

BEEHIVE CENTRE
REDEVELOPMENT,
CAMBRIDGE
**STATEMENT OF
COMMON GROUND**

Authorised Signatures to Agree the Statement of Common Ground

Signed on behalf of the Local Planning Authority

Andrew Martin

Principal Planner, Greater Cambridge Shared Planning Service

On behalf of Cambridge City Council

Date: 28th March 2025

Signed on behalf of the Applicant

Guy Kaddish

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Planning Partner, Bidwells

On behalf of Railway Pension Nominees Limited

Date: 28th March 2025

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Appendix 1

PLANNING CONDITIONS

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PLANNING OBLIGATION AGREEMENT HEADS OF TERMS

1.0 Introduction

1.1 This is the Statement of Common Ground (SoCG) agreed between Railway Pension Nominees Limited (Railpen) [“the Applicant”] and Cambridge City Council [“the Council”], also the Local Planning Authority [“the LPA”].

1.2 It refers to application reference 23/03204/OUT for the redevelopment of the Beehive Centre, Cambridge. The description of development is:

“Outline Application (with all matters reserved) for the demolition of existing buildings and structures and redevelopment of the Site for a new local centre (E (a-f), F1(b-f), F2(b,d)), open space and employment (office and laboratory) floorspace (E(g)(i)(ii) to the ground floor and employment floorspace (office and laboratory) (E(g)(i)(ii) to the upper floors; along with supporting infrastructure, including pedestrian and cycle routes, vehicular access, car and cycle parking, servicing areas, landscaping and utilities.”

1.3 This SoCG sets out all matters of agreement and disagreement between the Applicant and the Council as of 28 March 2025 to aid the Inquiry process.

1.4 This SoCG is supplemented by a separate SoCG which relates specifically to the technical matter of Daylight and Sunlight.

1.5 The application was called-in by the Secretary of State for her own determination on 12 February 2025. The letter was received on the morning of the City Council's Planning Committee that was to determine the Application. The Planning Committee Meeting proceeded as planned at 10am on 12 February, but due to the call-in letter removing the determinative powers of the Council on the Application, the Planning Committee decided how it would have determined the Outline Planning Application, should they have had the authority to do so.

1.6 The Planning Committee agreed unanimously that they would have accepted the Officer's recommendation as set out in the Committee Agenda and Report to refuse on the single putative Reason of Refusal, on the grounds of residential amenity.

2.0 The Site

- 2.1 The Site is currently a retail park, known as The Beehive Centre, situated approximately 1.5km to the east of Cambridge City Centre and lying adjacent to the western edge of the Cambridge-to-Ely railway line. The Site is 1km from Cambridge Station.
- 2.2 The Site is positioned to the southwest of Coldham's Lane, which connects to Newmarket Road (A1134) and is a main vehicular route into the city. To the east, over the railway bridge, Coldham's Lane leads to Coldham's Common and beyond this to Brooks Road/Barnwell Road (A1134).
- 2.3 The Site is approximately 10 minutes' cycle and 20 minutes' walk from the city centre, and approximately 5 minutes' cycle and 15 minutes' walk from Cambridge Railway Station.
- 2.4 Comprising a total area of 7.58 hectares, the Site is formed of an existing retail park with some supporting uses and associated extensive surface-level car parking.
- 2.5 The Site is irregular in shape, broadly forming a J-shape. Coldham's Lane forms the northeastern boundary, with Silverwood Close and St Matthews Gardens to the northwest. The railway line forms the southeastern boundary, with Sleaford Street to the south. The western boundary is formed by the rear of properties on York Street. The surrounding residential properties present a mix of two-storey Victorian properties, semi-detached post-war houses, three storey town houses and apartment blocks.
- 2.6 There is one point of vehicular access to the Site, which is via a roundabout on Coldham's Lane. This is included within the Application Site boundary. In addition, there are existing pedestrian and cycle access points into the Site via St Matthews Gardens to the north, York Street to the west and Sleaford Street to the south.
- 2.7 The Site's history includes a range of industrial and retail developments since the post-war period. Currently comprising of large-format retail units and extensive surface car parking, the entirety of the Site is classified as previously developed land ('PDL').
- 2.8 The built structures on the site include a variety of large-format retail units, the majority are two storeys and of little architectural merit.
- 2.9 Below is the schedule of existing floorspace (GIA) and current occupiers on the Site:

UNIT	TENANT	FLOORSPACE (SQM) GIA
Unit 1	Dreams Ltd	693
Unit 1a	Tapi Carpets & Floors	450
Unit 2a	Carpetright Plc	710
Unit 2b	Everlast Gym / Gymfinity Kids	1,948
Unit 3	Next	995
Unit 4	Go Outdoors	991
Unit 5	B&M	1,863
Unit 6a	Hobbycraft	679
Unit 6b	Pets at Home	1,149
Unit 7a&b	Cotswold Company	949
Unit 7c	Costa	139
Unit 7d	Subway	93
Unit 8	Marks & Spencer	1,355
Unit 9	Asda	6,525
Unit 10a	TJX UK	2,040
Unit 10b	Wren Kitchens	1,490
Unit 11	Porcelanosa	567
TOTAL		22,637

- 2.10 The centre of the Site predominantly comprises of surface car parking, amounting to 885 car parking spaces at grade.
- 2.11 There are 113 individual existing trees and six groups of trees on the Site, all of which have been surveyed by an Arboriculturist. Across the Site there are ten Tree Preservation Orders (TPOs), including three Category A London Plane.
- 2.12 There are no heritage assets within the Site, but there are some designated and undesignated assets in the wider local area. This includes the Mill Road Conservation Area, which is adjacent to the Site; St Matthews Church Grade II Listed Building approximately 200m west; and 247 Newmarket Road (Grade II Listed Building) approximately 200m north. Additionally, The Old Cheddar's Lane pumping station (Scheduled Monument) is located approximately 670m northeast of the Site. The closest Registered Park and Garden to the Site is Mill Road Cemetery, approximately 275m south of the Site.
- 2.13 There are a number of areas of open space in proximity to the Site, including Coldham's Common to the east and St Matthew's Piece to the west.

