

Beehive Centre Redevelopment
Mr Guy Kaddish
May 2025
APP/Q0505/V/25/3360616



PLANNING PROOF OF EVIDENCE

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Table of Contents

1.0	Qualifications and Experience	1
2.0	Introduction	3
3.0	Background	5
	Scheme Concept	5
	Collaborative and Design-Led Process	6
	A Shared Understanding and Ambition	7
	Committee Report and Planning Committee	9
	Process, EIA and Consultees	9
4.0	Benefits	11
5.0	The Development Plan	13
	Presumption in Favour of Development	13
	Spatial Strategy and Economic Development	13
	High Quality Design	17
	General Design	17
	Townscape and Visual	18
	Heritage	20
	Town Centres	22
	Sustainable Transport	23
	Residential Amenity	24
	Other DM Policies	24
	Conclusion	24
6.0	Residential Amenity	26
7.0	Harms	46
8.0	Other Material Considerations	48
	Building a strong, competitive economy in Direct Alignment with Government Ambition	48
	Achieving well-designed places	50
	Other Considerations	52
9.0	Summary and Conclusion	57
	<u>Appendix 1</u>	
	PLANNING APPLICATION CONSULTEE COMMENTS	
	<u>Appendix 2</u>	
	PLANNING BENEFITS TABLE	
	<u>Appendix 3</u>	
	DEVELOPMENT MANAGEMENT POLICIES REVIEW	
	<u>Appendix 4</u>	
	RESIDENTIAL OUTLOOK GROUPS	
	<u>Appendix 5</u>	
	APPLICANT RESPONSE TO THIRD PARTY REPRESENTATIONS	

1.0 Qualifications and Experience

- 1.1 I am Guy Simon Kaddish. I am a Chartered Town Planner with 25 years' experience across the private and public sector. I have a Bachelor of Science and a Diploma degree in Town and Country Planning obtained from the Cardiff University in 1999 and 2001 respectively. I have been a full member of the Royal Town Planning Institute since June 2001.
- 1.2 I am a Group Partner and Head of the Cambridge Planning Team at Bidwells LLP, an award winning top 20 planning practice with principal offices in Cambridge, Oxford, London, Norwich and Milton Keynes. Bidwells have been practising in the City of Cambridge for 185 years, with our Cambridge headquarters comprising over 250 property professionals. We advise 33 of the Cambridge colleges and many of the leading institutions and businesses in the City and surrounding area.
- 1.3 Prior to joining Bidwells in 2006 I held Planning Officer roles across some six years, firstly at Wycombe District Council and then Aylesbury Vale District Council.
- 1.4 My experience of large-scale mixed-use and commercial development proposals in Cambridge is considerable.
- 1.5 In 2006 I was part of the planning consultancy team to form the planning application for the original Phase 1 of the Cambridge Biomedical Campus (CBC), comprising 215,000 sq. m. of commercial biomedical and clinical floorspace. It was an Outline Application pursuant to a Local Plan allocation following the removal of the land from the Green Belt through the 2003 Structure Plan. The application presented the proposal across a series of Parameter Plans that formed the basis of the drawings for approval. The Application gained consent in 2009.
- 1.6 I was Planning Partner lead to form the planning proposals for CBC Phase 2. An Outline Application for a further 75,000 sq. m. of commercial biomedical and clinical floorspace and two multi-storey car parks. This gained planning consent in 2017. A site that is located on the edge of the city boundary, abutting the green belt in the adjoining South Cambridgeshire District jurisdiction. A form of application that continued the approach from CBC Phase 1 for the proposals to be principally controlled across a series of Parameter Plans.
- 1.7 Beyond the Outline stage at CBC, I was Planning Partner lead to the detailed planning proposals for 1000, 2000 and 3000 Discovery Drive, one multi-storey car park, the Abcam building and Cambridge Children's Hospital. These buildings ranging from four to six commercial stories in height, with plant and flues above. The Abcam building and 1000 Discovery Drive are now fully constructed.
- 1.8 Since 2007 I was the planning lead to various development proposals at Cambridge Science Park to the north edge of the city. Across five detailed planning applications I achieved planning consent for 10 large multi-storey Research and Development buildings.

- 1.9 In 2021 I attained planning permission for Biomed Realty for the Cambridge International Technology Park. A hybrid application for around 50,000 sq.m. of commercial R&D floorspace across five principal commercial buildings set to a single masterplan on a rectangular shaped parcel of land abutting the outside edge of the Cambridge City area. It was green belt but allocated for development through the 2018 South Cambridgeshire Local Plan. The outline component of the development was controlled by a suite of Parameter Plans, which dovetailed with the design of the detailed Phase 1 set into the hybrid application.
- 1.10 In 2023 I attained outline planning consent for Cambridge Discovery Campus, a new life science campus comprising some 32,000 sq.m. across six principal buildings and an amenity building. A proposal to develop contaminated and previously developed land in the Cambridge Green Belt close to the south west edge of the city and the Cambridge Biomedical Campus. It required a very special circumstances case, which included for the benefits arising from its contribution to the life science sector. It was formed around a suite of parameter plans and included for a Design Code as part of the planning application.
- 1.11 I have been advising Railpen [the Applicant] on planning matters at the Beehive Centre since the latter part of 2021.

Statement of Truth

- 1.12 I confirm that I have made clear which facts and matters referred to in this Proof of Evidence are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.



