



Planning Committee Date	4 th October 2023
Report to	Cambridge City Council Planning Committee
Lead Officer	Joint Director of Planning and Economic Development
Reference	23/03297/FUL
Site	Parkers Piece, Parkside, Cambridge
Ward / Parish	Market
Proposal	Use of land at Parkers Piece for the holding of temporary Christmas event, including the annual installation of ice rink, food, drink and market stalls (including lodge bar), Ferris wheel, carousel, attractions, seating areas and associated fencing, works and structures for the period 1st November to 14th January the following year each year for the next 4 years (until period November 2027-January 2028)
Applicant	Alpine Christmas Markets Ltd
Presenting Officer	Laurence Moore
Reason Reported to Committee	Third party representations Land within ownership of the Council
Member Site Visit Date	N/A
Key Issues	1. Character 2. Residential Amenity Impacts 3. Grass Maintenance and Protection 4. Time Period
Recommendation	APPROVE subject to conditions

1.0 Executive Summary

- 1.1 The application seeks the Use of land at Parker's Piece for the holding of a temporary Christmas event, including the annual installation of an ice rink, food, drink and market stalls (including lodge bar), Ferris wheel, carousel, attractions, seating areas and associated fencing, works and structures for the period 1st November to 14th January the following year each year for the next 4 years (until period November 2027-January 2028)
- 1.2 The development is considered to positively contribute to the character of Parkers Piece through utilising sympathetic designs to provide a City wide recreational provision at a time of year that the grassed area would see limited use. This development is therefore considered to enhance the character of the site as a place for recreation and enjoyment, which is supported.
- 1.3 The development does not contain thrill rides.
- 1.4 The Council's EHO has been formally consulted, and has stated that subject to the conditions outlined within this report, the development is not considered to give rise to any adverse impacts on the amenity of neighbouring occupiers.
- 1.5 The Council's Ecologist, Landscape Officer and Streets and Open spaces team have been formally consulted on the proposed grass protection/maintenance strategy and have deemed it sufficient for protecting the grass on Parkers Piece from damage witnessed in previous years.
- 1.6 The site will allow for several public benefits, including but not limited to: free entry, disabled access into and around the site, provisions for schools and lower income members of the public, increased footfall for local businesses and use of local vendors on site.
- 1.7 The applicant has taken several precautions to avoid the adverse implications on character, grass and neighbours which were caused by previous events held by separate companies and has avoided the use of the site as a fairground.
- 1.8 Officers recommend that the Planning Committee approve the application subject to conditions outlined within this report.

2.0 Site Description and Context

Conservation Area	x
Listed Building	x

Protected Open Space	x
Controlled Parking Zone	x

*X indicates relevance

- 2.1 The proposed Christmas Market, Ice Rink, associated attractions and ancillary amenities would be located on the south-eastern sector of Parker's Piece, adjacent to Gonville Place.
- 2.2 Parker's Piece is allocated as protected open space in the Cambridge Local Plan (2018) and is surrounded by a mix of uses which include hotels, restaurants and residential, as well as Parkside Pool, the Fire Station and the Police Station. The site falls within the Cambridge Historic Core Conservation Area. Although no trees on Parkers Piece are covered by Tree Preservation Orders they are protected by Conservation Area legislation and hold significance importance with regards to their contribution to the areas character.
- 2.3 Parkers Piece hosts a Grade II listed building, Reality Checkpoint. The site is situated within the controlled parking zone.

3.0 The Proposal

- 3.1 The application seeks the Use of land at Parkers Piece for the holding of temporary Christmas event, including the annual installation of ice rink, food, drink and market stalls (including lodge bar), Ferris wheel, carousel, attractions, seating areas and associated fencing, works and structures for the period 1st November to 14th January the following year each year for the next 4 years (until period November 2027-January 2028)
- 3.2 Planning permission is sought for a temporary period from 1st November to 14th January inclusive, for 4 years. The hours of operation/opening would be 10am to 10pm Sunday to Wednesday, and 10 am to 11pm Thursday to Saturday. The operational dates of the proposal are from the middle of November to the 4th of January with 2 weeks for set up and 3 weeks proposed for the clearance of the site.
- 3.3 The site plans provided show the provision of an Ice Rink, Ferris Wheel, Carousel, Christmas Tree Maze, allocated areas for Market Huts and food vans, bars and lodges for food/drinks, a stretch tent for curling lanes and a back of house area for refuse, deliveries and staff.
- 3.4 The application is accompanied by a Nosie Impact Assessment, which has full support from the EHO that no adverse impacts on the amenity of neighbouring occupiers will arise from the proposals.
- 3.5 The application is accompanied by a Grass Protection and Maintenance Methodology Statement which sets out all measures to ensure the grass accommodated by this area of protected open space is not harmed.