3.0 Planning History

- 3.1 There were various planning permissions during the 1970s. In November 1972 an application was approved for the erection of a wholesale warehouse. During 1978-79, applications were granted relating to a garden and leisure centre and various other sales uses.
- 3.2 The erection of a petrol filling station was approved in 1981 and the early 1980s saw extensions to some of the Site's existing buildings, including for vehicle sales. There were various changes of use during the mid-1980s, including from storage to retail.
- 3.3 In July 1986, an outline application was approved for the erection of a supermarket, DIY/motorist centre, additional car parking and re-arranged access provisions. Subsequently, during 1987-88, further planning permissions were granted related to the erection of a garden centre; erection of a supermarket and DIY store; and alterations to an existing home-interiors building. The demolition and replacement of the petrol filling station was also approved during 1988.
- 3.4 In 2000, the construction of a new replacement retail foodstore unit was permitted, following the demolition of two retail units, including new car park layout and access. A new site security building was permitted in 2001, and there were various applications relating to alterations to shopfronts, servicing and signage. In 2010, the erection of two food and drink units and the provision of an enhanced recycling facility were approved.
- 3.5 The planning history presents a site that has been mixed-use commercial for at least fifty years.
- 3.6 The most recent application documented relates to the Application in question:
- Ref. 22/05250/SCOP, validated on 2 December 2022, was a formal request for a Scoping Opinion in respect of the Environmental Impact Assessment (EIA) for the Proposed Development.
 - Ref. 23/03204/OUT, validated on 18 August 2023, is the Outline Planning Application for the Proposed Development.
- 3.7 The Application went through an extensive programme of formal pre-application engagement under a Planning Performance Agreement (PPA), prior to submission in August 2023.
- 3.8 Following formal consultation on the Application and the receipt of feedback from statutory consultees, extensive further engagement was undertaken between October 2023 and August 2024. This included a number of meetings between the Applicant Design Team and LPA Planning, Urban Design, Conservation, Landscape, Tree and Sustainability Officers. This highly collaborative process was supported by wider engagement with Highway Authority Officers, Historic England and wider public and stakeholder engagement, including multiple exhibition events. The revised scheme was submitted in August 2024. The design process and outcome leading to the August 2024 amended submission is presented in the Design and Access Statement Addendum (August 2024).

- 3.9 The Committee Report confirms at paragraph 14.6 that *“The application has been the subject of a Design Review Panel, a Disability Consultative Panel (see Appendices C and D of the report), extensive pre-application discussions with officers, as well as numerous member briefings, ensuring thorough engagement and input from stakeholders”*.

4.0 Proposed Development

- 4.1 The Application Scheme, as submitted under Planning Application Ref. 23/03204/OUT includes the following Description of Development:
- “Outline Application (with all matters reserved) for the demolition of existing buildings and structures and redevelopment of the Site for a new local centre (E (a-f), F1(b-f), F2(b,d)), open space and employment (office and laboratory) floorspace (E(g)(i)(ii) to the ground floor and employment floorspace (office and laboratory) (E(g)(i)(ii) to the upper floors; along with supporting infrastructure, including pedestrian and cycle routes, vehicular access, car and cycle parking, servicing areas, landscaping and utilities.”***
- 4.2 Section 3 (pages 9-14) of the Committee Report provides a summary of the Proposals, Application Amendments and the EIA process.
- 4.3 As an Outline scheme, the Application proposes that planning permission will be principally controlled by a number of documents for approval, as follows:
- Demolition Plan
 - Five Parameter Plans (see below)
 - Design Code
- 4.4 Future reserved matters applications would be prepared in accordance with the Parameter Plans and Design Code.
- 4.5 The Proposed Development includes the demolition of all existing buildings on the Site. This comprises of 22,637 sqm GIA (24,382 sqm GEA) of existing retail floorspace.
- 4.6 Of the existing trees on-site, the proposals retain and protect 58 trees and remove 61 trees (of these, 10 are Category B and 51 are Category C; two of the trees to be removed are subject to a Tree Preservation Order).
- 4.7 The Proposed Development would create a high-quality new local centre, workplace and innovation cluster. Including 10 primary building plots, the scheme envisages a vibrant, landscape-led, mixed-use urban quarter. The local centre provides opportunities and flexibility for shops, cafes, restaurants, services, leisure facilities, health and wellbeing establishments and co-working spaces at ground floor level, set within a new extensive area of public realm, with office and laboratory workspaces at upper floor levels.
- 4.8 Five Parameter Plans have been prepared to control the Proposed Development, as follows:
- Land Use - Ground Floor – it defines the primary and any secondary use allowances for the ground floor of each building.
 - Land Use - Upper Floor – it defines the permitted uses to the upper floors of each building.

- Access and Circulation – it defines the hierarchy of access and main circulation routes for vehicles, active travel and pedestrians along with the limits of deviation within which these routes will be positioned. It also locates the principal car parking, cycle parking and service yard areas.
- Landscape and Open Space – it defines the parameters and characteristics for the detailed design for each key strategic area of structural landscaping and ecological areas within the Site.
- Maximum Building Heights and Plots – it defines the maximum heights and plot sizes of the built development across the Site, based on the structure of the Land Use Parameter Plan. Where a building has prescribed set backs there are maximum height controls for each upper level of the building. The building plot zone for each building is the maximum area within which the building can be provided; each zone has a defined 'Maximum Percentage Plot Coverage', the dashed line with each zone denotes the Illustrative Scheme which is designed to each Maximum Percentage Plot coverage to indicate how each maximum coverage could apply. The hatched zones control and limit the part of the development within which flue extracts can be placed.

- 4.9 The Parameter Plans for approval represent a theoretical maximum envelope across a general arrangement layout which the built-form of the proposed development must be contained within at reserved matters stage.
- 4.10 To add to the site-wide design principles, each plot is governed by Design Code requirements.
- 4.11 There are 10 primary building plots identified by the Parameter Plans and Illustrative Masterplan. Across the plots, the Proposed Development includes a theoretical maximum floorspace of 166,685 sqm Gross External Area (GEA), including for basements, full plant floors and cycle parking located within buildings.
- 4.12 An Illustrative Masterplan was developed as part of the pre-application process to support the original planning application submission of August 2023 and was revised through the post-submission engagement process to support the formal application amendment in August 2024. The revised Illustrative Masterplan provides a representation of the Development, showing a scheme that can be achieved within the parameters of the Parameter Plans and Design Code. The Illustrative Scheme shows one way in which the Development could come forward.
- 4.13 The Illustrative Scheme is represented in the Planning Application in these documents and drawings:
- The Illustrative Masterplan
 - The Illustrative Landscape Plan
 - Maximum Building Heights and Plots Parameter Plan. Footprints only, represented as dashed blue lines.
 - All Illustrative diagrams within the Design Code
 - eb7 Daylight and Sunlight reports – image extracts of the 3D model and a calculated assessment of the impacts of the Illustrative Scheme
 - Landscape and Visual Impact Assessment visualisations

- The Design and Access Statement Addendum. Including:
 - Massing axonometric models
 - Masterplan drawings and diagrams
 - Sections illustrating boundary conditions
 - 3rd Party Verified Views (AVR London), as also used in the LVIA
 - Eye level Illustrative CGI Views
 - Landscape sections

4.14 The submitted Planning Statement (Resubmission Version, August 2024) and the Design and Access Statement (DAS)(August 2023) and DAS Addendum (August 2024) set out the Proposed Development in further detail. The Proposed Development incorporates six character areas, delivered through the following site-wide strategies:

- Local Centre and Public Realm Strategy
- Landscape Strategy, including ecological enhancement and over 100% Biodiversity Net Gain (BNG)
- Wayfinding Strategy
- Public Art Strategy
- Transport and Access Strategies
- Energy, Water and Sustainability Strategies
- Social Value Strategies, including a Social Infrastructure Strategy and Employment and Skills Strategy

