

Application Number	17/1864/FUL	Agenda Item	
Date Received	27th October 2017	Officer	Mairead O'Sullivan
Target Date	22nd December 2017		
Ward	Market		
Site	Scudamores Boat Yard Mill Lane Cambridge		
Proposal	Replacement of ticket office and pontoons.		
Applicant	c/o Agent		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> - The proposal is considered acceptable in terms of design and would preserve and enhance the character and appearance of the conservation area. - The proposal would improve access to the river
RECOMMENDATION	APPROVAL

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is located to the south of Mill Lane. It incorporates a strip of land which runs parallel to Laundress Lane, Mill Bridge and part of Laundress Green. Laundress Green is Common Land which is owned by the City Council. 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 includes the Mill Bridge; a grade II listed structure.

1.2 The site also falls within the Green Belt and Flood Zones 2 & 3. The River Cam is a designated Wildlife Site

2.0 THE PROPOSAL

- 2.1 The application seeks full planning permission for replacement pontoons and ticket offices.
- 2.2 The proposal includes a new layout and extension to the area covered by pontoons. Currently one pontoon extends vertically from the walkway. This is to be removed and pontoons are to be incorporated following the line of the land. The pontoons are to extend past the bridge adjacent to the northern part of Laundress Green.
- 2.3 The existing ticket office is to be removed and replaced with a new building on a similar footprint to existing. The ticket office building would be finished in timber cladding with a signage area shown and roller shutters which could be drawn when closed.
- 2.4 The element of the pontoons which extends beyond the bridge with access from Laundress Green incorporates a ramp and is to be used by less able customers. A hoist is also located on this element of the pontoons.
- 2.5 The application as submitted includes:
- Plans
 - Design and Access Statement
 - Heritage Statement
 - Ecology report
 - Flood Risk Assessment
 - Context document
 - Health and Safety document
 - Frequently asked questions

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 3/12 3/14 4/1 4/2 4/3 4/4 4/6 4/8 4/10 4/11 4/13 6/4 8/2 8/18

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 (Annex A) 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> Biodiversity Checklist for Land Use Planners in Cambridgeshire and

	<p>Peterborough (March 2001).</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 and Milton Surface Water Management Plan (2011)</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 (2011)</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)

6.1 No comment.

Environmental Health

6.2 No objection: In the interests of amenity, I recommend the standard construction hours condition.

Urban Design and Conservation Team

6.3 No objection: The site is in a prominent location. The pontoons and associated walkways are relatively low visual impact. Precise details are requested by condition. The ticket office is fairly modest. Conditions are required in relation to signage and materials. A condition regarding details of the DDA-type compliant equipment is also required.

Access Officer

6.4 No objection: I am so impressed with this application. The proposers have gone out of their way to be inclusive towards the residents and visitors to Cambridge. I fully support the application.

Head of Streets and Open Spaces (Tree Team)

6.5 No objection

Refuse and recycling

6.6 No comments received.

Policy

6.7 No comments received.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

6.8 No comments received.

Head of Streets and Open Spaces (Nature Conservation Officer)

6.9 No objections: The revised Arbtech report includes an assessment of the brick structure for bat roost potential as requested, I am therefore content that roosting bats are not likely to be effected. Conditions are requested in relation to external lighting and the requirement of an installation method statement which needs to specifically address the impact on water voles.

The Wildlife Trust

6.10 No comments received.

Conservators of the River Cam

6.11 No comments received.

Environment Agency

First comment

6.12 Objection: In the absence of a Flood Risk Assessment (FRA), we object to the application.

Second comment

6.13 Following the submission of the Flood Risk Assessment (FRA) (Scudamore's Punting Quayside FRA Dec 2017), the Agency now has no objection in principle to the proposed development providing the LPA is satisfied the sequential test requirements have been met and that the mitigation measures detailed in the FRA are adhered to.

Disability Consultative Panel (Meeting of)

6.14 The Panel were impressed by the quality of the research undertaken as background to this application and applaud Scudamore's aspiration to significantly improve access to the river for both the ambulant disabled and wheelchair users.

