

Application Number	16/0769/FUL	Agenda Item	
Date Received	10th June 2016	Officer	Mairead O'Sullivan
Target Date	5th August 2016		
Ward	Newnham		
Site	Laundress Green Laundress Lane Cambridge Cambridgeshire		
Proposal	Installation of a punting pontoon on laundress green. The punting pontoon will be suitable for loading tourists onto chauffeured 12 seater wide beam ferries. The pontoon will have wheelchair access.		
Applicant	Director of TCT Milan Kovacevich 32 High Street Meldreth Herts SG8 6JU		

<p>SUMMARY</p>	<p>The development is contrary to the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> • The proposed development and use would have a negative impact upon the semi-rural character of Laundress green and as a result the character and appearance of the Conservation Area. • The applicant has failed to demonstrate that the proposal would not impact on protected species within the area • The proposal is likely to result in an increase in congestion to an already overcrowded part of the river
<p>RECOMMENDATION</p>	<p>REFUSAL</p>

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located on the north western end of Laundress Green. Laundress Green is Common Land which is owned by the City Council adjacent to Mill Lane and the Weir. The site is highly visible from the Silver Street Bridge. Laundress Green is allocated as Protected Open Space (NAT 06 – Sheep’s Green and Coe Fen – Semi-natural green space). The site falls within the Central Conservation Area and is covered by both the Historic Core Conservation Area Appraisal and Sheep’s Green/Coe Fen Conservation Plan. The site is located adjacent to the Mill Bridge; a grade II listed structure. The site also falls within the Green Belt and Flood Zones 2 &3.

2.0 THE PROPOSAL

2.1 The application proposes the installation of a punting pontoon. The pontoon would measure 2.5m x 8m. The pontoon would be held in place by steel piles and accessed from Laundress Green via a 9m long ramp with handrails. The pontoon would accommodate 12 wide beam ferry punts.

2.2 The application has been amended to remove the shed from the description of development.

2.3 The application is accompanied by:

1. Plans
2. Flood risk documentation
3. Covering letter
4. Certificate B

3.0 SITE HISTORY

3.1 There is no site history

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 Plan 2006	Local	3/1 3/4 3/7 3/9 3/11 4/1 4/2 4/4 4/7 4/10 4/11 4/13 6/4 8/2

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)
Material Considerations	<u>City Wide Guidance</u> Arboricultural Strategy (2004) Biodiversity Checklist for Land Use

	<p>Planners in Cambridgeshire and Peterborough (March 2001).</p> <p>Cambridge Landscape and Character Assessment (2003)</p> <p>Cambridge City Nature Conservation Strategy (2006)</p> <p>Criteria for the Designation of Wildlife Sites (2005)</p> <p>Cambridge City Wildlife Sites Register (2005)</p> <p>Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010)</p> <p>Strategic Flood Risk Assessment (2005)</p> <p>Cambridge City Council (2011) - Open Space and Recreation Strategy</p>
	<p><u>Area Guidelines</u></p> <p>Cambridge Historic Core Conservation Area Appraisal (2006)</p> <p>Sheeps Green/Coe Fen Conservation Plan (2001)</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)

No objection:

- 6.1 The Highway Authority has no objection to the proposal in principle. The proposal has the potential to impact upon the adjacent structure supporting the public highway. Therefore a number of informatives and a condition are requested to ascertain that the structure is not compromised.

Urban Design and Conservation Team

Objection:

- 6.2 The proposal is unacceptable. The proposed pontoon would have a negative impact on the open semi-rural nature of Laundress Green and therefore the character and appearance of the Conservation Area. The use of Laundress Green for business purposes will have a negative impact on the character of the Conservation Area.

Environmental Health

No objection

- 6.3 The proposal is acceptable subject to two conditions

Refuse and Recycling

- 6.4 No comments received

Head of Streets and Open Spaces (Tree Team)

6.5 No comments received

Head of Streets and Open Spaces (Sustainable Drainage Officer)

No objection:

6.6 The proposed development is acceptable subject to the imposition of a condition regarding the ramp seat. There are concerns about the stability of the bank and the ramp seat and the current drawing does not accurately represent the profile of the bank in this location. The pontoon will rise and fall with water levels and therefore will not have an impact on flood risk.

Head of Streets and Open Spaces (Nature Conservation Officer)

Objection

6.7 It is not possible to comment on the proposal as additional information is required. The proposed pontoon sits within the River Cam County Wildlife Site and is in close proximity to the Sheep's Green and Coe Fen Local Nature Reserve. Therefore an ecological assessment, informed by appropriate surveys, should be provided to ensure there is no impact on protected species such as water voles, bats and breeding birds.