4.15 An EIA Scoping Report was issued by the City Council in February 2023. The Scoping Opinion identified that the Development would have the potential to give rise to a number of likely significant environmental effects that would need to be assessed and determined via the EIA process. These effects were on the matters of:

- Air Quality
- Cultural Heritage
- Flood Risk, Drainage and Water Resources
- Ground Conditions and Contamination
- Townscape and Visual
- Noise and Vibration
- Socioeconomics
- Transport
- Cumulative Impacts

- 4.16 A number of other issues were considered at the Scoping stage and were considered unlikely to give rise to likely significant environmental effects. These issues were therefore 'scoped out' of the EIA, but assessed within the planning application documents, where necessary:
- Microclimate
 - Climate Change
 - Health and Wellbeing
 - Tourism
 - Social Infrastructure
 - Retail
 - Ecology
 - Arboriculture
 - Archaeology
 - Utilities
 - Waste
 - Major Accidents and Disasters
- 4.17 The Environmental Impact Assessment (EIA) in respect of the Proposed Development is in conformity with the Scoping Report. It is agreed that the ES satisfies the requirements of the EIA Regulations and has been duly undertaken and reported as follows:
- Volume 1 – Main Environmental Statement (ES) and ES Addendum, including technical chapters (on the topics listed at above at paragraph 4.12)
 - Volume 2 – Technical appendices
 - Volume 3 – Non-Technical Summary
- 4.18 The planning application was subject to formal consultation which culminated in no statutory objections to the Development proposal.

5.0 Inquiry Documents

- 5.1 The Initial bundle of papers is contained within the Agreed Schedule of Documentation issued to the Planning Inspectorate on 4 March 2025 by the LPA.
- 5.2 To aid the Inspector, Secretary of State and all those taking part with the Inquiry, it is proposed to adopt a single comprehensive set of core reference documents. The agreed Core Documents will be provided in due course.

6.0 Development Plan

6.1 The Development Plan for Cambridge is formed of:

- Cambridge Local Plan 2018 and its Policies Map 2018
- Cambridgeshire and Peterborough Minerals and Waste Plan (2021)

6.2 The Site is not allocated or designated within the adopted Development Plan. It lies adjacent to the Mill Road Conservation Area.

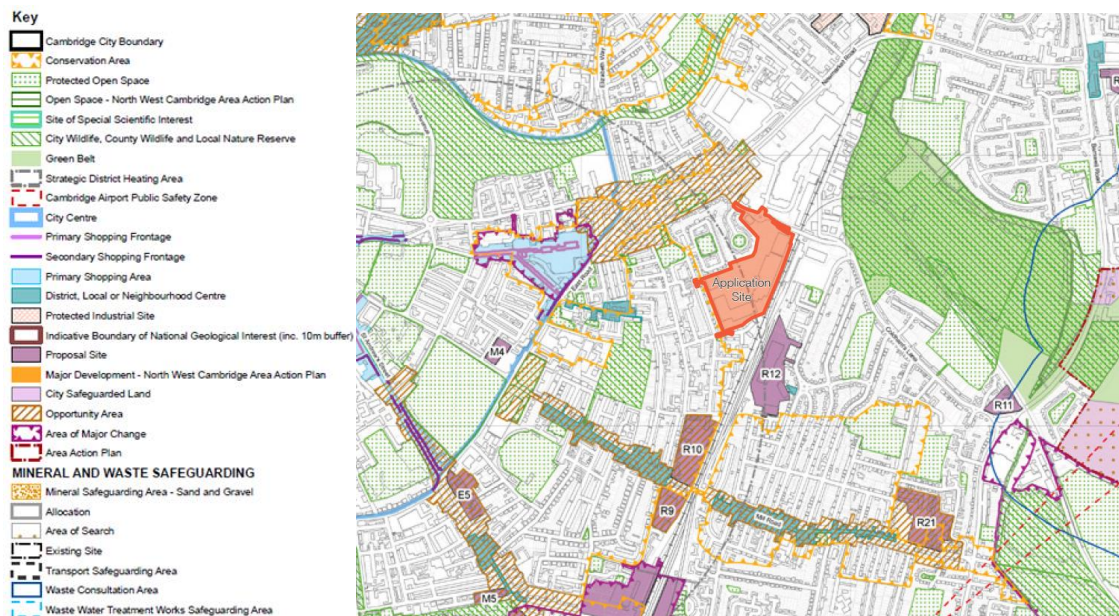


Figure 1 – Adopted Cambridge Local Plan 2018 Policies Map Extract

6.3 It is agreed that the relevant policies of the Cambridge Local Plan include:

- Policy 1: The presumption in favour of sustainable development
- Policy 2: Spatial strategy for the location of employment development
- Policy 5: Sustainable transport and infrastructure
- Policy 6: Hierarchy of centres and retail capacity
- Policy 8: Setting of the city
- Policy 28: Carbon reduction, community energy networks, sustainable design and construction, and water use
- Policy 29: Renewable and low carbon energy generation
- Policy 31: Integrated water management and the water cycle
- Policy 32: Flood risk
- Policy 33: Contaminated land
- Policy 34: Light pollution control

- Policy 35: Protection of human health and quality of life from noise and vibration
- Policy 36: Air quality, odour and dust
- Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding Zones
- Policy 40: Development and expansion of business space
- Policy 42: Connecting new developments to digital infrastructure
- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 57: Designing new buildings
- Policy 59: Designing landscape and the public realm
- Policy 60: Tall buildings and the skyline in Cambridge
- Policy 61: Conservation and enhancement of Cambridge's historic environment
- Policy 62: Local heritage assets
- Policy 67: Protection of open spaces
- Policy 71: Trees
- Policy 73: Community, sports and leisure facilities
- Policy 80: Supporting sustainable access to development
- Policy 81: Mitigating the transport impact of development
- Policy 82: Parking management
- Policy 85: Infrastructure delivery, planning obligations and the Community Infrastructure Levy

6.4 Regarding the putative reason for refusal, the Council cite the following Local Plan policies:

- Policy 55: Responding to context
- Policy 56: Creating successful places
- Policy 57: Designing new buildings
- Policy 60: Tall buildings and the skyline in Cambridge

Emerging Local Plan

6.5 The Council is progressing an emerging Joint Local Plan that will supersede the adopted Cambridge 2018 in due course. It has reached Regulation 18 stage and was last consulted upon in 2021. The Local Development Scheme identifies that the new Joint Local Plan is targeted to be submitted for examination in December 2026 with adoption expected in 2027.

6.6 The Site is identified as an Opportunity Area in the emerging Greater Cambridge Local Plan (GCLP) (First Proposals, Regulation 18), 2021. Under Draft Policy S/OA, Opportunity Areas are specific locations that would benefit from a holistic approach to development. The emerging policy makes reference to future development that includes improvements to public transport access, infrastructure delivery and the public realm.

The proposed policy direction states that:

“Opportunity Areas provide opportunity to enable development that can reinforce and create character and identity in key corridors and centres of the city, often through associated public realm improvements. Opportunity Areas embrace mixed uses and multiple functions, which provides opportunities and challenges...”