Guy Kaddish, Planning Partner

Dated 27 May 2025

Group Partner, Bidwells LLP

2.0 Introduction

Scope of Evidence

- 2.1 I am instructed by the Applicant, Railway Pension Nominees Limited (Railpen) in respect of the Proposed Redevelopment of the Beehive Centre, Coldhams Lane, Cambridge ("the Site"). My Proof of Evidence is submitted in response to the Secretary of State's calling in of the application for outline planning permission for the comprehensive redevelopment of the Site. The Application, Reference 23/03204/OUT, was originally submitted to Cambridge City Council in August 2023 and a revised scheme submitted in August 2024 following significant engagement with Officers, stakeholders and the wider community.
- 2.2 My evidence deals with the planning assessment of the proposals, including consideration of the development plan, the National Planning Policy Framework and other material considerations. I summarise the benefits of the Proposed Development and the weight to be attached to these. I deal with the matters that the Secretary of State wishes to be informed about as set out in the 12 February 2025 call in letters (CD6.01 and CD6.02) and also the single putative reason for refusal that was raised in the Officer's Report (CD3.01) and upheld by members of the 12 February 2025 Planning Committee (Decision Sheet, CD3.03).
- 2.3 My evidence is structured as follows:
- i) Section 1: Sets out a statement of truth and my experience and qualifications.
 - ii) Section 2: Introduces the planning evidence, setting out my scope and other evidence which supports the wider planning case.
 - iii) Section 3: Is the background to the case. It includes details of pre-application engagement, the support of consultees and a summary of the shared ambitions for the Site between the Applicant and the Council.
 - iv) Section 4: Sets out the benefits of the scheme as I see them.
 - v) Section 5: Summarises, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application scheme against the provisions of the development plan.
 - vi) Section 5: Provides my direct responses to the putative reason for refusal, namely residential amenity impact.
 - vii) Section 7: Sets out my consideration of planning 'harms' arising from the Proposed Development, to be carried into the Planning Balance.

viii) Section 8: Considers the other material considerations that are relevant to my evidence, including the National Planning Policy Framework and National Planning Practice Guidance.

ix) Section 9: Finally, I provide my conclusions in respect of the Planning Balance and why I consider planning permission should be granted for the Proposed Development without delay.

2.4 For convenience and ease of reference, I provide the following appendices:

- Appendix 1: Planning Application Consultee Comments
- Appendix 2: Planning Benefits Table
- Appendix 3: Development Management Policies Review
- Appendix 4: Residential Outlook Groups
- Appendix 5: Applicant Response to Third Party Representations

2.5 Throughout the evidence I reference Core Documents [CD], as agreed with the City Council.

Supporting Evidence

2.6 I reference and rely on the expert evidence for the Applicant as follows:

- i) Masterplan and Design matters are evidenced by David Leonard of Leonard Design Architects;
- ii) Daylight, sunlight and overshadowing matters are evidenced by Jonathan Lonergan of eb7;
- iii) Heritage matters are evidenced by Steven Handforth of Handforth Heritage;
- iv) Townscape and Visual matters are evidenced by Alastair Macquire of Bidwells; and
- v) Socio-Economic matters are evidenced by Alex O'Byrne of Volterra.

3.0 Background

- 3.1 In this section I set the planning context and explain how the proposals came about and were then formed over a long period of time in a collaborative and informed way.
- 3.2 The Application Site is described fully in Section 2 of the Statement of Common Ground (SoCG) (CD6.03). As a summary, the Site extends to 7.58 ha and comprises previously-developed (brownfield) land in an accessible, sustainable location close to the centre of Cambridge, but outside of the historic core.
- 3.3 The Proposed Development is described in detail within the agreed Topic Paper on *Design, scale and massing* (CD6.16) and within Mr Leonard's evidence (CD7.08). Together these set out the high-quality approach taken to the design, including a comprehensive consideration of the context, across the immediate environment through to wider views of the city.

Scheme Concept

- 3.4 Railpen purchased the Site in September 2012 as a going-concern to operate the retail park as part of its wider property portfolio. Following 2012 there was a changing retail market, with a reduction in retailers, retailers looking to downsize their stores and the rise of internet shopping. In section 3 of Mr O'Byrne's evidence he confirms that online retail increased from a total share of retail sales of 10% in 2013 to 25% 2023. This all resulted in lower yields set against higher commercial risks. These risks include holding an ageing building stock which will require investment to keep apace with building standards and replacing expensive plant, all while the rate of return diminishes.
- 3.5 This led to a portfolio review of the Site and the opportunity was identified to redevelop due to it being under Railpen's single freehold ownership, allied with its size and location in one of the few cities outside of London that has a strong enough context in which to have commercial confidence to redevelop at scale.
- 3.6 In exploring how best to optimise the opportunity for redevelopment it was recognised that a large and resilient component of the Cambridge economy is across its life science and knowledge-industry sector. The Site provides the ability to form a development with sufficient critical mass to create excellent facilities and amenities within a city location. It will provide a rare, city centre commodity within the Cambridge commercial ecosystem to become a sought-after and vibrant place to attract tenants resulting in a much improved and sustained long-term return to support Railpen and its role to provide pension contributions to its members.
- 3.7 In taking the decision to pursue a comprehensive redevelopment, Railpen is able to act with confidence in that it has a track-record in development delivery and managing operational sites. Railpen has a well-founded knowledge and understanding of Cambridge. It has further land and property interests in Cambridge, including: Devonshire Gardens 'Mill Yard' (a development under construction a short walk from Cambridge Railway Station), for homes and workspace; and

Botanic House (under construction for a major new office R&D building adding to the Railway Station high-tech cluster).

- 3.8 In foreseeing such a development, the opportunity for densification of the Site was always set against an appreciation of its context and the relationship with neighbouring properties.
- 3.9 The delivery strategy is to deliver the scheme in phases. The scale of the site supports a phased delivery, which further bolsters the confidence in scheme delivery by managing cash flow and being able to respond to market demands as each phase comes forward.
- 3.10 Allied with the Beehive Centre proposals, the opportunity arose to purchase Cambridge Retail Park (CRP), which is located north to the opposite side of Coldham's Lane, which Railpen secured in November 2020. It was considered that the changing retail market could not support two adjacent retail parks, but it could support one retail park. While there is no planning policy requirement to replace the floorspace to be demolished or to relocate the retailers from the Beehive Centre, it makes sound commercial sense to relocate retailers, where possible and practical, onto Cambridge Retail Park to bolster its retail resilience and support investment into Cambridge Retail Park as a shopping destination.
- 3.11 Holding both Beehive (as a redeveloped R&D-led campus) and CRP (as an enhanced and bolstered shopping destination) adds to the diversity and strength of the Railpen portfolio.