The Wildlife Trust

6.8 No comments received

Environment Agency

6.9 No comments received

Conservators of the River Cam

6.10 No comments received

Mineral and Waste

6.11 No comments received

6.12 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. A number of consultees have not responded. I will report any additional responses on the amendment sheet or orally at the meeting.

7.0 REPRESENTATIONS

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

- 11A Chaucer Road
- Church Rate Corner, Malting Lane
- Darwin College, Silver Street
- 6 Eltisley Avenue x2
- 43 Eltisley Avenue
- 2 Eve House
- FrostLake Cottage, Malting Lane
- Granary Yard, Malting Lane
- 15 Grange Road
- 15 Latham Road
- Mount Pleasant House
- 20 Millington Road
- 31 Millington Road
- Scudamores, Granta Place
- 3 Summerfield
- 10 Summerfield
- 18 Wordsworth Grove x2
- Wytherton, Summerfield

7.2 The representations can be summarised as follows:

Validation

- The site plan edged red is inaccurate
- Lack of shed drawings
- Lack of open space assessment

Biodiversity

- No ecological statement has been provided

Conservation

- Would not complement and enhance the waterside setting contrary to policy 3/9
- The proposal is of a standard design with no consideration of the setting in terms of heritage impact or biodiversity
- Concerned about damage to adjacent listed bridge
- Contrary to policies 4/10 and 4/11
- Fails to address impact of additional punts/coverage of Mill Pit. Photograph mock-up submitted showing punts in proposed location
- Would not preserve rural character of Laundress Green
- Would have adverse impact on surrounding listed structures
- Negative impact on views of the river

Traffic/congestion

- Would exacerbate river congestion and capacity issues
- Health and safety risk to the public and staff working on existing punt stations
- No provision of details for pedestrian access to pontoon
- Would not make access to the river easier or safer
- Area already heavily congested with bike and pedestrian movements

Public Open Space

- Operations on public land are restricted
- Amount of public open space to be lost is unclear
- There will be direct (queues/structure) and indirect (intensification of use) loss of public open space
- Laundress Green is not suitable for commercial activity
- In report on 'Punting Provision in Cambridge at 3.16 laundress Green is identified as unsuitable for further punt stations
- At Cambridge Council Strategy and Resource Scrutiny Committee meeting on 4th July 2016 Item 6 of the agenda related to punting provision. This identified no sites on public land which were suitable for punting development.
- Contrary to policy 6/4 and policy 79 of the emerging plan as would not add to the diversity/range of visitor attractions

Other

- Applicant has not obtained a license from Conservators. Do not believe applicant has the appropriate interest in the land to be granted a licence

- It is unclear how the business would operate; a method statement has not been provided
- Not practical; lack of storage for equipment which will need to be removed everyday
- Cows would be shooed away which would reduce enjoyment of Laundress green for other visitors
- Speculative application

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. Principle of development
2. Context of site, design and external spaces (and impact on heritage assets)
3. Impact on the Conservation Area and setting of the listed structure
4. Biodiversity
5. Disabled access
6. Residential amenity
7. Highway safety
8. Third party representations

Principle of Development

8.2 Policy 3/9 relates to waterside or water-related development. This policy states that development will be permitted if it can demonstrate that it would:

- a) complement and enhance the waterside setting;
- b) maintain or improve public access to and along the waterside;
- c) maintain and enhance the biodiversity of the watercourses and other bodies of water and their margins; and
- d) in the case of recreational development, there is sufficient capacity to accommodate additional usage of the waterway arising from the development.

- 8.3 I will assess criteria a) and c) in the below paragraphs. In my view the proposal would accord with criteria b) which relates to access to the river. In terms of the capacity of the river to accommodate the additional usage (criteria d); I have not received any comments from the Conservators of the River Cam. However, many of the third party representations raise the issue that the River Cam is already congested. From my observation the river space out of which punts would dock is already significantly congested during peak times. The report on Punting Provision in Cambridge (Cambridge Strategy and Resource Scrutiny Committee 4th July 2016) notes that Laundress Green is not considered suitable for further punting activity. The report notes that there are already 3 punting stations here; 2 serving the middle river and 1 serving the upper river. The focus of this element of the report relates to touting activity. However it is clear from the representations and from my own observations that this part of the river is currently close to full capacity, if not over capacity at times. Additional punting activity in this part of the river, due to the congestion issues, would have the potential to impact on the safety of members of the public and staff on the existing punt stations. As a result I consider the proposal contrary to criteria d) of policy 3/9.
- 8.4 Policy 6/4 relates to visitor attractions. This states that development which maintains, strengthens and diversifies the range of visitor attractions will be permitted if they are well related to the cultural heritage of the city. The proposed development would relate culturally to the heritage of the city. In my view the proposal would not diversify visitor attraction given that there is already a significant number of punting operations in Cambridge. However the proposal would be considered to maintain and strengthen visitor attractions in line with policy 6/4.