- 6.7 The emerging Local Plan identifies two new Opportunity Areas, namely Newmarket Road Retail Park (Site S/OA/NR) and Beehive Centre (Site S/OA/BC). The proposed Beehive Centre Opportunity Area falls fully within the Application Site red line boundary.

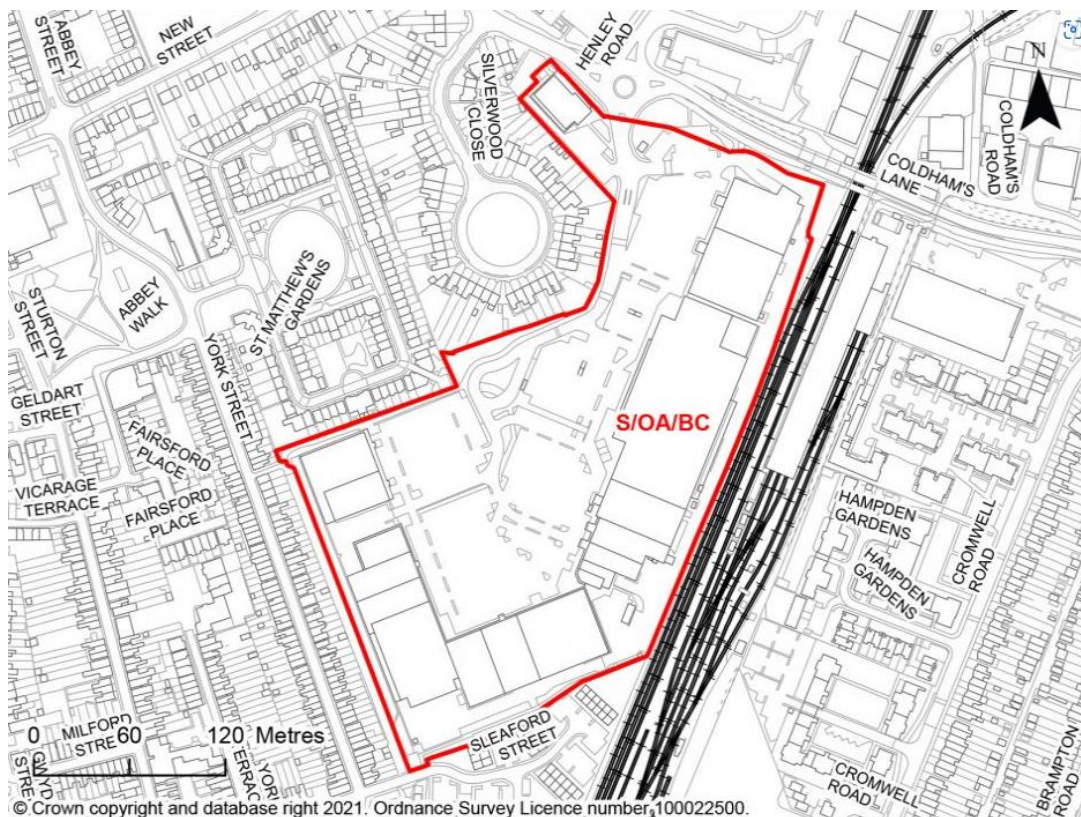


Figure 2 – Emerging Greater Cambridge Local Plan 2021

- 6.8 The 2021 First Proposals document states as follows for Newmarket Road Retail Park (Site S/OA/NR) and Beehive Centre (Site S/OA/BC):

“Two new Opportunity Areas are proposed that are areas of low density, large-scale retail uses with extensive surface car parking. This does not make very good use of an expansive area of land in the heart of Cambridge. With changes in retailing and the increase in online shopping, when taken together with the Local Plan themes of addressing climate change and creating Great Places, these sites have the potential to provide a significant opportunity for reimagining this area close to the heart of Cambridge...”

- 6.9 It is agreed that at this stage the emerging Joint Local Plan can be afforded very limited weight in the determination of the planning application.

7.0 Matters in Agreement

- 7.1 It is agreed between the Applicant and the City Council that the following matters are not in dispute:

Development Plan

- 7.2 Planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise as set out at section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 7.3 In this respect, the most relevant part of the development plan for the Application is formed of the Cambridge Local Plan (2018).
- 7.4 In reaching a conclusion as to whether a proposal is compliant with the development plan, the plan must be read as a whole.
- 7.5 The Local Plan sets out an agenda for sustainable growth , setting the following high-level vision for Cambridge to 2031 (pages 8 to 9):

“The vision for Cambridge is of a compact, dynamic city, located within the high quality landscape setting of the Cambridge Green Belt. The city will draw inspiration from its iconic historic core, heritage assets, river and structural green corridors, achieving a sense of place in all its parts, with generous, accessible and biodiverse open spaces and well designed architecture. Building on the city’s reputation for design excellence, Cambridge’s new development will be innovative and will promote the use of sustainable modes of transport, helping to support the transition to a more environmentally sustainable and successful low carbon economy. The city will continue to develop as a centre of excellence and world leader in the fields of higher education and research, and will foster the dynamism, prosperity and further expansion of the knowledge-based economy, while retaining the high quality of life and place that underpins that economic success. It will also grow in importance as a sub-regional centre for a wide range of services. Housing provision in the city will be of a high quality and will support the development and enhancement of balanced and mixed communities through provision of housing of a mix of sizes and types, including a high proportion of affordable housing. The Cambridge Local Plan 2018 seeks to guide and facilitate growth and the infrastructure required to support development, so that the city grows in a sensitive and sustainable manner. This will ensure that the high environmental quality of the city is protected and enhanced and that future developments offer a full range of opportunities to all.”

National Planning Policy Framework

- 7.6 The NPPF is a significant material consideration which must be taken into account where it is relevant to a planning application.

- 7.7 The NPPF sets out a presumption in favour of sustainable development. This means that development proposals that accord with an up to date development plan should be approved without delay.
- 7.8 At a high level there are three overarching objectives to sustainable development. These are economic, social and environmental.
- 7.9 The planning system is plan-led and the development plan is therefore required to set a vision for the future of its area and provide a framework for addressing housing, economic, social and environmental needs.

Climate and Biodiversity Emergency

- 7.10 The City Council declared a Climate Emergency (Cabinet meeting of 21 February 2019) and a Biodiversity Emergency (Cabinet meeting of 22 May 2019). All decisions made by the Council must hold these two declarations front of mind.
- 7.11 More recently, the Council decided not to declare a Water Emergency (18 July 2024) but noted concerns regarding the water crisis and resolved to provide support to the Water Scarcity Group.

Principle of Development

- 7.12 The Proposed Development would create a new research and innovation employment quarter on a Site that comprises previously-developed land (PDL) in a well-located, accessible edge of centre location within the city. The Proposals would contribute towards the current identified need for employment floorspace, including wet/dry laboratories and offices.
- 7.13 The Greater Cambridge area is a strategic location for life science and technology research sectors, in both national and international terms.
- 7.14 The Proposed Development is compliant with Local Plan Policy 2 (Spatial strategy of the location of employment development) and Policy 40 (Development and expansion of business space). It also accords with the objectives of NPPF Chapter 6 (Building a strong, competitive economy), the Proposed Development, particularly:
- Paragraph 86 part (c): “pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics”; and
 - Paragraph 87 part (a): “clusters or networks of knowledge and data-driven, creative or high technology industries; and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections)”.