Collaborative and Design-Led Process

- 3.12 From the earliest pre-application stages in March 2021 through to the amended Application Proposals in August 2024 and their formal consideration, the Applicant team has undertaken continued proactive and effective stakeholder engagement.
- 3.13 The Applicant and its team have undertaken extensive and far-reaching engagement with city, ward and community-level representatives, in addition to undertaking wider public consultation. A Statement of Community Involvement (SCI) (CD1.03 and CD2.02) accompanies the Application. It is a process further supported by a Social Infrastructure Assessment (June 2022, CD1.17) that was commissioned by Railpen and undertaken by Social Life towards the outset of the pre-application period to gain an understanding for what is important to the local community to inform the Proposals as they evolved.
- 3.14 In addition to close collaboration with Officers at the City Council, led through a Planning Performance Agreement (PPA) (CD1.00 and CD2.00), engagement was also undertaken with statutory consultees and key stakeholders. The Application Proposals respond to the contributions of Historic England, the Highways Authority and Lead Local Flood Authority (LLFA). The Proposals have also responded to the review, on three occasions, by the Design Review Panel (DRP) and by the Disability Consultative Panel.
- 3.15 The extent, duration and depth of engagement across the planning process is significant. The proposals fully accord with the approach to design evolution set out in Paragraph 137 of the NPPF, which directs that *"Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."*

A Shared Understanding and Ambition

- 3.16 Underpinning the Development is a shared ambition between the Applicant and the Council to see the Beehive Centre redeveloped and reimagined. This common goal was established early as part of the Planning Performance Agreement (PPA) (CD1.00 and CD 2.00) at the outset of the project. The PPA was agreed 31 January 2022 and included a section containing the shared 'Vision and Objectives' between the parties to inform a collaborative approach to forming the development proposals for a planning application and its formal determination. It stated in full:

"The 7.05-hectare site represents a sizeable piece of land adjacent to the city centre currently given over to large format retail units. The redevelopment of such a site provides a rare opportunity to create a new and meaningful piece of urban design with a positive contribution to the city.

There is an identified need for high quality purpose-built technology and life science workplace buildings within Cambridge and the city centre. Located between the two railway stations and adjacent to the city centre, this site represents an ideal location to bring forward an urban scale proposal that would ensure the long-term sustainable use of the site.

Sustainability is a key driver for the project with aspirations for the project to have exemplar environmental credentials including all buildings achieving at least BREEAM Excellent, a substantial biodiversity net-gain and the adoption of an energy strategy, that utilises a fabric first approach, to enable a holistic response to climate emergency.

The key objectives for the site include:

- Deliver an exemplar of sustainable development and help the City meet its climate change objectives;*
- Repair the urban fabric of this part of the City, integrate it into its surroundings; "green" the site and provide substantial areas of high quality, multifunctional public realm;*
- Deliver an accessible, exceptional quality cycle and pedestrian environment;*
- Optimise development on this brownfield site and deliver high quality buildings and spaces for the knowledge industry in a town centre environment; and*
- Enhance and diversify the range of employment opportunities on site."*

- 3.17 This represents a clear commitment by the Council to deliver a scheme that optimises the development of the Beehive Centre, as a brownfield site, for an identified need within the knowledge industry. To deliver a scheme of high quality, urban scale and make a positive contribution to the city. This is an approach reconfirmed in the Statement of Common Ground (SoCG) (CD6.03, Paragraph 7.12).

- 3.18 There is equally a shared understanding of the leading policy and planning characteristics of the site, being (quotes and paragraph references SoCG CD6.03):
- i) *“The Site is not allocated or designated within the adopted Development Plan”. (6.2)*
 - ii) *“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”. (7.12)*
 - iii) *“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”. (7.15)*
 - iv) Recognising the intention of the emerging Joint Local Plan towards the Site *“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”. (6.8)*
 - v) *“...in accordance with the three overarching objectives of sustainable development, it is agreed that the Proposals will deliver a significant range of benefits” (8.2)*
- 3.19 The pre-application and determination period were collaborative and informed an iterative and consultative design process. It was deeply unfortunate that the Council moved to recommend the application for refusal on the grounds of residential amenity at a very late stage in the process, after some four years of a collaborative approach.
- 3.20 Residential amenity had been a consistent part of the scheme discussions with Officers, but the Council only instructed a daylight and sunlight (DLSL) expert very late in the process and only enabled the first discussion between the DLSL experts from each party to take place on 28 January 2025, prior to the Planning Officers writing on 31 January to state their intention to refuse the Application. The 31 January Officer letter was unilaterally issued to the Applicant notwithstanding there were areas for further discussion and understanding between the parties identified at the 28 January meeting, and ones which the Applicant had expressly agreed to continue working with the LPA on.
- 3.21 Although there was an unfortunate end to the planning application process with the Council, leading to the call in, the collaborative approach has continued and notwithstanding the Council's concern on the single matter of detail around residential amenity, the overarching commitment of the Council to the redevelopment of the Site set against the PPA Vision and Objectives remains as evidenced by reference to the SoCG (CD6.03, Paragraph 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”.

Committee Report and Planning Committee

- 3.22 Although the officers recommended the Application for refusal to the Cambridge Planning Committee on the single matter of residential amenity, the Committee Report expressed a clear, overarching support to the reimagining of the Site to be achieved through the Development Proposals, continuing the theme of a shared ambition for the redevelopment of the Site for the purposes and design intent of the Proposals.
- 3.23 Paragraphs 30.33 and 30.34 of the Committee Report (CD3.01) provide a helpful summary of the merits and support as expressed by the officers:

“The proposal would result in a significant range of economic, social and environmental benefits. The development of a research and development cluster, including laboratory and office buildings on the site, would make best use of brownfield land in what is a highly sustainable location. However, the proposal would not just amount to a location for an employment typology directly encouraged and supported through economic focused Government policy, but it would also create a vibrant sense of place in accommodating a broader range of ancillary retail, leisure and community uses that would not ordinarily be found as part of a typical science park. This is a new form of urban employment lab / office typology not currently found within Cambridge and the applicant’s vision for the site is well formed with a strong set of social and environmental components that would help create a strong sense of place and community, not just for the those working on the site, but visitors and residents of Cambridge.

