



2nd Floor, Chancery Exchange
10 Furnival Street
London
EC4A 1AB

T: +44 (0) 20 7148 6290
E: info@eb7.co.uk
W: www.eb7.co.uk

BEEHIVE CENTRE REDEVELOPMENT, CAMBRIDGE

SUPPLEMENTARY STATEMENT OF COMMON GROUND:
DAYLIGHT, SUNLIGHT & OVERSHADOWING

28th March 2025
APP/Q0505/V/25/3360616
LPA Ref: 23/03204/OUT

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

J.A. Long

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Railway Pension Nominees Limited

Date: 28th March 2025

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1 Introduction

- 1.1.1 This is a supplementary Statement of Common Ground (SoCG) agreed between experts on the matter of daylight, sunlight and overshadowing acting for Railway Pension Nominees Limited (Railpen) ["the Applicant"] and Cambridge City Council ["the Council"], also the Local Planning Authority ["the LPA"].
- 1.1.2 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."*
- 1.1.3 This SoCG sets out matters of agreement and disagreement between the Applicant and the Council as of 28th March in respect of the technical discipline of Daylight, Sunlight and Overshadowing.
- 1.1.4 This supplementary SoCG should be considered alongside the main planning SoCG, dated 28th March 2025. The main SoCG covers wider planning matters and sets out the background to the planning application and the subsequent Secretary of State call-in of 12th February 2025.

2 The Site and Site Context

- 2.1.1 General details of the site are set out in the primary SoCG. The main receptors for consideration of Daylight, Sunlight and sun on ground (overshadowing) effects are the most proximate residential properties which neighbour the site. These relevant residential properties have been agreed as:
- 2.1.1.1 **Sleaford Street:** Two storey houses plus loft accommodation located to the south / south west corner of the site.
 - 2.1.1.2 **York Street:** Two-storey terraced housing to the west of the site.
 - 2.1.1.3 **St Matthew's Gardens:** Typically, three-storey townhouses. Some maisonettes in 2 storey blocks and some flats within blocks up to 4 storey plus lower ground floor broadly to the north of the site.
 - 2.1.1.4 **Silverwood Close:** Two storey housing (limited number with dormer accommodation to roof) broadly to the north of the site.
 - 2.1.1.5 **Pym Court:** Four-storey flats to the east of the site, across the railway.
 - 2.1.1.6 **Hampden Gardens:** Four to five-storey flats to the east / south-east also across the railway line.
 - 2.1.1.7 **The Terrace:** Three-storey flats also across the railway line situated to the east immediately to the south of Hampden Gardens.



Figure 1: Site and Location of Relevant Residential Neighbours

2.1.2 The location of neighbouring amenity spaces is also relevant in respect of sun on ground (overshadowing) considerations. The main relevant areas for consideration include private gardens to the rear of the houses at York Street and Silverwood Close and also to the flats and houses of St Matthew's Gardens having garden and terrace spaces. This includes a number of sunken amenity areas positioned at lower ground floor level and associated communal amenity areas.

3 Matters in Agreement

- 3.1.1 In respect of Daylight / Sunlight and Overshadowing it is confirmed between the experts acting for the Applicant and the City Council that the following are agreed:
- 3.1.2 The appropriate technical assessment methodologies and guideline target criteria are those set out in document BRE209: Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (June 2022) (the BRE Guide).
- 3.1.3 The extent of neighbouring properties included within the detailed daylight and sunlight analysis, and set out at section 2 above, is appropriate.
- 3.1.4 Appropriate research has been undertaken into the use and layout of neighbouring properties to inform the technical analysis and ensure an acceptable level of accuracy in the modelling. This includes researching records identified in the public domain and additional check measurements undertaken on site.
- 3.1.5 In respect of daylight within buildings the primary concern relates to main habitable rooms of bedrooms, living rooms, kitchens and dining rooms. Non-habitable and secondary spaces are considered less relevant.
- 3.1.6 In respect of sunlight within buildings the effects to main living rooms and conservatories are most relevant. Effects to other habitable rooms and non-habitable spaces are less relevant.
- 3.1.7 The numerical targets within the BRE document are not mandatory and should be interpreted flexibly. Given the nature of the pre-existing site it is to be anticipated that meaningful redevelopment may lead to the potential for some reductions in daylight and sunlight which may not meet the BRE target criteria.
- 3.1.8 The acceptability of these effects requires the consideration of two questions about the impact of the proposed development as per *Rainbird, R (on the application of) v The Council of the London Borough of Tower Hamlets* [2018] EWHC 657 (Admin).
- 3.1.9 The questions to be addressed under this two-stage approach are a) whether or not the proposals would result in a "material deterioration" of daylight and sunlight conditions b) whether or not any such deterioration would be "unacceptable".
- 3.1.10 The first question in the two-stage approach may be answered by reference to the numerical targets set out in the BRE Guide. Where the daylight, sunlight and shading effects of the proposal meet the numerical criteria set out in the BRE guidelines they are considered to be acceptable.
- 3.1.11 Where the daylight, sunlight and shading effects of the proposal do not meet the numerical criteria set out in the BRE guidelines, the acceptability of impacts under

the second question in the two-stage approach may be informed by the guidance within Appendix F and Appendix H of the BRE document. Other relevant considerations may relate to the site context, relevant comparative typologies and, where appropriate, consideration of alternative targets and any other source documents considered to be applicable.

4 Matters in Dispute

- 4.1.1 In respect of Daylight, Sunlight and Overshadowing the following matters are in dispute between the applicant and the LPA:
- 4.1.2 The decision making process undertaken in respect of the acceptability of effects outside of the numerical targets set out in the BRE Guide. In particular the LPA's application of the two-stage approach and whether appropriate weight has been given to relevant wider considerations balanced against the BRE numerical targets.
- 4.1.3 The conclusions reached by the LPA as to the acceptability where impacts of the scheme proposal would exceed the numerical targets set out in the BRE guide. This relates both to the extent of reductions resulting from the proposals as well as residual values for Daylight and Sunlight to neighbouring dwellings and sun on ground (overshadowing) to amenity areas.
- 4.1.4 The application of the wider planning balance in the conclusions reached by the LPA in respect of the acceptability of the Daylight, Sunlight and Overshadowing effects of the scheme.

5 Further Actions

- 5.1.1 The experts acting for the Applicant and the LPA are seeking to agree the accuracy of the modelling and technical results relating to daylight, sunlight and overshadowing assessments.
- 5.1.2 Following a joint site visit and inspection undertaken on 13th March 2025 the proposed timetable for agreement of this technical work is as follows:
- **26th March 2025:** Applicant's expert to issue detailed 3d modelling, source information and technical results to LPA expert.
 - **23rd April 2025:** LPA expert to confirm agreement of 3d modelling and technical results as far as reasonably possible (to note, LPA expert is on annual leave for the first half of April).
- 5.1.3 The timetable for agreement of the technical analysis may be extended in the event of any queries arising or at the agreement of the experts.
- 5.1.4 During the exchange of technical evidence the experts will seek to agree a list of those properties where impacts are acceptable and the remaining properties the LPA considers not to be acceptable.