3.6 The application is subject to further public consultation regarding a number of relatively minor amendments and supporting information. Any further comments regarding this information will be reported to Planning Committee as part of the amendment sheet.

4.0 Relevant Site History

Reference	Description	Outcome
22/03726/S73	S73 Variation of condition 1 (Time period) of planning permission 22/00801/FUL (Permission to locate the Observation Wheel for a further four years, being erected between 22 March and 10 September with public operation between 1 April - 31 August each year, after grant of current permission ref: 21/01392/FUL for 2021 season) to extend the approved operational opening time of 1 April - 31 August until 2026 to 1 April - 30 September annually until 2026, also amending the 10 day period for dismantling and reinstatement of the area used to 10 October annually until 2026.	Withdrawn
22/00801/FUL	Permission to locate the Observation Wheel for a further four years, being erected between 22 March and 10 September with public operation between 1 April - 31 August each year, after grant of current permission ref: 21/01392/FUL for 2021 season.	PERMITTED
20/03552/FUL	To renew the installation of a temporary real-ice ice rink with viewing platform and back-of-house/plant area; a family entertainment area with children's rides, food concessions and other associated entertainment	PERMITTED

(including the Big Wheel), to one quadrangle of Parkers Piece. Event to run from 1st November 2021 to 31st January 2025

- 4.1 The site history for Parkers Piece is complex, and the applications listed above pertain to the Observation Wheel and previously approved Ice Rink, which are both significant elements of the scheme currently proposed.
- 4.2 The observation wheel has temporary permissions until 2025, and is to be situated within the redline of the proposal site for additional times each year within the time frames specified within the description of development.
- 4.3 The previous Christmas Market was approved under application reference 20/03552/FUL outlined above. The previous Christmas market and Ice Rink ensemble was subject to a significant number of fairground rides and associated sound. The market carried out in 2021 was not held in high regards, and many of the representations received as part of this application reference the inadequacies of the previously approved scheme held on Parkers Piece within the holiday period at the end of 2021.
- 4.4 The current scheme seeks to avoid the issues caused by the previous scheme and has moved away from a fairground-esque approach to delivering the Christmas market, whilst enhancing ground protection methodologies, reducing sound emittance and securing higher quality designs and facility provisions.

5.0 Policy

5.1 National

National Planning Policy Framework 2023

National Planning Practice Guidance

National Design Guide 2021

Environment Act 2021

Conservation of Habitats and Species Regulations 2017

Equalities Act 2010

Local Transport Note 1/20 (LTN 1/20) Cycle Infrastructure Design

DPM Circular 06/2005 – Protected Species

Circular 11/95 (Conditions, Annex A)

5.2 Cambridge Local Plan 2018

Policy 1: The presumption in favour of sustainable development

Policy 10: The City Centre

Policy 29: Renewable and low carbon energy generation

Policy 34: Light pollution control

Policy 35: Human health and quality of life

Policy 36: Air quality, odour and dust

Policy 55: Responding to context

Policy 56: Creating successful places

Policy 57: Designing new buildings

Policy 59: Designing landscape and the public realm

Policy 61: Conservation and enhancement of historic environment

Policy 62: Local heritage assets

Policy 67: Protection of open space

Policy 71: Trees

Policy 79: Visitor attractions

Policy 80: Supporting sustainable access to development

Policy 81: Mitigating the transport impact of development

Policy 82: Parking management

5.3 Neighbourhood Plan

N/A

5.4 Supplementary Planning Documents

Biodiversity SPD – Adopted February 2022

Sustainable Design and Construction SPD – Adopted January 2020

Landscape in New Developments SPD – Adopted March 2010

Open Space SPD – Adopted January 2009

5.5 Other Guidance

Cambridge Historic Core Conservation Area

6.0 Consultations

6.1 County Highways Development Management –No Objection

6.2 No objection, no recommended conditions.

6.3 Environment Agency

6.4 No response

6.5 Access Officer

6.6 No response

6.7 Conservation Officer – No Objection

6.8 Further information regarding boundary treatments and a reduction in time scales to 4 years is requested.

6.9 Landscape Officer – No Objection

6.10 No objection following amendments.

6.11 Ecology Officer – No Objection

6.12 No objection, no recommended conditions.

6.13 Natural England

6.14 No response.

6.15 Tree Officer –No Objection

6.16 No objection following amendments.

6.17 Environmental Health – No Objection

6.18 No objections subject to compliance conditions pertaining to use of lights and noise and construction hours.

7.0 Third Party Representations

7.1 20 representations have been received.