The applicants have taken significant strides in amending the scheme to address masterplan, massing and height issues. This has included reductions in the heights and modulation of buildings, the provision of better defined and larger open spaces and improved walking and cycling routes. This would all be controlled through a well-developed Design Code that would inform and guide reserved matters. These revisions have sought to overcome / mitigate officers’ concerns regarding matters of townscape and heritage and whilst these harms remain, it must be recognised that to accommodate the aspirations of Government policy to deliver meaningful growth, particularly in economic terms on brownfield sites such as this, that a significant degree of change and densification of the site is inevitable. To this extent, whilst special attention and great weight must be given to the preservation of the setting of the City’s heritage assets and that harm to the City’s wider townscape setting must be carefully considered, officers are of the view that the overall public benefits of the scheme outweigh the heritage and townscape harms identified.”

Process, EIA and Consultees

- 3.24 The Application was formally submitted to the Council in August 2023 and validated 18 August 2023 with planning reference 23/03204/OUT, following some 2.5 years of pre-application discussions. The Application was amended in the August in 2024.

The amended submission formed a significant change to the original form of the Proposals as a direct response to the comments made to the application. A minor update was made to the Application in November 2024 to address some residual comments.

- 3.25 The Planning Application culminated in no objections being raised by statutory consultees. I provide a summary position of the consultee comments in Appendix 1.
- 3.26 As set out in the SoCG (CD6.03, Paragraphs 4.14 – 4.17), an Environmental Statement (ES) was prepared and submitted alongside the Application and an addendum supported the amended submission. The ES satisfies the requirements of the Environmental Impact Assessment (EIA) Regulations 2017.

4.0 Benefits

- 4.1 The Development is a highly beneficial one. It has been carefully formed over a long period of time to respond to its context and optimise its potential to make a highly beneficial impact across the three objectives of sustainable development, being economic, social and environmental as set out at NPPF Paragraph 8.
- 4.2 The SoCG (CD6.03) at Paragraph 8.2 establishes a common position that the '*...Proposals will deliver a significant range of benefits*'.
- 4.3 I summarise the range of benefits below and attach a planning weight to each. At Appendix 2 is a fuller account of each benefit. I conclude with my judgement on the collective weight of all the benefits that will be delivered.
- 4.4 The weight that is attributed to each benefit is categorised using the following scale:
- Slight
 - Limited
 - Moderate
 - Significant
 - Great
 - Substantial
- 4.5 In forming an appreciation of the different weights and the greatest weight being attributed as 'substantial', it is relevant that the NPPF at 125(c) uses this word twice. Firstly, in giving substantial weight to the value of using suitable brownfield land; and secondly, in that such developments should be approved unless substantial harm would be caused.

Summary

- 4.6 The description of each benefit and its corresponding planning weight is summarised below:

PLANNING BENEFITS	WEIGHT ATTRIBUTED
ENVIRONMENTAL	
Reuse of urban brownfield land for identified needs	Substantial
Ecology, including Biodiversity Net Gain and Tree Planting	Significant
Reduction in Vehicle Trips and Enhanced Sustainable Travel	Significant
Sustainable Design and Strategies for Construction and Operational Stages	Moderate
SOCIAL	
Creating a Better Place for People to Experience and Enjoy	Great
Hive Park, Public Open Space and Informal Recreation	Significant

PLANNING BENEFITS	WEIGHT ATTRIBUTED
Community Floorspace and Local Partnerships	Moderate
Positive Health and Wellbeing Impacts	Significant
ECONOMIC	
Meeting an identified need for Office and Laboratory Floorspace	Great
Contribution to the Cambridge Cluster	Substantial
Employment and Skills Strategy	Moderate
Economic Impacts – including Jobs, GVA, spending and tax	Great

Conclusion

- 4.7 The Proposed Development will achieve net gains across the three overarching sustainability objectives of environmental, social and economic to deliver impactful benefits to the local community, Cambridge City, the wider area and nationally. Taken together as a whole, the benefits arising from the Development are of substantial weight to be placed into the planning balance.
- 4.8 The benefits to be delivered by the Development have been formed and targeted through a considered approach to its design and include for a direct response to stakeholder engagement. Each identified benefit will be secured through the delivery of the scheme or through the control of a planning condition or planning obligation.

5.0 The Development Plan

The Development Plan

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 states: *“In dealing with an application for planning permission or permission in principle the authority shall have regard to: a) the provisions of the development plan, so far as material to the application... and c) any other material considerations.”*
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states: *“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*
- 5.3 The relevant parts of the Development Plan for Cambridge are formed of:
- Cambridge Local Plan 2018 and its Policies Map 2018
 - Cambridgeshire and Peterborough Minerals and Waste Plan (2021)
- 5.4 There is an emerging Joint Local Plan in preparation. As agreed in the SoCG (paragraph 6.9, CD6.03) it currently carries ‘very limited weight’. It is a Plan unlikely to be adopted until 2027, at the earliest, and so its weight is unlikely to materially change in relation to the call in inquiry and the determination of the Application.
- 5.5 As agreed in the SoCG (CD6.03, paragraph 7.4) when reaching a conclusion as to whether the proposal is compliant with the Development Plan, it must be read as a whole. In this regard, and of significance to the proposals, are the ‘Vision for Cambridge to 2031’ and the ‘Strategic objectives’ for the implementation of the adopted Local Plan. I explain what these strive to achieve below as the overarching approach one should take to assess all new development in Cambridge.