- 7.15 The Proposed Development will result in a move from large-format retail units to smaller units within a local centre. The Cambridge Local Plan does not include the Beehive Centre within the existing hierarchy of shopping centres and it does not provide policy protection for the retail quantum or type/mix of spaces. There is no restriction on the current use of the Site under Class E.
- 7.16 Retail and town centre policies have been considered by the LPA and the Applicant with respect to the Proposed Development. The following statement from the Committee Report (Paragraph 13.42) is an agreed statement:
- “In summary the supporting retail statement(s) has adequately demonstrated that the proposed development passes the sequential and retail impact tests and would not give rise to any unacceptable impacts on local centres or the city centre. Accordingly, the proposed quantum and (potential) mix of retail and town centres uses would be acceptable having regard to the nature of the development, including its out of centre location and the potential for it to impact upon other local centres, including town centre Beehive Centre vitality and viability, in accordance with the requirements of Policy 6 of the CLP and the relevant aims and objectives contained within the National Planning Policy Framework (NPPF).”*
- 7.17 Regarding alternative uses, it is agreed between the Applicant and LPA that the absence of a residential component within the Proposed Development does not conflict with the spatial strategy or policies contained within the Local Plan.
- 7.18 The current site represents an inefficient use of previously developed land in a highly sustainable location. Chapter 11 of the NPPF highlights the importance of making efficient use of land and acknowledges the significant contribution that previously developed land can make in meeting identified needs, including employment. Additionally, Chapter 6 of the NPPF emphasises the need to drive innovation and capitalise on the performance and potential of areas with high productivity, particularly in meeting the needs of a modern economy, including laboratories.
- 7.19 NPPF Chapter 11 (Making effective use of land) paragraph 125 c) applies, which states:
- give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land
- 7.20 The following statement within the Committee Report (Paragraphs 13.46-13.48) is an agreed statement:
- “13.46 Based on the latest sector evidence available, the need for additional office and lab floorspace in the City area (particularly) has been demonstrated and therefore, it is crucial that adequate supply continues to meet the evolving requirements of the life sciences and ICT sectors. The recent speech made by Rt Hon Rachel Reeves (Chancellor of the Exchequer) on 29 January 2025 in respect of ‘kickstarting economic growth’ has reaffirmed the national importance of the Oxford - Cambridge Growth Corridor and in particular the opportunity to harness the potential for growing its reputation for science and technology, research and development.*

- 13.47 *In spatial terms, this edge of city centre site would represent a major (if not rare) opportunity to accommodate some of the sector's identified current and long-term needs, whilst also allowing sustainable change and efficient renewal of previously developed land to be embraced.*
- 13.48 *The proposed reconfigured retail and town centre uses will not cause adverse harm to either local or city shopping centres as evidenced by its assessment of the sequential and retail impact tests. Proposals for a mix of retail and town centre uses onsite to support the needs of future employees and local community including the anticipated delivery of a high-quality public realm provide helpful foundations that would enable an attractive and vibrant new destination in the City to be formed."*

- 7.21 The principle of development is agreed between the Applicant and the LPA, including the comprehensive redevelopment of the Site and the mix of uses set out in the Outline Scheme.

Design

- 7.22 The Application seeks outline planning permission with all matters reserved for later consideration. This said, the design, layout, scale and landscaping proposals have been considered in respect of their acceptability. The Proposed Development is controlled by five Parameter Plans and a Design Code. The scheme has also been reviewed by the Design Review Panel (DRP) as an independent panel to review the design quality of schemes and provide an independent opinion on them to inform the planning process.
- 7.23 Aside from the disagreement between the parties on (1) whether the proposed development satisfies policies relating to the issue of impact on residential amenity of neighbouring properties and (2) the assessment of the residual townscape and visual harm, it is agreed that the Proposed Development is otherwise compliant with Local Plan Policy 56 (Creating successful places) and accords with the objectives of NPPF Chapter 12 (Achieving well-designed places) in respect of making efficient use of land (Paragraph 129) and being sympathetic to local character and history (Paragraph 135c)).
- 7.24 Aside from the disagreement between the parties on whether the proposed development satisfies policies relating to the issue of the effect on the amenity of neighbouring properties, with respect to building design and appearance, the Proposed Development would otherwise comply with Local Plan Policy 57 (Designing new buildings)
- 7.25 The Proposed Development includes for significantly enhanced hard and soft landscaping and the creation of high quality public realm. The Proposed Development is compliant with Local Plan Policy 59 (Designing landscape and the public realm).
- 7.26 The parties are agreed that there is a partial conflict with Policy 73 amounting to negligible harm, resulting from the loss of an existing leisure facility on the site and the absence of a like-for-like replacement. The LPA has formed a mitigation scheme in the form of an off-site leisure contribution to resolve the policy conflict to be secured through the S.106 agreement, as detailed in the Outline Heads of Terms (Appendix 2).

Heritage

- 7.27 The Heritage Statement's methodology (see Appendix 2 of the Heritage Statement, prepared by Bidwells) was agreed with the Local Authority during the Environmental Impact Assessment (EIA) scoping and pre-application engagement. It is agreed that the Heritage Statement was produced in line with the guidance provided in:
- Planning Practice Guidance
 - Historic England 'Conservation Principles: Policies and Guidance'
 - British Standard 7913 (2013) Guide to the 'Conservation of Historic Buildings'
 - 'Making Changes to Heritage Assets' Advice Note 2, by Historic England (February 2015)
 - 'Tall Buildings', Historic England Advice Note 4, by Historic England (Second edition March 2022)
 - 'Analysing Significance in Heritage Assets' Advice Note 12, Historic England (October 2019)
 - 'Managing Significance in Decision Taking in the historic Environment' Historic Environment Good Practice Advice (GPA) in Planning Note 2 (March 2015)
 - 'The Setting of Heritage Assets' Historic Environment Good Practice Advice (GPA) in Planning Note 3 (Second Edition December 2017).
- 7.28 It is agreed that the Heritage Statement has been undertaken in accordance with the following provisions and policies:
- Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990
 - National Planning Policy Framework (2025): Par. 207, 212, 213, 215, 216, 219
 - Cambridge Local Plan: Policy 57, 61, 62
- 7.29 It is agreed that Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is not relevant to this application as the Site is outside the boundary of any conservation areas.
- 7.30 In line with paragraph 207 of the National Planning Policy Framework, the Heritage Statement contains a level of detail which satisfies the requirement to be proportionate to "the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance".
- 7.31 The Heritage Statement, supported by the findings of the EIA scoping, identified the following built heritage assets, located within the immediate context of the Site, which may have the potential to be affected by the scheme:
- Mill Road Conservation Area
 - St Matthew's Church – Grade II
 - 247 Newmarket Road – Grade II
 - Cambridge Gas Company War Memorial – Grade II
 - St Andrew the Less – Grade II