7.2 Those in objection have raised the following issues:

- Principle of development
- Character, appearance and scale
- Heritage impacts
- Residential amenity impact (noise and disturbance, light pollution)
- Construction impacts
- Highway safety
- Impacts on Grass

- Cycle parking provision
- Use of Diesel Generators
- Impact on and loss of trees
- Community Upset
- Impacts on Local Businesses
- Operational Time Frames
- Concerns over funding of the event
- Democratic Input

7.3 Those in support have raised cited the following reasons:

- Public Enjoyment
- Enhanced changes are consistent with Cambridge's character.
- Free event for the public
- There is always noise in the city centre
- Enhanced customer base for local businesses
- Enhances the

8.0 Local Interest Groups and Organisations / Petition

8.1 Cam Bid have issued their support for the development.

8.2 Cambridge University Arms have given their support to the proposed development.

8.3 Camcycle has made a representation on the application on the following grounds:

- Cycle Parking should be adjacent to the entrance to the site.
- Sheffield Stands should be provided.

8.4 The above representations are a summary of the comments that have been received. Full details of the representations are available on the Council's website.

9.0 Assessment

9.1 Principle of Development

9.2 The proposed development is located in the centre of Parker's Piece, which is protected open space, as designated by the Cambridge Local Plan 2018 policy 67. The policy states that development will not be permitted that would be harmful to the character of, or lead to the loss of, open space of environmental and/or recreational importance unless the open space uses can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost.

- 9.3 Appendix I of the Cambridge Local Plan sets out the Criteria to Assess Open Space. In the most recent assessment Parker's Piece met criteria a, b, d and e. This highlights that Parker's Piece is important in that: it makes a major contribution to the setting, character, structure, and environmental qualities of the City and local area (criteria a and b); and that it meets the criteria for major contribution to the recreational resources of the City and local area (criteria d and e). To comply with Policy 67, none of the above should be harmed or prejudiced by this development.
- 9.4 The Christmas Market and associated attractions will not harm the contribution Parker's Piece makes to the environmental quality of the City. The visual impacts of the scheme are discussed in further detail in latter sections of this report, however, the development will utilise a small portion of the south-east quadrant of Parkers Piece and so the open space, because of its size, will still remain a predominantly 'green space', with 3 remaining quadrants remaining as green open space. In terms of recreational use, Parker's Piece is used for both formal playing pitches and informal play. The siting of the temporary ice rink and ancillary development will not impact the formal pitched area, but will take up an area used for informal play and recreation. It is considered that the Ice Rink replaces the existing informal recreational aspect of a portion of the overall Piece with another, and therefore there is no net loss in recreational facilities. The provision of the Christmas Market will enhance the recreational potential providing a City wide provision at a time of year that the grassed area would see limited use. It is therefore considered that the proposal does not lead to the permanent loss of open space of environmental or recreational importance, and is therefore consistent with Policy 67 of the Cambridge Local Plan 2018.
- 9.5 Policy 79 of the Local Plan 2018 supports developments that would complement the existing cultural heritage of the city, is limited in scale, and assists in the diversification of the attractions on offer. Where Cambridge now benefits from an Ice Rink it is considered that this proposal will strengthen and diversify the range of visitor attractions on offer but will not in itself generate significantly more visitors to Cambridge, from outside the sub-region, during the Christmas period when more visitors are already coming into the City.
- 9.6 In conclusion it is considered that the use is consistent with Local Plan Policies 67 and 79 and does not harm the nature, or use of Parker's Piece, and is acceptable in principle subject the evaluation of the main considerations outlined within the following sections of this report.
- 9.7 Design, Layout, Scale and Landscaping**
- 9.8 Policies 55, 56, 57, and 59 seek to ensure that development responds appropriately to its context, is of a high quality, reflects or successfully contrasts with existing building forms and materials and includes appropriate landscaping and boundary treatment.