Presumption in Favour of Development

- 5.6 Local Plan Policy 1 ‘*The presumption in favour of sustainable development*’ (CD4.04) mirrors the approach of NPPF Paragraph 11 to decision-taking. The policy states ‘...*the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework...*’ and that ‘*Planning applications that accord with the policies in the local plan will be approved without delay, unless material considerations indicate otherwise*’.

Spatial Strategy and Economic Development

- 5.7 From the outset of the Local Plan (CD4.04) its approach is clear. The Foreword at its page 1 says (my emphasis):

*“This local plan sets out the way we will meet the development needs of Cambridge to 2031. Over that time **the city has plans to grow significantly; supporting the nationally important economic contribution the city makes** and the factors that are inseparable from that success, seen in the exceptional quality of life and place that Cambridge benefits from.*

*This local plan will manage change in a positive and sympathetic way. It delivers **a vision for growth** that will secure the priorities for Cambridge. The policies of the plan set out how we will **meet the important development needs that must be accommodated, but also how we intend to protect this special city’s outstanding heritage and environmental assets.***

*The plan will deliver new homes and jobs in a sustainable way, providing affordable housing and **an accessible, compact city form** where people can have sustainable choices about how they access work, study, leisure and other services.”*

5.8 It sets the scene for growth, with a recognition of the important economic role of Cambridge and recognition of the environmental and heritage assets set within the compact form of the city.

5.9 The ‘vision for Cambridge to 2031’ underpinning the spatial strategy at its page 11 says, in full:

“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.”

5.10 The vision is clear that the “city will continue to develop” and as a “centre of excellence and world leader in the fields of higher education and research” and that such development will “foster the dynamism, prosperity and foster expansion of the knowledge-based economy”. All while “retaining the high quality of life and place”.

- 5.11 Following the 'Vision' the Local Plan sets out 15 'Strategic Objectives'. Objective 10 requires all new development in Cambridge to:
- "promote and support economic growth in environmentally sustainable and accessible locations, facilitating innovation and supporting Cambridge's role as a world leader in higher education, research, and knowledge-based industries, while maintaining the quality of life and place that contribute to economic success;"*
- 5.12 The Proposed Development, by reason of its scale, quality and intended uses, will make a meaningful and positive contribution to enable the city to meet its clear and targeted vision.
- 5.13 The Local Plan goes on to provide an overview of the spatial strategy. At paragraph 2.5 it summarises the approach as:
- "This section on the spatial strategy for Cambridge sets out the city's approach to planning for the compact city through focusing new development in accessible locations, reusing previously developed land and completing the delivery of planned new urban neighbourhoods, and small Green Belt releases where exceptional circumstances can be argued."*
- 5.14 It provides a focus on the compact city, accessible locations and reusing previously used land.
- 5.15 Policy 2 deals with the '*Spatial strategy for the location of employment development*'. It states that "*employment development will be focused on the urban area, Areas of Major Change, Opportunity Areas and the city centre*". The site is wholly within the urban area, is an emerging Opportunity Area and is close to the city centre. The emerging Opportunity Area policy within the First Proposals Local Plan Regulation 18 Consultation (November 2021, CD5.01, page 62-66) for the Site states that it is "*...in the heart of Cambridge.*"
- 5.16 Paragraph 2 of Policy 2 explains that the Local Plan has made provision for at least 12 hectares of employment. This expresses a minimum amount of employment land to be delivered through the Plan period, not a cap or limitation.
- 5.17 Policy 40 of the Local Plan '*Development and expansion of business space*' sets out locations where new offices, R&D and research facilities are encouraged to come forward. Three site locations are named, but the main policy text also states that "*proposals for the development of these uses elsewhere in the city will be considered on their merits and alongside the policies in Section Three of the plan*". The policy is clear that windfall sites can be supported.
- 5.18 The Policy 40 sub-text in 5.14 provides further clarity saying that "*Employment proposals in B use class that are situated in sustainable locations will be supported...This policy seeks to meet the demand for new office space by supporting the development of business space in areas where there is strong demand. Business growth of appropriate scale in other sustainable locations throughout the city will also be supported*".

The policy was written prior to the amendment to the Use Class Order of 1 September 2020 which changed the prescribed range of uses within Use Class B. At time of adoption of the 2018 Local Plan the 'B Class Use' would have included B1(a) offices, B1(b) Research and development of products or processes and B1(c) Industrial Process; which relate to the principal employment uses in the Proposals and so the intention of the policy is that it applies in this case.

5.19 In considering the location of the Proposals as 'employment development', the Local Plan sets out the City's key constraints, as follows (Local Plan, paragraph 2.20):

- i) Cambridge's outstanding historic environment, which is of international, national, and local significance;
- ii) Limited supply of available land, as well as conservation constraints;
- iii) Transport (and other) infrastructure under pressure; and
- iv) The Cambridge Green Belt.

5.20 The Development provides a positive response to all these points. In the same order, the Site:

- i) Has the benefit of being outside of the historic core.
- ii) Contributes to Cambridge's employment needs by making a greater efficiency of previously developed land in a sustainable location and outside of its Conservation Areas
- iii) Will reduce the pressure on the local highway network; and
- iv) Reduces pressure on the Green Belt by providing additional employment floorspace to meet an identified need within the urban area of the city.

5.21 The Proposed Development is in a spatially advantageous location to support the Local Plan spatial strategy for a compact city and situating employment development in sustainable locations.

5.22 The compliance with the above policies and the importance to reuse land, including for employment purposes, is an agreed matter with the Council by reference to the SoCG (CD6.03, Paragraphs 7.14 and 7.18)

"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 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.”

- 5.23 The principle of developing the Site as proposed is entirely consistent with Local Plan Policies 2 and 40. Furthermore, the Proposed Development will contribute to the Local Plan meeting its own vision which expressly includes for the city to continue to develop as a centre of excellence and world leader in the fields of high education and research and the further expansion of the knowledge-based economy.