6.15 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:

- 4 Hardwick Street
- Flat 6, Hilderstone House, Staffordshire Street
- 37 Kelsey Crescent
- 47 Riverside

7.2 The representations can be summarised as follows:

- Will change the look of Mill Pond
- Will adversely impact the character of the conservation area and the mill (listed building)
- The recreational use of the bridge will adversely impact others enjoyment of the space
- The works will cause an increase to the number of people using the area causing congestion
- There will be additional car and taxi movements making it less safe
- Concerned about land ownership matters
- Concerned that in breach of competition law; applicant is a monopoly operator
- Concerned that promise not to increase punt number is unenforceable
- Should be a legal agreement with the council in relation to use of the land
- Will privatise a public amenity
- Will be harmful to wildlife habitats

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. Disabled access
4. Biodiversity
5. Highway safety
6. 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 criterion b) which relates to access to the river. The proposal involves the addition of ramps and specialized equipment which will improve disabled access. The revised layout aims to alleviate current issues with congestion and queuing for tickets. The pontoons and office are replacement facilities and will not cause any significant intensification of use of this part of the river and as a result I am satisfied that the proposal is in accordance with criterion d).

8.4 The site lies within the Green Belt. Policy 4/1 and the NPPF state that the construction of new buildings is inappropriate in the Green Belt unless (in part) it relates to the provision of appropriate facilities for outdoor sport and recreation so long as it preserves the openness of the Green Belt. The proposed

building relates to an outdoor recreation use and I consider the works would not harm the openness of the Green Belt, and that the principle of the development is therefore acceptable.

- 8.5 The development would not result in the loss of any existing open space and the proposal is therefore compliant with Cambridge Local Plan Policy 4/2.

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

- 8.6 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. This is outlined in the conservation area appraisal for this historic core.
- 8.7 The existing ticket office is of no architectural value and its removal is considered acceptable. The replacement ticket office would have a simple box form with a sloped zinc roof which would incorporate a signage zone. The remainder of the building would be clad in timber. The simple form of the building is considered acceptable and is not considered to detract from the sensitive setting of the listed bridge.
- 8.8 The pontoons and associated railings have been designed to have a low visual impact. An element of the pontoons passes across the listed bridge but would not be attached to the bridge hence there is no requirement for listed building consent. The proposed railing would allow views through to the bridge. Although the ramped element of the pontoons does extend in front of part of the bridge, I am satisfied that this would not appear dominant. This is the only area of the site that can accommodate a ramp which is required for accessibility and I am satisfied that it would not be obtrusive. The Conservation Officer shares this view but has requested further details of the pontoons and the hoist and associated accessibility equipment through conditions.
- 8.9 One of the representations raises concerns that the proposal will result in congestion which will harm the amenity value of Laundress Green and the Mill Bridge. The use of this part of the river for punting is existing. The aim of the proposal is to

improve accessibility and ease existing issues with congestion from queues. This will be done by separating the queuing system for tour and self-hire punts. There is no plan to increase the number of punts on offer. The aim is to allow customers to queue on the pontoons rather than around the green. As a result I am satisfied that the proposal will not have any significant increase to the number of people using the area. The applicant has done a significant amount of research into the proposal and they consider that the revised layout and queue system will reduce congestion around Mill Bridge. From the information I have before me I have no reason to doubt that this will be the case.

- 8.10 The proposal would not increase the number of punts operating from the site. The applicant has been in contact with the Conservators of the River Cam, although they have not commented on the planning application, the applicant's documentation notes that they have no concerns about the revised layout. As a result the proposal is considered to be in accordance with part d of policy 3/9.
- 8.11 The Conservation Officer is satisfied that subject to conditions the proposal would preserve and enhance the character and appearance of the Conservation area and that the proposal would not harm the special interest of the listed bridge. I share this view. The proposed use of the site would remain the same and the revised layout and new ticket office are considered to complement the waterside setting in accordance with part a) of policy 3/9.
- 8.12 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/9, 3/11, 3/12, 4/10 and 4/11.

Disabled access

- 8.13 The Access Officer and members of Disability Panel have reviewed the plans. Both have stated that they are impressed with the level of research which has gone into the proposal and that the scheme will be a significant improvement in terms of accessibility.
- 8.14 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/7 and 3/12.

Biodiversity

- 8.15 The Biodiversity Officer is satisfied with the information submitted but has requested some further information in terms of lighting and a method statement for installation. These details can be dealt with by pre-commencement conditions.
- 8.16 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/3 and 4/6.