- York Street Terraces (excluding nos. 86-92a even, 98-104 even, and 101-111a odd) – Positive Unlisted Buildings
- Ainsworth Street Terraces – Positive Unlisted Buildings
- Stone Street Terraces – Positive Unlisted Buildings
- Sleaford Street Terraces – Positive Unlisted Buildings
- York Terrace(s) – Positive Unlisted Buildings
- 33-38 Abbey Walk – Buildings of Local Interest
- Sturton Street Terraces – Positive Unlisted Buildings
- 179 Sturton Street – Positive Unlisted Building
- 192-198 Sturton Street – Positive Unlisted Buildings
- Milford Street Terraces – Positive Unlisted Buildings
- Gwydir Street Terraces – Positive Unlisted Buildings
- Edward Street Terraces – Positive Unlisted Buildings
- Norfolk Street Terraces – Positive Unlisted Buildings
- Norfolk Terrace – Positive Unlisted Buildings

7.32 The following assets, located within the wider context, were also identified as having the potential to be affected by the scheme:

- Central Conservation Area
- Riverside and Stourbridge Conservation Area
- Kite Conservation Area
- New Town and Glisson Road Conservation Area
- Castle and Victoria Road Conservation Area
- West Cambridge Conservation Area
- University Library – Grade II
- King's College Chapel – Grade I
- St John's College – Grade I
- All Saints Church – Grade I
- Jesus College – Grade I
- Church of Our Lady and the English Martyrs – Grade I
- Christ Church – Grade II
- Mill Road Cemetery – Grade II Registered Park and Garden
- Custodian's House Mill Road Cemetery – Grade II
- Old Cheddars Lane Pumping Station – Scheduled Monument
- Chapel of St Mary Magdalene Stourbridge Chapel – Grade I
- Church of St Mary the Great – Grade I

- 7.33 It is agreed that the proposals could result in a variety of impacts on the significance of some of the identified designated assets ranging from neutral to less than substantial harm. These impacts relate to changes within the asset's setting only. Whilst the setting of a heritage asset can be a fundamental contributor to its significance, 'setting' itself is not a designation. The value of setting lies in the contribution it makes to the significance of an asset. In this instance, the site in its current form either detracts or makes a neutral contribution to the setting of the identified assets.
- 7.34 There are no impacts amounting to 'substantial harm' to any of the identified assets.
- 7.35 It is agreed that less than substantial harm will arise to the significance of the following assets:
- Christ Church – Grade II
 - Jesus College – Grade I
 - All Saints Church – Grade I
 - Castle and Victoria Road Conservation Area
 - Central Conservation Area
 - Mill Road Conservation Area
- 7.36 It is agreed that the 'less than substantial' harm identified is identified separately for each relevant asset. This scale of harm reflects the impacts on the significance of the assets rather than the significance of effect/magnitude of change (as considered in the ES Heritage Chapter).
- 7.37 It is agreed that while the LPA has identified less than substantial harm to the significance of the Mill Road Conservation Area, it has not specifically identified harm to the positive unlisted buildings (York Street and Ainsworth Terraces) within it.
- 7.38 The applicant disputes that there is harm amounting to less than substantial harm to the significance of the following designated assets. Whilst it is agreed there is a change within their settings, this change is considered by the Applicant to have a neutral effect on their significance:
- Mill Road Cemetery
 - Kings College Chapel
 - St Mary the Great Church
 - St John's College
 - University Library
 - Kite Conservation Area
 - Riverside and Stourbridge Common Conservation Area
- 7.39 The LPA notes in summary that there is a cumulative harm to heritage assets, which is stated to be less than substantial at a moderate level. The Applicant's view is that it is not considered best practice to approach the heritage assessment of these assets in this way (ie a cumulative total impact), because they are not a group and read in many different settings.

The parties disagree as to where on the scale of less than substantial harm the impacts sit in relation to the list of assets at paragraph [7.35]. Whilst the LPA identify an overall moderate level of harm, the Applicant considers the harm is as follows, but does not offer an overall measure of harm:

- Mill Road Conservation Area – Minor (low) adverse
- Central Conservation Area – Minor (low) adverse
- Castle and Victoria Conservation Area – Negligible adverse
- All Saints Church – Moderate/minor (low) adverse
- Jesus College – Minor (low) adverse
- Christ Church – Moderate/minor (low) adverse

Notwithstanding the differences in the conclusion on the level of harm to the significance of some of the heritage assets by the parties, it is agreed that any harm to any designated heritage assets is no more than less than substantial, and the public benefits of the application scheme are collectively sufficient to outweigh the identified harm to the significance of all the heritage assets.

Townscape and Visual Impacts

- 7.40 It is agreed that the methodology on which the TVIA is based (refer to Appendix 10.1 of the TVIA) is appropriate and the TVIA has been prepared in accordance with GLVIA3, relevant Technical Guidance Notes prepared by the Landscape Institute and guidance relating to tall buildings prepared by Historic England, as set out in para 10.4 of the TVIA.
- 7.41 It is agreed that the assessment of townscape character is based on the relevant published character assessments, as set out within Para 10.59 of the TVIA.
- 7.42 The Viewpoints that form the basis of the visual assessment have been informed by detailed discussions with the Council and the 18 identified viewpoints within the TVIA Appendix 10.6A are agreed. The viewpoints have been selected in accordance with the relevant guidance (GLVIA3) and provide a good representation of receptors' visual experience of the Site (including local residential receptors) from publicly accessible locations.
- 7.43 It is agreed that the assessment of effects within the TVIA takes into account the "primary mitigation" measures that are set out at para 10.26 of the TVIA and that these have informed the Design Codes that form part of the application submission. The Design Codes will ensure that the "secondary measures" identified within the TVIA are achieved at the Reserved Matters stage, which has informed the assessment of effects in Table 10.5A.
- 7.44 There is disagreement between the parties on the residual townscape and visual effects following the implementation of the proposed secondary mitigation. The LPA maintains that the development cannot achieve a state of 'no harm', but that the level of harm envisioned following the secondary mitigation would be at a low level. Therefore, despite the conflict with Policies 60 and 67 of the Local Plan and paragraph 135 (c) of the NPPF, the Council considers that the collective benefits of the scheme would outweigh the low level of harm identified.

- 7.45 The Applicant maintains that, through the implementation of the 'secondary mitigation' (at Reserved Matters Stage), the perceived harm as a result of the development will reduce to negligible adverse or neutral with some receptors experiencing beneficial effects.
- 7.46 The parties agree that any remaining perceived adverse effects would be outweighed by the significant economic, social and environmental benefits arising from the redevelopment of the site.

Sustainability

- 7.47 The Proposed Development is supported by strategies relating to sustainability, including energy, water, urban heat island effect and wider human health and wellbeing.
- 7.48 It is agreed between the LPA and the Applicant that the Proposals would deliver a highly sustainable development in compliance with Local Plan Policy 28 (Carbon reduction, community energy networks, sustainable design and construction, and water use) and Policy 29 (Renewable and low carbon energy generation) and the Council's Sustainable Design and Construction Supplementary Planning Document (SPD)(2020). The Proposed Development accords with the sustainability objectives set out in the NPPF.