High Quality Design

General Design

- 5.24 Mr Leonard provides evidence on masterplanning. His conclusion (CD7.08, 11.9.1 - 11.9.4) says:

“My evidence presents a scheme which has taken full consideration of the opportunities and constraints created by the site and its context such that it realises the opportunity to reimagine the existing retail park, transforming an inefficient retail park into a vibrant, employment-led urban quarter with an activated ground floor and range of public spaces in a sustainable location that has capacity for a change in scale and density.

Extensive multi-disciplinary consultation with the LPA, Design Review Panel, and local community has shaped the proposals over the course of four years to create a scheme which balances a wide range of competing factors to optimise the use of the site.

The proposal will be a legible new part of the city comprising new streets, buildings and open spaces. It will form a high-quality 21st century addition to the skyline of Cambridge with a massing that has been shaped with regard to the effects on townscape and heritage effects that it would carry.

The design quality and placemaking secured and advocated for by the Parameter Plans and Design Code, and as a result of accordance with the 10 Characteristics of Well Designed Places of the National Design Guide, would create a place that would form a characterful new addition to Cambridge that would contribute positively to the local urban area”.

- 5.25 The principal policies that relate more directly to design are 55, 56, 57 and 59. These are addressed in my Development Management Policies Review at Appendix 3, which finds the proposal to be in accordance with them.

- 5.26 The design ethos embraces the sustainability agenda to the extent that this forms a tangible planning benefit delivered by the Proposed Development (as I evidence at Appendix 3 under ‘Sustainable Design and Strategies for Construction and Operational Stages’).
- 5.27 In section 9 of my evidence I give my account for why the Development will achieve a well-designed place and in support of this the Urban Design Officer contributing to the 12 February Planning Committee (at 6 hours 2 minutes into the public recording) says “*In terms of how confident we are in it to deliver a quality place, absolutely we are confident*”, “*We have strict rules to control massing*”, “*Really high quality benchmarks and we are confident we have lots of rules and requirements in place which we can achieve high quality design*”.

Townscape and Visual

- 5.28 I rely on Mr Macquire for Townscape and Visual evidence (CD7.04). His conclusion says (6.2.3):

“I conclude that the proposed redevelopment of the Beehive site could be accommodated without any significant adverse townscape character or visual effects. My evidence demonstrates that where any adverse effects remain at the Outline stage, these would be very low level and highly localised, with most receptors experiencing a neutral or beneficial effect. The proposals present a significant opportunity to reimagine this site and deliver a high tech scheme that embodies 21st century Cambridge and recognises the global importance of the city as a centre for research.”

- 5.29 His summary of the Townscape Character Effects are:

Key Townscape Receptors (inc. sensitivity)	AM Review
Industrial – Railway Corridor Cambridge Character Type (Medium – Low)	Residual Effect: Moderate Beneficial
residential Character Type: Post 1900 Suburb (Medium)	Residual Effect: Moderate Beneficial
Cambridge skyline (High)	Residual Effect: Moderate Neutral
The setting of green open spaces and setting of the Green Belt (Low)	Residual Effect: Minor Neutral
The setting of PRoW (Medium)	Residual Effect: Moderate – Minor Neutral
The landscape setting of the Conservation Area (Medium – Low)	Residual Effect: Moderate Neutral

Cumulative effect upon the Cambridge skyline (High)	Residual Effect: Moderate Neutral
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5.30 His summary of the Visual Effects are:

Visual Receptors (inc. sensitivity)	AM Review
Visitors to Castle Hill Mound Scheduled Monument (High)	Residual Effect: Moderate Neutral
Ramblers on Coldham's Common (Medium – High)	Residual Effect: Minor Adverse to Minor Neutral
Ramblers on Fen Ditton and river towpath (Medium – High)	Residual Effect: None
Ramblers on Redmeadow Hill (High)	Residual Effect: Moderate – Minor Neutral
Drivers on Wort's Causeway and Limeclin Road (Medium – High)	Residual Effect: Moderate Neutral
Ramblers on Little Trees Hill (High)	Residual Effect: Minor Neutral
Residents of the adjacent residential area to the south and west, including within the Mill Road Conservation Area (High)	Residual Effect: Minor Adverse to Minor Neutral
Pedestrians on Mill Road Bridge (Low)	Residual Effects: Minor Neutral
Visitors of the Saint Mary the Great (High – Medium)	Residual Effect: Minor Neutral
Visitors of the Grand Arcade car park (Medium)	Residual Effect: Moderate – Minor Neutral
Pedestrians on Elizabeth Way Bridge (Medium)	Residual Effect: Minor – Negligible Neutral
Visitors to The Beehive Centre (High)	Residual Effect: Moderate Beneficial

- 5.31 Where Mr Macquire identifies harm, this is limited to two localised receptors (1) Ramblers on Coldham's Common and (2) the residents of adjacent residential area to the south and west. His assessment concludes that, at worst, the adverse residual effects would be minor.
- 5.32 The leading policy in the Local Plan on this matter is Policy 60 (Tall buildings and the skyline in Cambridge) (CD4.04). The Policy sets out five criteria for *'any proposal for a structure that breaks the existing skyline and/or is significantly taller than the surrounding building form will be considered against'*.
- 5.33 I consider the proposal to be compliant with the policy on townscape and visual matters, apart from one element of its criterion (c). To be wholly compliant with Policy 60 a development needs to *"... clearly demonstrate that there is no adverse impact"*. Mr Macquire finds there are two minor adverse effects so a technical conflict with Policy 60 exists. However, the scale of conflict with Policy 60 I consider to be minor, given:
- There are beneficial visual and townscape impacts as well as low level adverse impacts;
 - The adverse impacts that are found are highly localised, with the majority of identified receptors experiencing neutral or beneficial effects. The proposals would not appear dominant or overbearing and given the urban context of the Site would not represent an uncharacteristic development;
 - Apart from a further 'no adverse impact' clause within part (d) which I address under residential amenity the Development is otherwise compliant with Policy 60 and the assessment criteria; and
 - The Development is designed in response to its context, including for a townscape analysis. This includes the form of the Parameter Plans and the Design Code which clearly expresses a design intent for a high-quality development of exceptional architectural quality with consideration of views in close proximity and longer-range. The Development will add to 21st Century Cambridge and the strong presence of research and development in its many forms.
- 5.34 It is noted that the Council identify a 'slight conflict' with Policy 67 (by reference to its Statement of Case, CD6.07 Paragraphs 5.18-5.19) in regard to townscape and visual effects. Policy 67 (Protection of open space) (CD4.04) is concerned with development that is sited on open space. Its main policy wording and its sub-text give no direction to understand how development outside of a relevant open space will be assessed. If one took a generous interpretation to the Policy that it conveys some form of wide and blanket protection to the character of such spaces, then I note that Mr Macquire does not find any harm to the character of any such space and the development is not to be located on such a space, therefore I find no conflict with Policy 67.