- 9.9 Concerns have been raised from members of the public that the proposed scheme is contrary to the character of Parkers Piece and the surrounding conservation area and that the scale of development is too large and shall adversely affect the character of the conservation area. These concerns will be discussed below:
- 9.10 Parker's Piece derives its character and special quality from its simplicity as an unobstructed area of open space, with grass maintained to a high standard, enclosed by large mature trees and some high-quality buildings. This is a layout that has evolved around the grazing and recreational uses that it has supported since 1612.
- 9.11 Parker's Piece is essentially uncluttered and free of any large-scale structures, and is mainly used throughout the year as parkland. However, concerts and large events are also regularly held on Parker's Piece throughout the year. Its paths are a very important part of the foot and cycle network.
- 9.12 The development will utilise a portion of the south-east quadrant of the Piece, with the amended redline location plan showing a footprint of approximately 2.4 acres, which includes all attractions and facilities, boundary treatments, cycle parking and a buffer area to allow for flexibility in locating facilities throughout the event and in future years so that the viability of the scheme on site can be assured. The temporary nature of the development in addition to its small footprint and situation within one quadrant of the park means the scale of the development is considered appropriate for the site and surrounding conservation area, and is supported.
- 9.13 The Christmas Market proposed will include the provision of an Ice Rink, Ferris Wheel, Carousel, Christmas Tree Maze, Santa's Workshop and Grotto, allocated areas for Market Huts and food vans, bars and lodges for food/drinks, a stretch tent for curling lanes and a back of house area for refuse, deliveries and staff. The Christmas Market and ancillary attractions outlined above, are considered minimal in scale and will be primarily obscured from view of the surrounding area from the extensive boundary treatments proposed. The designs of facilities and attractions provided as part of the Christmas market are considered acceptable, and are not considered to detract from the aesthetic quality of the Piece for the time periods proposed.
- 9.14 To ensure the aesthetically pleasing designs and layout of the site are retained or enhanced for each returning year, annual review mechanisms will be applied by means of condition, requiring the submission of site layout plans 3 months in advance of the event each year. This will allow officers to review the changes to the site annually, and ensure the designs and provisions are appropriate and reflect the most up-to-date offer.

- 9.15 The provision of the Christmas Market will enhance the recreational potential of Parkers Piece, providing a City wide provision at a time of year that the grassed area would see limited use. This development is therefore considered to enhance the character of the site as a place for recreation and enjoyment, which is supported.
- 9.16 The impact on the Conservation Area is limited; the temporary nature of the proposal means that any visual impact caused by the event and associated fencing is reversible and will not permanently harm the integrity of the Conservation Area in the long term. Parker's Piece is used for events such as this at several times during the year, and that is considered part of its character and wider use. The proposed hoarding around the site is proposed in natural wood finish, to be screened by Christmas Trees to ensure the barracks-esque design utilised by Christmas Market schemes previously held on the Piece are avoided, and a site which positively contributes to the character of the park at winter can be provided. There will be no negative impact on the grade II listed Reality Checkpoint, given the distance between the siting of proposals and the schemes temporary nature, and therefore it is not considered that there is any conflict with Local Plan policy 61.
- 9.17 Concerns have been raised from members of the public regarding potential adverse implications for grass at Parkers Piece. A grass protection and maintenance method statement has been submitted, detailing how the ground will be protected during the event and what post-event mitigation measures will be put in place to secure the health of the grass. The Council's streets and open spaces team have reviewed the submitted grass protection methodology in depth, and have provided their support, stating that the methodology proposed will suitably address the impacts on grass, whilst preventing the use of herbicides, pesticides and fungicides. A stringent condition will be applied requiring the development to be consistent with the grass protection measures proposed, with the requirement to resubmit the proposed methodology statements in advance of the event each year, if issues arise following the 2023/24 event. From the advice of specialists within the Council's streets and open spaces, landscape and ecology teams, ensuring the development's compliance with the submitted grass protection methodology will appropriately avoid any issues with the grass which have been witnessed following previous events and annual review mechanisms by means of condition will further secure the quality of grass in future years.
- 9.18 Overall, the proposed development is a high-quality design that would contribute positively to its surroundings and be appropriately landscaped. The proposal is compliant with Cambridge Local Plan (2018) policies 55, 56, 57, 59, 61, and 71 and the NPPF 2023.
- 9.19 Trees**
- 9.20 Policy 59 and 71 seeks to preserve, protect and enhance existing trees and hedges that have amenity value and contribute to the quality and

character of the area and provide sufficient space for trees and other vegetation to mature. Para. 131 of the NPPF seeks for existing trees to be retained wherever possible.

- 9.21 The Council's Tree Officer has advised that subject to the development being situated away from the root protection zones of existing trees, and suitable protective fencing being put in place that there would be no adverse impacts on the existing trees at Parkers Piece.
- 9.22 Following discussions with the applicant, the contractors parking and delivery area, which falls outside of the redline due to its nature as permitted development, has been situated away from any existing trees to ensure high-weight vehicles do not allow for excess weight in root protection zones and avoid impacts on trees. With regards to the scheme itself, due to the height of the enclosure and no intrusive ground works, limited proximity to trees and temporary nature of the development, officers do not consider that the proposal would harm the existing trees on the boundary. A condition will be imposed regarding the site access and tree root protection measures to ensure the trees are protected, and therefore the development is considered to ensure the protection of existing trees in line with the requirements of policy 71, subject to conditions.
- 9.23 Subject to conditions as appropriate, the proposal would accord with policies 59 and 71 of the Local Plan.