Context of site, design and external spaces (and impact on heritage assets)

- 8.5 Laundress Green is an iconic and attractive part of Cambridge. It is a part of the Green Belt which is easily accessible from the city centre. The site and the wider Laundress Green area are highly visible and are part of an important vista from the Silver Street Bridge.
- 8.6 There are two existing punt stations located adjacent to the site. One, to the east of the site, accommodates larger punts and runs

adjacent to the Anchor Pub. Another, to the north west of the site, accommodates smaller punts and is accessed from the steps of Silver Street.

- 8.7 The existing punting stations are located against a backdrop of built structures. The proposed punting station differs from these surrounding stations as it is to be located against the backdrop of Laundress Green. As described above this is a semi-rural setting; often inhabited by cows. The proposed punting station would introduce an 8m long structure (with a further 9m long access ramp) which would be of utilitarian design. The structure appears purely functional having no special consideration for the proposed sensitive setting. As a result I consider it would have a negative impact on the green character of this area.
- 8.8 Criteria a) of policy 3/9 states that waterside development will be permitted if it can demonstrate that it would complement and enhance the waterside setting. The proposal would introduce a structure of no design quality to the sensitive riverside location. The pontoon would accommodate 12 long beam ferry punts in an already significantly congested area of the river. As a result I consider the proposal would not enhance the setting of the river in this context contrary to criteria a) of policy 3/9.
- 8.9 In my opinion the proposal is contrary to Cambridge Local Plan (2006) policies 3/4, 3/9 and 3/11

Impact on the Conservation Area and setting of the listed structure

- 8.10 The Conservation Officer considers the proposal to be unacceptable. She considers the proposed use of Laundress Green for commercial activity to be inappropriate. Laundress Green forms part of the Green Belt and has a semi-rural character. As a result the use of the site for commercial activity would degrade the character of this part of the Conservation Area.
- 8.11 The use of the site for commercial activity also presents the potential for additional harm to the appearance of Laundress Green. The existing bank which would form the access to the pontoon is sloping and grassed. If this were to be covered with hard standing it would result in further degradation to the green character of Laundress Green. The use of the site for the punting

business will also result in a significant increase in pedestrian movements and congestion in this part of the Green; with cyclists and people visiting Laundress Green having to negotiate further congestion from punting queues within the Public Open Space.

- 8.12 The Historic Core Appraisal and the Coe Fen and Sheep's Green Conservation Plan both emphasise the importance of the views from Silver Street Bridge across to the semi-rural area of Laundress Green. The area is green with cows grazing for much of the year. Whilst there are existing punt stations in the vicinity, as mentioned previously, these operate against a backdrop of a built structure. The proposal will interrupt and obscure this important view of the semi-rural environment from Silver Street Bridge.
- 8.13 In my opinion the proposal would not preserve or enhance the character and appearance of the Conservation Area and as a result would be contrary to policy 4/11 of the Cambridge Local Plan

Biodiversity

- 8.14 The Biodiversity Officer has requested an ecological survey to assess the impact on protected species which are located within the area. The applicant has failed to provide any evidence to demonstrate that the proposed development would not impact on these species. As a result the proposal has failed to address policy 4/7 and criteria c) of policy 3/9 of the Cambridge Local Plan.

Highway Safety

- 8.15 The Highway Engineer has no objection to the proposal subject to a condition and a number of informatives. The condition seeks to ensure the proposed development will not compromise the adjacent bridge which supports the public highway. If I were minded to support the proposal I would impose this recommended condition.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Third Party Representations

8.17 I have addressed many of the issues raised within the body of my report. I will address any outstanding issues in the below table.