Ecology and Biodiversity

- 7.49 The Proposed Development would deliver significant ecological enhancement and biodiversity net gain (BNG) compared with the existing context. The Proposals target over 100% BNG in excess of the legislative requirement of 10% and the aspirational target of 20% set out in the Council's Biodiversity SPD (2022).
- 7.50 The Proposed Development is in compliance with Local Plan Policy 69 (Protection of sites of biodiversity and geodiversity importance) and 70 (Protection of priority species and habitats) and the objectives set out in the NPPF, including Chapter 15 (Conserving and enhancing the natural environment).

Trees

- 7.51 There are 113 individual trees and six tree groups on the site. Ten of the trees are subject to individual Tree Preservation Orders (TPO). Of the features identified, a total of 60 individual trees and a section of one tree group will need to be removed to facilitate the development. In terms of their overall quality and value, 10 of the trees to be removed would be of a moderate quality (Category B) and 51 would be of a low quality (Category C). Two of the trees (T77 and T78) to be removed are subject to a TPO. The remaining 58 trees, groups of trees, and hedgerows, which includes the vast majority of the vegetation along the western boundary adjacent to Rope Walk, would be retained and protected through measures including site monitoring, protective fencing, non-mechanical dig methods, and construction exclusion zones
- 7.52 The Proposed Development includes the planting of at least 290 new trees, resulting in a net increase of at least 230 trees on the Site.

- 7.53 The Proposed Development complies with Local Plan Policy 59 (Designing landscape and the public realm) and Policy 71 (Trees) and the objectives of the NPPF.

Flood Risk and Drainage

- 7.54 Chapter 8 of the ES addresses flood risk and drainage, concluding that the mitigation and management measures outlined in the Flood Risk Assessment (FRA) will adequately address any potential flood risk and drainage impacts.
- 7.55 The Lead Local Flood Authority (LLFA) has raised no objections on flood risk and surface water drainage matters, subject to conditions. Likewise, Anglian Water has raised no objections on foul water and trade effluent matters.
- 7.56 The LPA and Applicant agree that the Proposed Development complies with Local Plan Policy 31 (Integrated water management and the water cycle) and Policy 32 (Flood risk) and the objectives contained within the NPPF.

Water Resources

- 7.57 Chapter 8 of the ES addresses water resources, concluding that the proposed effects of the scheme on the local water supply network and associated ecological and environmental receptors are predicted to be negligible following implementation of mitigations.
- 7.58 The Sustainability Strategy sets out a range of mitigation measures which are established within the Proposed Development. This includes achieving all 5 WAT 01 credits under BREEAM including a target to achieve the additional 'exemplar' credit.
- 7.59 It is agreed that the potential effects of the scheme on the local water supply network and associated ecological and environmental receptors are predicted to be negligible following implementation of mitigations. Neither the Environment Agency (EA) nor Natural England (NE) have objected to the Proposed Development on the basis of impacts on water resources, nature conservation or the wider water environment.
- 7.60 It is a matter that is of neutral weight for the planning balance and it is agreed between the parties that the Proposed Development complies with Local Plan Policy 28 (Carbon reduction, community energy networks, sustainable design and construction, and water use), Policy 31 (Energy-efficiency improvements in existing dwellings) and 70 (Protection of priority species and habitats), the Sustainable Design and Construction SPD (2020), the NPPF, PPG and Water Framework Directive (England and Wales) Regulations 2017.

Ground Contamination, Remediation and other Environmental Issues

- 7.61 It is agreed that there are no unacceptable impacts in terms of soil, air, water, wind and noise pollution that cannot be controlled through planning conditions.

- 7.62 It is agreed that the Proposed Development complies with Local Plan Policy 33 (Contaminated land), Policy 34 (Light pollution control), Policy 35 (Protection of human health and quality of life from noise and vibration), Policy 36 (Air quality, odour and dust), Policy 37 (Cambridge Airport Public Safety Zone and Air Safeguarding Zones) and Policy 38 (Hazardous installations) and relevant objectives within the NPPF.

Transport, Highways and Parking

- 7.63 It is agreed between the LPA and the Applicant that the Proposed Development complies with Local Plan Policy 80 (Supporting sustainable access to development), 81 (Mitigating the transport impact of development) and 82 (Parking management). The Local Highway Authority (LHA) and Active Travel England have raised no objections to the proposals.

Public Art

- 7.64 The Application is supported by a Public Art Strategy (PAS) which includes the delivery of permanent and temporary art-based projects, including community engagement.
- 7.65 It is agreed between the LPA and the Applicant that the Proposed Development complies with Local Plan Policy 56 (Creating successful places) and Policy 59 (Designing landscape and the public realm) in respect of public art.

8.0 Planning Benefits and Harms

8.1 The LPA and the Applicant agree that the Proposed Development would result in a range of benefits.

8.2 Considered in accordance with the three overarching objectives of sustainable development, it is agreed that the Proposals will deliver a significant range of benefits including those identified by reference to the Committee Report (Paragraph 30.10-19):

8.3 **Economic**

- **Jobs:** 6,445 estimated direct jobs created, comprising 905 entry level, 1,225 mid-skilled and 4,315 high skilled workers. This is a significant uplift from approximately 855 (670 FTE) existing jobs at the Beehive.
- **Economic Output:** £600m estimated in additional Gross Value Added annually in economic output supported by the new workforce (£60m generated from current site, £660m gross).
- **Tax:** £180-240m estimated in annual tax revenues.
- **Business Rates:** £8.5m estimated in additional annual business rates (£2.9m from current site, £11.4m gross).
- **Expenditure:** £9.6m estimated in additional worker expenditure in the wider economy.
- **Emboldening Economic Cluster:** Significant contribution to the Cambridge knowledge-based R&D cluster with specific large plate flexible laboratory space meeting identified need in this sector at scale. This key benefit accords with the revised NPPF 2024 chapter 6, 'Building a strong and competitive economy'.
- **Skills:** The implementation of an Employment and Skills Strategy and associated Delivery Plan. The implementation of the Delivery Plan would be through the appointment of an Employment and Skills Coordinator. Together these would:
 - prioritise job opportunities to the local community;
 - include outreach programmes for apprenticeships at construction and operational phases, with 2% 'earn and learn' targets;
 - include targets to improve diversity and inclusion within the R&D sector;
 - provide significant construction employment opportunities with specific targeting and training of local people through apprenticeships; and
 - involve a working programme of partnerships such as with the Marshalls Skills Academy, Abbey People and Form the Future.
- **Equity:** The applicant has committed to working with tenants to become a Real Living Wage employer.

8.4 **Social**

- **Place:** The provision of a new innovation cluster, local centre and high-quality open spaces of varied character, transforming an outdated retail park dominated by parking into an accessible, inclusive and landscaped public realm with a Greenway (strategic cycle route) connecting through its spine and significant civic spaces provided including Hive Park.