9.24 Heritage Assets

- 9.25 The application falls within the Cambridge Historic Core Conservation Area. The application is within the setting of the Grade II listed building; Reality Checkpoint.
- 9.26 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, Listed Buildings. Section 72 provides that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
- 9.27 Para. 199 of the NPPF set out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.
- 9.28 Policy 61 of the Cambridge Local Plan (2018) requires development to preserve or enhance the significance of heritage assets, their setting and the wider townscape, including views into, within and out of the conservation area. Policy 62 seeks the retention of local heritage assets

and where permission is required, proposals will be permitted where they retain the significance, appearance, character or setting of a local heritage asset.

9.29 The Christmas Market proposed will include the provision of an Ice Rink, Ferris Wheel, Carousel, Christmas Tree Maze, allocated areas for Market Huts and food vans, bars and lodges for food/drinks, a stretch tent for curling lanes and a back of house area for refuse, deliveries and staff. The Christmas Market and ancillary attractions outlined above, are considered minimal in scale and will be primarily obscured from view of the surrounding area from the extensive boundary treatments proposed. The designs of facilities and attractions provided as part of the Christmas market are considered acceptable, and are not considered to detract from the aesthetic quality of parkers piece for the time periods proposed. The harsh close board fencing proposed as a boundary treatment is not considered to allow for adverse impacts on the character of the site or surrounding area due to the proposed Christmas tree screening, which will allow for an inviting and pleasant approach to the site. The unaesthetically pleasing close board boundary treatments will be primarily screened by the positioning of Christmas Trees around the bordering fencing, to ensure an aesthetically pleasing site boundary can be provided.

9.30 The impact on the Conservation Area is limited; the temporary nature of the proposal means that any visual impact caused by the event and associated fencing is reversible and will not permanently harm the integrity of the Conservation Area in the long term. Parker's Piece is used for events such as this at several times during the year, and that is considered part of its character and wider use. The proposed hoarding around the site is proposed in natural wood finish, to be screened by Christmas Trees to ensure the barracks-esque design utilised by Christmas Market schemes previously held on parkers piece are avoided, and a site which positively contributes to the character of the park at winter can be provided. There will be no negative impact on the grade II listed Reality Checkpoint, given the distance between the siting of proposals and the schemes temporary nature, and therefore it is not considered that there is any conflict with Local Plan policy 61.

9.31 It is considered that the proposal, by virtue of its scale, design and temporary nature would not harm the character and appearance of the Conservation Area or the setting of listed buildings. The proposal would not give rise to any harmful impact on the identified heritage assets and is compliant with the provisions of the Planning (LBCA) Act 1990, the NPPF and Local Plan policies 60 and 61.

9.32 Carbon Reduction and Sustainable Design

9.33 The Council's Sustainable Design and Construction SPD (2020) sets out a framework for proposals to demonstrate they have been designed to minimise their carbon footprint, energy and water consumption and to ensure they are capable of responding to climate change.

- 9.34 Policy 28 states development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals, including issues such as climate change adaptation, carbon reduction and water management.
- 9.35 Policy 29 supports proposals which involve the provision of renewable and / or low carbon generation provided adverse impacts on the environment have been minimised as far as possible.
- 9.36 The application has outlined the use of bio-fuel generators for the provision of energy for the first year, with the use of an electrical connection for future years starting in November 2024, to be provided by the local authority. The avoidance of using diesel generators is welcomed, and the use of BIO-fuel generators will prevent adverse implications on the area's air quality, and provide the site with a stronger environmental stance.
- 9.37 Conditions will be applied preventing the use of diesel generators on site.
- 9.38 The applicants have suitably addressed the issue of sustainability and renewable energy and the proposal is in accordance is compliant with Local Plan policies 28 and 29 and the Greater Cambridge Sustainable Design and Construction SPD 2020.

9.39 Highway Safety and Transport Impacts

- 9.40 Policy 80 supports developments where access via walking, cycling and public transport are prioritised and is accessible for all. Policy 81 states that developments will only be permitted where they do not have an unacceptable transport impact.
- 9.41 Para. 111 of the NPPF advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.42 The application has been subject to formal consultation with Cambridgeshire County Council's Local Highways Authority and Transport Assessment Team, who raise no objection to the proposal and have recommended no conditions.
- 9.43 Access to the site will be via the existing site entrance along the south-east boundary with the A603.
- 9.44 The proposal accords with the objectives of policy 80 and 81 of the Local Plan and is compliant with NPPF advice.

9.45 Cycle and Car Parking Provision

9.46 Cycle Parking

9.47 The Cambridge Local Plan (2018) supports development which encourages and prioritises sustainable transport, such as walking, cycling and public transport. Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with the cycle parking standards as set out within appendix L which for residential development states that one cycle space should be provided per bedroom for dwellings of up to 3 bedrooms. These spaces should be located in a purpose-built area at the front of each dwelling and be at least as convenient as car parking provision. To support the encourage sustainable transport, the provision for cargo and electric bikes should be provided on a proportionate basis.

