the location of the fibre optic cable that runs under the existing footpath. Therefore whilst the Officer is satisfied suitable detail could be designed that takes into account this constraint, a pre-development condition has been recommended so that details of the foundations are submitted to and approved in writing by the City Council. The applicant has shown in their Design and Access Statement that they are aware of the ground and below ground constraints and have suggested measures to mitigate any impact.
Concerns have been raised regarding the potential for debris to be become lodged and collect around the proposed footbridge. The bridge is proposed to be 450mm above the existing water level, which we are advised by the Council's Sustainable Drainage Officer, is enough of a clearance to allow any small debris that is associated with Hobson's Brook to pass by without becoming lodged.
- 8.37 Subject to the imposition of conditions to ensure that the proposed development does not increase the risk of flooding,

the proposed development is acceptable and in accordance with Cambridge Local Plan 2006 policy 4/3.

Impact upon the listed building

- 8.38 The former cold war nuclear bunker to the south of the application site is a Grade II Listed Building. In my view the proposed revised location of the footbridge, approximately 45 metres from the approved location, which was directly adjacent to the bunker, would not have any adverse impact on the setting of this Listed Building. The Conservation Team have raised no concern with the impact on the listed building.
- 8.39 The proposed development is compliant with Cambridge Local Plan 2006 policy 4/10.

Residential Amenity

Impact on amenity of neighbouring occupiers

- 8.40 The proposed location of the bridge is between the Oak Building and Steel Building. The western elevation of both buildings contain balconies which allow occupiers to overlook the open space area and gravel footpath, Hobson's Brook and higher up views of the allotments. Moving northwards along this boundary of the site, there is a children's play area. The proposed development has the greatest potential to affect the occupants of the Oak Building and the Steel Building.
- 8.41 The proposed footbridge and its path would combine with the existing footpath network on the Accordia site and provide a link over Hobson's Brook. In terms of its impact on the residential amenity of existing occupiers, there is already a footpath that runs across the western faces of the existing buildings. Therefore, there is already a level of activity from users of the footpath from within the Accordia estate and local people using the footpath on the western side of the bank. I do not consider the point of intersection of the new pathway to be located in a particularly secluded or private area of the site. Most occupiers of these existing buildings have generous balcony areas and so already experience a degree of overlooking as well as from people using the existing footpaths to the west of the buildings.

- 8.42 Whilst I appreciate that the new footpath would run east-west (perpendicular) to the north-south footpath within Accordia, the presence of the surface water drainage features (swales) in the public open space provides a buffer between the existing gravel path and the rear elevation of the Oak and Steel Buildings. These features assist in defining the public and private spaces and provide distinction between the two areas. The distance from the gravel footpath to the rear elevation of the Oak Building is approximately 9.2 metres and 10 metres from the Steel Building at its closest points. The footbridge is proposed to be positioned between the Oak and Steel Building, so there would be no issue of any existing occupiers having an outlook directly of the footbridge. The footbridge would be at its closest point approximately 20 metres from the Oak Building and 24 metres from the Steel Building. Given these distances, the existing use of the public open space and the presence of users on the opposite bank, I do not consider that the introduction of the proposed footbridge would have a significant adverse impact on the residential amenity of the occupiers of the Oak and Steel Buildings. This matter aside, the balconies of the Oak and Steel Buildings have been orientated so that they overlook public open space and as such, there is already mutual inter-looking, whether the bridge is constructed or not.
- 8.43 I observed from the west side of the Brook that the flats on the first floor are at eye level because of the difference in ground levels. However, given the presence of trees and hedgerows, views are limited, particularly from oblique angles. The introduction of a footbridge is likely to increase the number of trips that people take around the flats, however I do not consider the level of additional movement would result in a level of intensification that would have a significantly detrimental impact on the residential amenity of the existing occupiers.
- 8.44 Other residents are concerned about the potential for crime and disorder to increase if a new access point is opened. The fact the proposed footbridge would be overlooked by existing residents as a form of natural surveillance is likely to discourage crime and disorder, I do not consider the fear of crime is a reasonable reason to resist the proposal.
- 8.45 In my opinion the more well-used a space is, the less likely that crime will occur. On this basis, my personal view is that there would be an improvement in community safety on this site as a