Issue	Response
Validation	
The site plan edged red is inaccurate	The site plan is considered acceptable
Lack of shed drawings	The shed has been removed from the proposal
Lack of open space assessment	An open space assessment was not required as part of the application
Biodiversity	
No ecological statement has been provided	See paragraph 8.14
Conservation	
Would not complement and enhance the waterside setting contrary to policy 3/9	See paragraph 8.8 See paragraph 8.7
The proposal is of a standard design with no consideration of the setting in terms of heritage impact or biodiversity	See paragraph 6.1
Concerned about damage to adjacent listed bridge	See paragraphs 8.10-8.13 See paragraph 8.8
Contrary to policies 4/10 and 4/11 Fails to address impact of additional punts/coverage of Mill Pit. Photograph mock-up submitted showing punts in proposed location	See paragraphs 8.5-8.13
Would not preserve rural character of Laundress Green	See paragraph 6.1
	See paragraph 8.12

<p>Would have adverse impact on surrounding listed structures</p> <p>Negative impact on views of the river</p>	
<p>Traffic/congestion</p>	
<p>Would exacerbate river congestion and capacity issues</p> <p>Health and safety risk to the public and staff working on existing punt stations</p> <p>No provision of details for pedestrian access to pontoon</p> <p>Would not make access to the river easier or safer</p> <p>Area already heavily congested with bike and pedestrian movements</p>	<p>See paragraph 8.3</p> <p>See paragraph 8.3</p> <p>The Highway Engineer has not expressed any concerns regarding access to the site</p> <p>See paragraph 8.3</p> <p>See paragraph 8.11</p>
<p>Public Open Space</p>	
<p>Operations on public land are restricted</p> <p>Amount of public open space to be lost is unclear</p> <p>There will be direct (queues/structure) and indirect (intensification of use) loss of public open space</p> <p>Laundress Green is not suitable for commercial activity</p> <p>In report on 'Punting Provision in Cambridge at 3.16 laundress Green is identified as unsuitable for further punt stations</p>	<p>Not a material planning consideration</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraphs 8.10-8.14</p> <p>See paragraph 8.3</p>

<p>At Cambridge Council Strategy and Resource Scrutiny Committee meeting on 4th July 2016 Item 6 of the agenda related to punting provision. This identified no sites on public land which were suitable for punting development.</p> <p>Contrary to policy 6/4 and policy 79 of the emerging plan as would not add to the diversity/range of visitor attractions</p>	<p>See paragraphs 8.3</p> <p>See paragraph 8.4</p>
<p>Other</p>	
<p>Applicant has not obtained a license from Conservators. Do not believe applicant has the appropriate interest in the land to be granted a license</p>	<p>Not a material planning consideration</p>
<p>It is unclear how the business would operate; a method statement has not been provided</p>	<p>Not a material planning consideration</p>
<p>Not practical; lack of storage for equipment which will need to be removed everyday</p>	<p>Not a material planning consideration</p>
<p>Cows would be shooed away which would reduce enjoyment of Laundress green for other visitors</p>	<p>Not a material planning consideration</p>
<p>Speculative application</p>	<p>Not a material planning consideration</p>

9.0 CONCLUSION

- 9.1 The use of Laundress Green for commercial activity is considered unacceptable. This is common land and protected open space within the Conservation Area. The proposed pontoon structure and use of Laundress Green for further commercial activity would negatively impact upon the semi-rural character of area and views of this space from Silver Street Bridge. As a result the proposal is considered harmful to the character and appearance of the Conservation Area contrary to policy 4/11. The proposal also fails to complement or enhance the waterside setting in this location contrary to criteria a) of policy 3/9. The applicant has failed to address the impact of the proposal on biodiversity contrary to policy 3/9 c). In my view the proposal would result in an unacceptable level of congestion to this part of the river contrary to 3/9 (d).

10.0 RECOMMENDATION

REFUSE for the following reasons:

1. The proposed pontoon structure and additional punts would negatively impact upon the waterside setting of Laundress Green. The site forms part of an iconic vista from the Silver Street Bridge which will be compromised and partially obscured by the addition of the pontoon. The use of Laundress Green for additional commercial activity is also considered out of character given the semi-rural setting of the site with Common Land. As a result the proposal fails to comply with policy 4/11 and criteria a) of policy 3/9 of the Cambridge Local Plan (2006)
2. No information has been provided regarding the impact of the proposal on biodiversity. In the absence of this information the proposal is considered to pose potential harm to biodiversity contrary to criteria c) of policy 3/9 and policy 4/7 of the Cambridge Local Plan (2006)
3. The proposal is likely to exacerbate existing congestion issues on this part of the river. As a result the proposal is considered contrary to criteria d) of policy 3/9 and policy 4/7 of the Cambridge Local Plan (2006)