9.48 Concerns have been raised from members of the public and local interest group Camcycle. The applicant has addressed these concerns as outlined below.

9.49 The amended application seeks to provide Sheffield stands to accommodate 50no. cycle parking spaces situated adjacent to the main entrance to the site. This is considered acceptable for a site of this size, proposed use and temporary time frame, and so is considered acceptable. These cycle parking arrangements, and their positioning will be secured by condition, and will be required to be installed prior to the commencement of the Christmas market each year.

9.50 The cycle parking proposed is considered acceptable.

9.51 Car parking

9.52 Policy 82 of the Cambridge Local Plan (2018) requires new developments to comply with, and not exceed, the maximum car parking standards as set out within appendix L.

9.53 No parking provision has been provided however due to the accessibility of the site in the centre of town and the proximity to Drummer Street Bus Station, Cambridge Station and the Queen Anne Public car park on the south eastern side of Parkers Piece no parking provision would be required.

9.54 Subject to conditions, the proposal is considered to accord with policy 82 and Appendix L of the Local Plan and the Greater Cambridge Sustainable Design and Construction SPD.

9.55 Amenity

9.56 Policy 35, 50, 52, 53 and 58 seek to preserve the amenity of neighbouring and / or future occupiers in terms of noise and disturbance,

overshadowing, overlooking or overbearing and through providing high quality internal and external spaces.

9.57 Neighbouring Properties

9.58 Concerns have been raised from neighbouring occupiers with regards to the potential adverse implications on residential amenity which may be caused by the event in relation to noise/light pollution.

9.59 The application proposes the use of Bio-fuel generators and a site-wide amplified Personal Address (PA) system, both of which can generate a high level of sound. A noise impact assessment has been provided, which has been fully assessed by the councils EHO. The EHO has provided their support for the proposed scheme, stating that subject to conditions requiring the developments compliance with the approved noise impact assessment, the development would not allow for any adverse implications on the amenity of neighbouring occupiers in relation to noise.

9.60 The site proposes the use of festoon lighting, lighting upon the big wheel, and low level lighting and floodlights within the site. The EHO has stated that the proposed lighting would not give rise to adverse impacts on the amenity of neighbouring occupiers provided conditions are applied restricting the illuminance of the lighting proposed and preventing lights from flashing. Therefore, subject to conditions as appropriate, the development is not considered to give rise to any adverse implications on the amenity of neighbouring occupiers from light pollution.

9.61 The proposal adequately respects the amenity of its neighbours and is considered that it is compliant with Cambridge Local Plan (2018) policies 35 and 57.

9.62 Third Party Representations

9.63 The remaining third-party representations not addressed in the preceding paragraphs are summarised and responded to in the table below:

Third Party Comment	Officer Response
Construction Impacts	<p>The development is of a temporary nature and has a very small time period where construction and dismantling will take place.</p> <p>The set up period will take approximately 1-2 weeks, and the dismantling period will last approximately 1 week.</p> <p>The limited construction periods and temporary nature of the scheme means that impacts caused by the construction and dismantling of the event will not allow for</p>

	<p>adverse implications of highway safety or residential amenity of neighbouring occupiers and so are acceptable.</p>
<p>Use of diesel generators.</p>	<p>The use of diesel generators will be forbidden on site by means of condition. The applicant has explored alternative arrangements, and will be utilising bio-fuel generators until an electrical connection to the site is installed by the local authority.</p>
<p>Community Upset</p>	<p>The representations received provide a mix of views as to whether the development will positively contribute or detract from the sense of community in Cambridge City Centre.</p> <p>The development will allow for a free access event in the holiday period. The applicant has arranged for provisions for schools and has offered 300 free ice skating opportunities to less financially fortunate members of the local community which is welcomed.</p> <p>The provision of the Christmas Market will enhance the recreational potential of Parkers Piece, providing a City wide provision at a time of year that the grassed area would see limited use. This development is therefore considered to enhance the character of the site as a place for recreation and enjoyment, which is supported.</p>
<p>Impact on local businesses</p>	<p>Concerns have been raised regarding the adverse impacts on local businesses, which may be caused by the event. Comments have presented the development as a “one-stop-shop”, stating that visitors will be utilising the event and not local businesses in a time where income is a necessity.</p> <p>The development is considered to enhance footfall for local businesses, with the scheme acting as an attraction for the city, inviting communities from post-codes across the entirety of greater Cambridge and the wider south-east, which is considered to boost footfall within the city centre.</p> <p>The applicant has agreed the use of local vendors for on site provisions, with catering</p>