consequence of the proposed development. I do recognise that the footbridge allows for an additional point of escape, but I do not consider it a sound basis to resist the proposed on the fear of increased opportunity for crime given that usage of the surrounding footpaths is likely to increase. This would not be to a level that causes adverse impacts, but to a level that would improve the safety and surveillance of the area to the benefit of the wider community on Accordia.

8.46 Some existing residents are concerned that the proposed footbridge would encourage children to venture across it and onto the existing footpath, where they may be in danger and that the bridge may provide an opportunity for unwanted visitors to be in close proximity to the children's play area. There are no barriers between the open space and Brook currently and children are able to play on this land without restriction. The proposal however does include a post and rail fence to funnel people towards the footbridge and the applicant is proposing to landscape the area between the bridge and existing pill box. Whilst safety concerns cannot be completely eliminated from the proposal, the applicant in my view has taken appropriate steps to ensure the risk is sufficiently low. In my view, I do not consider the proposed footbridge should be frustrated by these issues as there is no evidence on which to base reasonable grounds of refusal.

8.47 Representations have been received both supporting and opposing the proposed development. In light of these comments, I find that the benefits of the bridge outweigh the concerns raised. Issues outside material planning considerations such as future maintenance, health and safety, anti-social behaviour would be the responsibility of either other relevant departments and/or emergency services. In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with the Cambridge Local Plan (2006) policies 3/4 and 3/7.

Third Party Representations

8.48 I set out below my response to the third party representations that I have not already addressed in the above section of the report in the below table.

Representation in objection	Response
The proposed bridge would not bring any benefit to local residents – bridge will not reduce journeys or improve access;	The proposed bridge would benefit local residents by improving access to the existing footpaths along Hobson's and Vicar's Brook, Empty Common allotments and beyond.
The bridge would threaten the natural environment of the Hobson's Conduit corridor;	There is no evidence to suggest the proposed bridge would have any significant adverse impact on the natural environment.
The proposed bridge is a very poorly conceived idea;	In planning terms, the proposed bridge is considered to be acceptable.
The 1963 covenant forbids the construction of any footbridge across the brook;	Any matters affecting covenants are not material planning considerations.
Incorrect ownership certificate has been signed thus making the application invalid;	This has now been rectified to the best of the applicant's knowledge through the issuing of a revised ownership certificate.
The proposal would be contrary to policy 4/2 and 4/3 of the Local Plan (2006);	See paras 8.5 to 8.15
The bridge would compound the negative impact already suffered by the community from the closure of the wood which was caused by the previous bridge application;	The closure of Clare Wood is private land and so the City Council has no control over how it is used.
The proposal would not bring communities together;	The proposed bridge is not entirely aimed at bringing communities together in my view. It is to help improve and set up links to existing public footpaths for the benefit of local residents.
No public benefit in the proposed bridge;	See above
Noise and disturbance from construction work	I have recommended construction hour's condition and delivery and collection condition.

Construction work will increase risk of flooding;	There is no evidence to suggest construction work will result in an increase in flood risk.
Why is taxpayer money being used to fund this scheme when funds are scarce and funding cuts to schools, transport and street lighting;	Taxpayers money is not being used to fund this scheme. The scheme would use extant S106 funds to contribute towards the scheme. The funding of this scheme was agreed by South Area Committee subject to achieving planning permission.
The maintenance of the path and lighting would lead to continuing maintenance and legal liability for the city;	The City Council is responsible for the maintenance of the path. No light is proposed and I have recommended a no lighting condition.
Not a sensible use of money and would increase Council's liabilities;	See para 8.5
Alternative options should be considered such as extending the path on the east side of the brook;	Only the proposal that is applied for can be considered.
The proposed bridge is not a priority over other much needed local infrastructure projects;	As above.
Concerned with the timing of this application over the Christmas holidays;	Whilst I understand the timing of the application, sufficient time has been given for residents to comment on this application.
The applicant has failed to consult all landowners;	The applicant has rectified this but submitted a revised ownership certificate which contains details of all known landowners.
The proposed bridge would encourage further commuter parking in Diamond Close, Bentley Road and Newton Road;	There is no evidence to support this.
Potential impact on the fibre optic cable under the existing path;	I have recommended a condition on the bridge foundation details.