Heritage

- 5.35 The Site lies adjacent to, but fully outside of, a designated Conservation Area, therefore the statutory provision of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 do not apply.
- 5.36 In respect of listed buildings within the vicinity of the Application Site, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have

“special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.”

- 5.37 I rely on Mr Handforth’s evidence on heritage matters (CD7.05). His evidence conclusion at Section 6 says (6.6, 6.11):

“The overall harm caused to the identified heritage assets would be negligible in my professional opinion as a consequence of changes to their setting... In NPPF terms this would be at the lowest end of the less than substantial harm spectrum. Outlined below is a summary of the heritage assets potentially affected and likely impacts on significance:”

ASSET	IMPACT ON SIGNIFICANCE
Mill Road Conservation Area	Less than Substantial (LTS) - Lowest end of the spectrum
Central Conservation Area	LTS - Lowest end of the spectrum
Castle and Victoria Road Conservation Area	LTS - Lowest end of the spectrum
All Saints Church – Grade I	LTS - Lowest end of the spectrum
Jesus College – Grade I	LTS - Lowest end of the spectrum
Christ Church – Grade II	LTS -Lowest end of the spectrum

“In the application of paragraph 215 of the NPPF, a “less than substantial” level of harm at the lowest end of the spectrum should be weighed in the context of public benefits arising from the proposed development.”.

- 5.38 The design evolution for the scheme has included masterplan and parameter plan changes that minimise the impact on the Development on the significance of heritage assets. The adverse impacts that are found are all considered to represent *“less than substantial”* harm in the context of paragraph 215 of the NPPF.
- 5.39 Paragraph 215 states that ‘Where a development proposal will lead to less than substantial harm to the significance of designated heritage asset, this harm should be weighed against the public benefits of the proposal...’. Likewise, Local Plan Policy 61 reflects the approach set out in the Framework, with Policy 61 criteria (e) requiring clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of *“substantial public benefit”* through detailed analysis of the asset and the proposal.
- 5.40 In relation to non-designated assets, such as locally-listed Buildings of Local Interest (BLI) in Cambridge, paragraph 216 of the NPPF requires a local planning authority to make a *“balanced judgement”* having regard to the scale of any harm or loss and the significance of the heritage

asset. Likewise, Local Plan Policy 62 states that *'Where an application for works would lead to harm or substantial harm to a non-designated heritage asset, a balanced judgement will be made having regard to the scale of any harm or loss and the significance of the heritage asset'*.

- 5.41 The policy direction is for the less than substantial heritage harm to be weighed in a balancing exercise, which is carried out through the context of a holistic view of the Development Plan. I undertake the planning balance in the conclusion of my evidence and I find that each of the *"less than substantial"* harm identified to six heritage assets (three of which are Grade I Listed) are clearly outweighed by the substantial public benefits to be delivered by the scheme. As such the proposals are compliant with Policies 61 and 62.

Town Centres

- 5.42 The existing retail use of the Site is not protected nor restricted by any area designation or policy within the Local Plan.
- 5.43 Local Plan Policy 6 sets out the hierarchy of retail centres; the Beehive Centre is not included within the hierarchy and is 'white land' on the Policies Map. In addition, there are no further Local Plan Policies that provide protections to either retain, or require the re-provision of, the existing retail quantum, type and/or mix of retail.
- 5.44 The Development includes approximately 5,000 sqm of retail and town centre uses that will be delivered within a new local centre, which is controlled by the Parameter Plans and Design Code. The extent and composition of the local centre will promote vitality and place-making appropriate to the Site and the form of development proposed, providing amenity and vibrancy for the future employees and visitors, but also provide for the local community.
- 5.45 Policy 6 requires *'Any retail development proposed outside these centres [listed in table 2.5 within the policy] must be subject to a retail impact assessment, where the proposed gross floorspace is greater than 2,500 sq. m'*. At CD 1.19 is the Retail Impact Assessment, which supported the original submission and CD2.29 the Town Centre Use/Retail Planning Response Statement that supported the amended submission. The Response Statement drawing a clear conclusion:

...it is concluded that the proposals are consistent with the requirements of current planning policy relating to retail/town centre use impact and the sequential approach. Accordingly, the proposals are acceptable from a retail and town centre use planning perspective.

- 5.46 The SoCG addresses the matter (CD6.03, Paragraph 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)."

- 5.47 The Development accords with Policy 6 and would not give rise to any unacceptable impacts on local centres or the city centre.