	<p>facilities being sought locally. This is considered to benefit local business to a great extent, by ensuring the on site sales are directly affiliated with local businesses in proximity to the site.</p> <p>The development has received support from local members of the public, local businesses and interest groups, including Cam Bid, and so it is a shared opinion that the development will enhance the use of local businesses throughout the time period of the event each year.</p>
Democratic Input	<p>Comments have been received stating that the process undertaken for establishing this event has not listened to democratic input.</p> <p>The current scheme has been moulded by public consultations held following the previous Christmas market. All concerns received within consultation have been addressed, with issues raised such as noise, design, gras protection and uninviting hoarding, being avoided within the production of this application.</p> <p>All consultations have been carried out as necessary, and the dealing of the application is in line with the council's process requirements.</p> <p>Several site notices were issued around the site, a press notice was issued, and neighbours were notified via letter. Comments have been received in support and objection, however, given the level of public benefit associated with the scheme, and appropriate nature of the application, the development is considered to positively contribute to the area and wider population within greater Cambridge and so is supported.</p>

9.64 Other Matters

9.65 Refuse

9.66 The proposed scheme will utilise larger refuse containers within the back of house/storage area proposed and will have several refuse arrangements throughout the site for use by the public.

9.67 Grass Protection

Concerns have been raised from members of the public regarding potential adverse implications for grass at Parkers Piece. A grass protection and maintenance method statement has been submitted, detailing how the ground will be protected during the event and what post-event mitigation measures will be put in place to secure the health of the grass. The Council's streets and open spaces team have reviewed the submitted grass protection methodology in depth, and have provided their support, stating that the methodology proposed will suitably address the impacts on grass. A stringent condition will be applied requiring the development to be consistent with the grass protection measures proposed, with the requirement to resubmit the proposed methodology statements in advance of the event each year, if issues arise following the 2023/24 event. From the advice of specialists within the council's streets and open spaces, landscape and ecology teams, ensuring the development's compliance with the submitted grass protection methodology will appropriately avoid any issues with the grass which have been witnessed following previous events.

9.68 Planning Conditions

9.69 Members attention is drawn to following key conditions that form part of the recommendation:

Condition no.	Detail
1	Temporary Permission and Start Date
2	Drawings
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9.70 Planning Balance

9.71 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise

(section 70(2) of the Town and Country Planning Act 1990 and section 38[6] of the Planning and Compulsory Purchase Act 2004).

9.72 Summary of benefits

9.73 The development is considered to positively contribute to the character of the Piece through utilising sympathetic designs to provide a City wide recreational provision at a time of year that the grassed area would see limited use. This development is therefore considered to enhance the character of the site as a place for recreation and enjoyment, which is supported.

9.74 The development does not contain thrill rides.

9.75 The Council's EHO has been formally consulted and has stated that subject to the conditions outlined within this report, the development is not considered to give rise to any adverse impacts on the amenity of neighbouring occupiers.

9.76 The Council's ecologist, landscape architects and streets and open spaces team have been formally consulted on the proposed grass protection/maintenance strategy and have deemed it sufficient for protecting the grass on parkers piece from damage witnessed in previous years.

9.77 The site will allow for several public benefits, including but not limited to: free entry, disabled access in to and around the site, provisions for schools and lower income members of the public, increased footfall for local businesses and use of local vendors on site.

9.78 The applicant has considered all concerns raised within the public consultation carried out prior to submission of this application. The application submitted has accounted for the concerns raised throughout the course of assessment and has explored options for the provision of a suitable Christmas market which avoids the adverse implications on character, grass and residential amenity which was caused by previous schemes. The applicant has reiterated their desire to, and experience in providing appropriate Christmas markets and not fairground experiences and seeks to avoid the concerns associated with previous schemes of a similar nature on site.

9.79 Having taken into account the provisions of the development plan, NPPF and NPPG guidance, the statutory requirements of section 66(1) and section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, the proposed development is recommended for approval.

10.0 Recommendation

10.1 Approve subject to:

1. The planning conditions as set out below with minor amendments to the conditions as drafted delegated to officers and any new conditions subject to the below terms of approval.
2. The closure of the further public consultation period, any new matters arising (not covered in the officer report) to be delegated to officers to determine whether additional / revised conditions are necessary or whether any such new matters need be reported to the Chair / Vice Chair and Spokes for further consideration as appropriate.
3. The amendment of condition 1, delegated to officers, in the event that the operator decides not to commence the Christmas Operation for the 2023 – 2024 period to ensure that any temporary consent runs for four annual periods, starting in 2024 - 2023 and ending in 2028 - 2029 as appropriate.