9.0 CONCLUSION

- 9.1 The application site is located less than 50 metres from the location of the approved footbridge. The proposed location of the bridge is not considered to be materially different to the approved location other than it would be located further away from the listed bunker and would assimilate into the existing pedestrian network on the Accordia site. The proposed footbridge is of a simple design which is appropriate for this tranquil and semi-rural setting. The proposed timber structure would help to assimilate the bridge into the surrounding semi-rural context without appearing out of place or harmful. Therefore, the proposed bridge would not have an adverse impact on the character and appearance of this sensitive site or on the existing wildlife.
- 9.2 The proposed bridge is considered to be set a sufficient distance away from the existing occupiers of the Oak and Steel building such that it would not have any adverse impact on their residential amenity. The proposed kissing gate is a physical deterrent that would naturally discourage cyclists from using the footbridge. Cycling along the existing footpath to which the footbridge is proposing to connect to is not permitted but does occur.
- 9.3 The proposed bridge would improve access to Empty Common and the allotments for local residents and also for walkers to enjoy the existing footpath along Hobson's brook and Vicar's brook. I have recommended several conditions to ensure the proposed bridge and surrounding area is not significantly impacted.

RECOMMENDATION

APPROVE subject to the following conditions:

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. 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 73 of the Town and Country Planning Act 1990.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the external surfaces is appropriate. (Cambridge Local Plan 2006 policies 3/4, 3/12 and 3/14)

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting); proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines indicating lines, manholes, supports); retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development. (Cambridge Local Plan 2006 policies 3/4, 3/11 and 3/12)

5. No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been submitted to and approved in writing by the local planning authority, and all tree planting shall be carried out in accordance with those details and at those times.

Reason: To ensure the satisfactory implementation of tree planting in the interests of visual amenity. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

6. Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development, shall be submitted to the local planning authority for its written approval, and implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The agreed means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of the trees on the site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

7. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of two years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837 and the approved plans and particulars before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To protect the visual amenity of the area and to ensure the retention of trees on site. (Cambridge Local Plan 2006 policies 3/4, 3/11, 3/12 and 4/4)

8. Prior to commencement of development construction details of bridge foundations and bank reinforcement measures shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plans.

Reason: To ensure the support structure does not adversely effect the existing watercourse and amenity of the locality (Cambridge Local Plan 2006 policies 3/7 and 4/3).

9. No construction work or demolition work shall be carried out or plant operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

10. There should be no collection or deliveries to the site during the demolition and construction stages outside the hours of 0800 hours and 1800 hours on Monday to Friday, 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2006 policy 4/13)

11. No external lighting shall be installed without the prior written consent of the Local Planning Authority.

Reason: In order to preserve the amenity of the locality in accordance with Policies 3/4, 4/3 and 4/15 of the Cambridge Local Plan 2006.

12. The kissing gate shall be installed prior the use of the footbridge and shall thereafter be maintained in accordance with the approved details.

Reason: To ensure the kissing gate is installed and maintained so that use by cyclists is deterred in the interest of safety and amenity of pedestrians using the footpath due to its narrow and informal nature. (Cambridge Local Plan 2006 policy 3/7).

INFORMATIVE: When considering submitting an application to discharge the bridge foundation condition (8), the developer should be aware of the presence of an underground fibre optic cable within the footpath on the west side of Hobson's Brook.