- **Space:** Hive Park (7,000sqm), equivalent to nearby St Matthews Piece delivered in the first phase of the development for leisure and amenity purposes, with 2.6Ha of open space provided across the wider site, including other landscaped areas.
- **Community:** Provision of active ground floor small format retail, service provisions and leisure space and a dedicated youth and community space in the centre of the site, for all of which the Illustrative Scheme show would be around 5,100m². A youth and community space is expected to comprise two activity rooms, studio space, centre management and publicly accessible toilets including a Changing Places facility. The community uses and some external spaces are likely to involve partnerships with local community groups such as, Abbey People, Cambs. Youth Panel, Romsey Mill and Skate the Streets. They would allow for community events, cultural celebrations and seasonal festivities.
- **Education:** Provision of dedicated STEM education space working with Cambridge Science Centre for local schools, including a commitment to work with tenants to engage local primary and secondary schools and partners to improve pathways to the life sciences sector. Outreach and training opportunities focused on identified and deprived areas in Cambridge.
- **Cars:** Significant reductions in on-site car parking from 885 to 395, 374 of which would be in a MSCP. 21 Blue Badge surface bays would be provided, with 38 accessible bays in the MSCP. An associated Car Parking Management Plan would control use of the car parking based on need and nature, such as car share priority with the help of ANPR. This a significant reduction in overall quantum of car parking spaces and the spaces themselves would not be regularly turned over in any one day, with longer single use of spaces compared to existing.
- **Buses:** Services to the site are planned to be increased to 15 per hour at peak times, including increased Park and Ride frequencies, extended lines and additional routes proposed.
- **Walking and Cycling:** A LTN 1/20 compliant cycle Greenway is to be provided through the centre spine of the site for cyclists. High quality walking routes would be provided within the site linking to all possible connections to nearby streets.
- **Infrastructure:** Coldham's Lane junction re-designed to reduce its car dominated engineered design in the interests of pedestrians and cyclists. Off-site improvements to local transport infrastructure including contributions to GCP schemes for Newmarket Road and elsewhere.
- **Transport:** Overall targets for modal shares trips are proposed as follows: +12% for buses, +25% for cycles, minus 60% for cars, +9% for walking. There would be estimated reductions in two-way car trips from the site of 10,000 per weekday and 12,000 per weekend day, which represent significant reductions in pressure on the highway network. Financial contributions towards the costs of implementing additional resident parking scheme(s) and strategic transport schemes including Eastern Access and a Monitor and Manage Fund.
- **Culture:** Public Art Delivery Plan, including a scope for young people to be involved.
- **Health:** Positive health impacts are anticipated through the provision of open spaces (2.6Ha) including new landscaping and public realm allowing for social interaction, a commitment to WELL certification and 'designing out crime' principles in the delivery of a managed, high quality public realm. Health impacts would also arise from the use of the leisure and dedicated youth and community spaces.
- **Inclusion:** Inclusive design commitments to be secured through Design Coding / conditions / S106 for the neurodiverse working with partners such as Red2Green and Make Space for Girls.

8.5 **Environmental**

- **Location / Re-use:** Making the best use of previously developed land for an identified need in a sustainable location.
- **Biodiversity:** Strategy for 100% increase.
- **Trees:** Retention of 58 existing trees, removal of 61 trees and planting of 290 new trees. Inclusion of long-term growing tree species, chosen for biodiversity and climate resilience.
- **Ecology:** Benefits through pollen rich planting, brown / green roofs and nesting and roosting boxes for bats and birds.
- **Sustainable Construction including:**
 - Outstanding BREEAM rating for all office buildings, all other buildings achieving a minimum rating of Excellent with a push target to achieve Outstanding;
 - All electric building programme;
 - High performance fabric first building strategy;
 - Embodied carbon targets of less than 600kgCO₂/m² for office and 750kgCO₂/m² for labs. The strategy for embodied carbon is to be captured through condition and reviewed at every reserved matters stage which would also require Whole Life Carbon assessments;
 - Provision of Electric Vehicle charging;
 - Waste management plan;
 - Construction sustainable sourcing strategy; and
 - Limiting water use through securing all 5 credits for BREEAM Wat 01 credits for water consumption, with the inclusion of a push target to achieve Exemplary Performance credits. This would include rainwater harvesting for W/C flushing, low flow fittings, feasibility studies for grey water harvesting and vacuum toilets and water metering for all incoming mains and tenant zones including leak detection.

9.0 Matters raised by the Secretary of State

9.1 The Secretary of State's call-in letter of 12 February 2025 set out the matters which she particularly wishes to be informed about for the purposes of her consideration of the Application.

9.2 These matters are as follows:

a) *The extent to which the proposed development is consistent with Government policies for Building a strong, competitive economy in NPPF (NPPF Chapter 6)*

It is agreed between the parties that the Proposals are consistent with national Government planning policies set out in NPPF Chapter 6.

b) *The extent to which the proposed development is consistent with Government policies for Ensuring the vitality of town centres in NPPF (NPPF Chapter 7)*

It is agreed between the parties that the Proposals are consistent with national Government planning policies set out in NPPF Chapter 7.

c) *The extent to which the proposed development is consistent with Government policies for Achieving well-designed places in NPPF (NPPF Chapter 12)*

Aside from the disagreement between the parties on the extent of the proposed development's consistency with paragraph 135 (c) and (f) of the NPPF, it is agreed that the Proposals are consistent with the remaining policies contained in Chapter 12 of the NPPF.

d) *The extent to which the proposed development is consistent with the development plan for the area*

This is a matter of dispute between the parties.

e) *Any other matters the Inspector considers relevant*

10.0 Matters in Dispute

- 10.1 The Applicant and the Council dispute the following matters:
- 10.2 Whether the Development accords with the Development Plan when read as a whole and whether the benefits outweigh all of the adverse impacts.
- 10.3 Whether the proposals give rise to harm to residential amenity by way of an unacceptable reduction in daylight and sunlight to neighbouring residential properties and amenity areas, and by way of creating an oppressive outlook.
- 10.4 The number of heritage assets experiencing less than substantial harm to their significance as a result of the proposal, and where on the scale of less than substantial harm the impacts would be.
- 10.5 The residual townscape and visual effects following the implementation of the proposed secondary mitigation.
- 10.6 It is noted that notwithstanding the differences between the parties on the level of heritage and townscape impacts, both parties agree that any heritage and townscape harm arising is outweighed by the public benefits of the proposal.

11.0 Planning Conditions and Outline Heads of Terms

- 11.1 At Appendix 1 is a complete set of draft agreed Planning Conditions.
- 11.2 At Appendix 2 are Heads of Terms which are agreed apart from those bracketed matters which will be addressed in a timely manner. The parties intend to provide a full s106 planning obligation agreement to meet the Inquiry timetable.

APPENDIX 1

PLANNING CONDITIONS

APPENDIX 2

PLANNING OBLIGATION AGREEMENT HEADS OF TERMS