11.0 Planning Conditions

1 - Time Limit

The development hereby permitted is for a temporary period only, and shall only be erected, installed and operated on site between 01 November and 14 January 2023/2024, returning each year until period November 2027-January 2028 only and at no other time. Before the end of the period each year, the development and all ancillary equipment, materials and services shall have been removed from the site.

Reason: To establish the temporary nature of the scheme and prevent implications to the character of the site as requirements evolve.
(Cambridge Local Plan 2018 policies 55, 56, 57, 64 and 79)

2 - Drawings:

Unless otherwise agreed in writing, pursuant to condition 4, 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 - Grass Protection

Unless otherwise agreed in writing, the development hereby approved will be carried out in accordance with the approved grass protection and maintenance methodology.

To ensure the ongoing protection of grass, the applicant shall submit a grass protection and maintenance methodology 3-months in advance of the event each year, beginning 01 August 2024. The submitted grass protection plan will address any concerns the local planning authority have with the ongoing maintenance of grass at the siting of the development, and shall be carried out in accordance with the approved details each year.

For the avoidance of doubt, the ground protection and re-establishment shall not include the use of herbicides or pesticides. The development shall be carried out in accordance with the approved details and timescales, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To mitigate against excessive permanent damage to the grassed areas of Parkers Piece and to ensure that all repairs are to an acceptable standard. (Cambridge Local Plan policies 55, 56, 60 and 61)

4 - Addressing Change

Should the approved layout of uses, structures and rides proposed to be changed, the applicant shall submit an updated site layout plan 3-months in advance of the start of the event in any given year for the written approval of the local planning authority, confirming the revised location of uses, structures and rides within the site. If a revised site layout plan is submitted, the development shall not be carried for that year until such time as written approval from the Local Planning Authority has been given. The development shall be carried out in accordance with the latest approved updated site layout plans.

Reason: To ensure the viability of the scheme and to ensure the operation is appropriate to its evolving requirements and to ensure the development is appropriate for the character of the site and to allow for greater flexibility in on site requirements each year (Cambridge Local Plan policies 55, 56, 61 and 79)

5 - Noise Compliance

Unless otherwise agreed in writing, the development shall be carried out in accordance with the approved Noise Impact Assessment.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35)

6 - Lighting Compliance

Unless otherwise agreed in writing, the development shall be carried out in accordance with the approved lighting scheme.

Lighting installed on attractions or incorporated within the site will not flash.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 34)

7 - Cycle Storage

Prior to the start of the Christmas Market each year, 50no. cycle spaces will be provided adjacent to the entrance of the site. All cycle storage will utilise temporary fixings for the provision of Sheffield stands to accommodate 50no. cycles within the redline of the site.

Reason: To ensure appropriate provision for the secure storage of bicycles. (Cambridge Local Plan 2018 policy 82).

8 - Operation Times

The Christmas market and associated attractions/facilities shall only be open to members of the public from 10:00 hours to 22:00 hours on Sundays, Mondays, Tuesdays, Wednesdays, and from 10:00 hours to 23:00 hours on Thursdays, Fridays, Saturdays and Bank Holidays.

Reason: In the interests of the residential amenity of nearby occupiers and the general amenity of the site. (Cambridge Local Plan 2018 policy 55 and 58).

9 - Construction Vehicles:

No development (including construction and dismantling) shall be carried out and no plant or power operated machinery 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, , unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties. (Cambridge Local Plan 2018 policy 35).

10 - Noise Monitoring

In the event of noise complaints being received by the local planning authority (LPA) and/or applicant relating to use of the development hereby approved, the applicant shall implement noise monitoring to verify and respond to complaints. If complaints are substantiated as a result of the monitoring / investigation, proposals for additional mitigation and the timing for the implementation of this shall be submitted to the LPA for approval within 14 days. The approved further mitigation shall be implemented in accordance with the approved details and retained thereafter.

Reasons: In the interest of neighbour amenity Cambridge Local Plan policies 55 and 58

11 - Energy Provision

The development shall utilise bio-fuel generators for the provision of energy for the first year. Unless otherwise agreed in writing by the Local Planning Authority, following the implementation of an electrical connection to be installed by the local authority prior to the 2024 event, the electrical connection provided shall be utilised for the provision of energy to the site and all associated attractions and facilities.

Following the implementation of electrical connections which have been made available for use on site, the use of generators shall cease.

Reason: To reduce the carbon footprint of the operation (Cambridge Local Plan 2018 policy 28)

12 - No Diesel Generators

The use of diesel generators on site is strictly forbidden. Any energy generators to be used on the site shall be bio-fuel.

Reason: To reduce the carbon footprint of the operation (Cambridge Local Plan 2018 policy 28)

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- Cambridge Local Plan 2018
- Cambridge Local Plan SPDs