Highway Safety

- 8.17 The Highway Authority has not raised any concerns. The proposal would provide replacement pontoons and ticket office for the existing use and as a result I am satisfied that it would not give rise to any highway safety issues.
- 8.18 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Flood risk

- 8.19 The site lies in a high flood risk area. The Environment Agency has advised that, in accordance with the NPPF, development should not be permitted in such areas if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.
- 8.20 The proposed development would be classified as minor development and, in my opinion, the Sequential Test does not need to be applied in this instance. Notwithstanding this, the proposal relates to development defined as 'water compatible' by the Environment Agency and this development clearly needs to be located adjacent to the river, so it would not be pragmatic to consider alternatives within a lower risk flood zone.

Third Party Representations

8.21 I have addressed the majority of the third party representations within the body of my report. I will address any outstanding matters below:

Representation	Response
Will change the look of Mill Pond	See paragraphs 8.6-8.11
Will adversely impact the character of the conservation area and the mill (listed building)	See paragraphs 8.6-8.11
The recreational use of the bridge will adversely impact others enjoyment of the space	See paragraph 8.9
The works will cause an increase to the number of people using the area causing congestion	See paragraph 8.9
There will be additional car and taxi movements making it less safe	See paragraph 8.17
Concerned about land ownership matters	The applicant has signed certificate D indicating that they do not own the land. Notice has been served on the three landowners; Cambridge City Council, Cambridge County Council and Cambridge University. This fulfils the requirements of the planning application.
Concerned that in breach of competition law; applicant is a monopoly operator	This is not a planning consideration.
Concerned that promise not to increase punt number is unenforceable	The proposal has been thought through to accommodate accessibility measures and a new queue system. In the future the applicant may include additional punts but if this required changes to the layout of the pontoons, it is likely to require planning permission.
Should be a legal agreement with the council in relation to use of	This would be a civil matter and would fall outside the remit of the

the land	planning process
Will privatise a public amenity	This part of the river is already used for punting. The proposal does extend the area covered by pontoons and includes an access from Laundress Lane which is public land. This access allows for the provision of a ramp which could not be incorporated anywhere else on site. The addition of the ramp will significantly improve access to the river for less able people.
Will be harmful to wildlife habitats	See paragraph 8.15

9.0 CONCLUSION

9.1 The proposed pontoons and replacement ticket office are considered to preserve and enhance the character and appearance of the Conservation Area and the special interest of the listed Mill Bridge. The Biodiversity Officer has no objection to the proposal subject to conditions. The proposal would improve access to the river especially for less able customers.

10.0 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 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)

4. Prior to the commencement of development, full details of the materials and finishes of the walls, roofs, etc. of the ticket offices shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the ticket offices shall be finished only in accordance with the approved details.

Reason: To ensure the materials used are of a high quality finish (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

5. Prior to the commencement of development, full details of the fixings / anchorages to land, finishes, balustrades, decks, etc. of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the pontoons shall be finished only in accordance with the approved details.

Reason: To ensure the pontoons are finished to a high standard and to ensure the material used for the balustrade will be suitable for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

6. Prior to the commencement of development, full details of all access equipment [hoists, lifts, etc.] including colours, fixings, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the access equipment shall be finished only in accordance with the approved details.

Reason: To ensure the equipment is of a suitable colour and finish for the sensitive location (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

7. Prior to the commencement of development, full details of roller shutters including colours, finish etc. shall be submitted to and approved in writing by the Local Planning Authority. This may be in the form of samples. Thereafter the shutters shall be finished only in accordance with the approved details.

Reason: To ensure the roller shutters will be designed and finished to respect the sensitive nature of the site (Cambridge Local Plan 2006 policies 3/4, 3/12 and 4/11)

8. Prior to the installation of any artificial lighting an external artificial lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The artificial lighting scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall be retained thereafter.

Reason: To protect the amenity of nearby properties and to safeguard the foraging habitat of local bats (Cambridge Local Plan Policies 4/6 and 4/13)

9. Prior to the commencement of development, a method statement for the installation of the pontoons shall be submitted to and approved in writing by the Local Planning Authority. This shall include an assessment of the likelihood of the presence of water voles and assess the risk of disturbance to their habitat together with any necessary measures to ensure their protection. The works shall be implemented in accordance with the approved details.

Reason: To ensure that the development of the site conserves and enhances ecology (Cambridge Local Plan 2006 policies 4/3 and 4/6).

10. The development shall be carried out in accordance with the mitigation measures proposed in the submitted Flood Risk Assessment (Scudamore's Punting Granta Place FRA Dec 2017).

Reason - To minimise flood risk (National Planning Policy Framework 2012)