Sustainable Transport

- 5.48 The Development will result in a reduced impact on the local highway network and an enhanced provision of sustainable transport infrastructure.
- 5.49 The proposal will enhance all four access points into the Site, especially for sustainable transport modes, including the sole vehicular access from Coldham's Lane. They will be significantly improved through the Development, enhancing accessibility to the Site via sustainable and active transport. The access points have been designed within the masterplan to aid cross-site transit routes that deliver significantly improved site permeability by foot and cycle. On-site cycle routes will take account of LTN 1/20 standard and be carefully designed to reduce potential conflict.
- 5.50 The transport strategy has been developed with close consultation with a range of stakeholders and takes account of infrastructure projects within the vicinity of the Site. This includes the cycle network enhancements along Newmarket Road and the extension of the Chisholm Trail (a city wide cycle infrastructure initiative) to extend from Coldham's Common to Cambridge Railway Station.
- 5.51 Across the Development, a total of 4,593 cycle parking spaces are accounted for. Each of the commercial buildings will include their own end-of-journey facilities for cyclists and other non-car commuters, including showers and changing rooms, but supplemented by cycle parking hubs that provide further shared cycle facilities. The provision will be at a ratio of one shower/changing room per 25 cycle parking spaces and one locker per cycle parking space.
- 5.52 There is an existing bus stop within the Site, and this will be re-provided within the Development along the one-way vehicular loop. An improved bus service will be delivered to promote the use of public transport. Advanced discussions with operators have achieved a commitment to providing 15 bus services to serve the Site during peak travel periods. This represents a significant improvement on current provision and will be provided as public bus services to be available to the whole community. This significant uplift in bus provision will facilitate the increased use of public transport by workers, visitors and the local resident population.
- 5.53 The masterplan includes 395 car parking spaces within the Site, which is more than a 50% reduction in car parking to the current on site provision. 374 of the proposed car parking spaces will be within a multi-storey car park (MSCP) and a further 21 accessible car parking spaces are envisaged at grade through the site to provide some accessible 'blue badge' car parking close to each of the buildings, with all spaces to be subject to a Car Parking Management Plan. This is a

total reduction of 490 car parking spaces when compared to the existing retail park use (885 existing spaces) and will support the proposed reduction in car modal share.

- 5.54 A Framework Travel Plan sets out the on-and-offsite transport initiatives that will deliver a significant modal shift toward sustainable travel in the way people access the Site. This will be delivered through a series of Travel Plans that would be kept under review through the development build-out to ensure they remain up-to-date and effective.
- 5.55 The County Council Highway Officer contributing to the 12 February Planning Committee (at 6 hours 32 minutes 55 seconds into the public recording) says “*The bus strategy is very comprehensive. I have never seen anything like it from a developer; to have something like this bus strategy is very significant*” and says the proposed cycle parking infrastructure is “*top quality*”.
- 5.56 The Environment Statement accompanying the application (CD2.36f, Section 13.169, page 249) said ‘*Overall, the Proposed Development would have a long-term major beneficial impact regarding the disruption to pedestrians, cyclists and road vehicle users on and immediately surrounding the Site*’.
- 5.57 It is agreed between the LPA and the Applicant (SoCG CD6.03, paragraph 7.63) 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.

Residential Amenity

- 5.58 The following chapter in my evidence deals with residential amenity to address fully the Council's single putative reason of refusal on this ground. My assessment finds there is one minor policy conflict with Policy 60 because it includes a ‘no adverse impact’ requirement within its criterion (d) in regard to overshadowing, albeit there is some conflict between the ‘no adverse impact’ test in the main policy text and the supporting appendix which allows for an element of judgement.

Other DM Policies

- 5.59 At Appendix 3 I provide a summary account of relevant Local Plan policies and how the development accords with them (apart from the two minor conflicts with Policy 60).

Conclusion

- 5.60 My assessment finds that there are two policy conflicts with the Development Plan at Local Plan policy 60 part (c) and part (d), both arising from the policy test being ‘no adverse impact’ whatsoever, rather than allowing for an assessment of adequacy or balance.
- 5.61 The Local Plan makes clear its strategic intent, upon which the development management policies sit. Drawing upon my ‘Spatial Strategy and Economic Development’ section above, the Local Plan foreword says, in summary, ‘*the city has plans to grow significantly; supporting the*

nationally important economic contribution the city makes; a vision for growth; [to] meet the important development needs that must be accommodated; an accessible, compact city form’.

- 5.62 The Local Plan says its vision, upon which it is formed to deliver, is that the “city will continue to develop”, as a “centre of excellence and world leader in the fields of higher education and research” and that such development will “foster the dynamism, prosperity and foster expansion of the knowledge-based economy”, all while “retaining the high quality of life and place”.
- 5.63 The stated Local Plan objectives include for all development to ‘*promote and support economic growth in environmentally sustainable and accessible locations, facilitating innovation and supporting Cambridge’s role as a world leader in higher education, research, and knowledge-based industries, while maintaining the quality of life and place that contribute to economic success*’
- 5.64 The full intent of the Local Plan is only achieved if appropriate development comes forward to deliver it. The Beehive Centre proposal is a highly appropriate development in this regard, it will deliver a significant contribution to the expansion of the knowledge-based economy, contributing to growth and doing so in a way that retains a compact city form. It is a development that will contribute to the Council meeting its own vision for Cambridge.
- 5.65 When read as a whole, the proposal is compliant with the Development Plan.

6.0 Residential Amenity

- 6.1 The Council has formed a single putative reason for refusal on the overarching matter of residential amenity as set out in the Committee Decision Sheet (CD3.03) to the 12 February 2025 Planning Committee, whereat the Council voted for how it would have determined the Application. The reason states:
- 6.2 *“By virtue of the scale, massing, and positioning of the maximum building parameters, the proposed development fails to keep potential reductions in daylight and sunlight to a minimum in St Matthew’s Gardens, Silverwood Close and other adjacent properties and gardens. The extent and degree of harm would be both wide ranging, significantly adverse and acutely felt by existing occupants. Many habitable rooms would feel poorly lit, colder, and gloomier, particularly where living rooms are concerned. Multiple gardens would also feel less pleasant and enjoyable, due to the significant increase in overshadowing that would be experienced. Moreover, the proposed development would be overly dominant and imposing on neighbouring properties, particularly in St Matthew’s Gardens and Silverwood Close, resulting in an oppressively enclosed outlook. The overall harm to residential amenity would be significantly adverse and permanent, contrary to policies 55, 56, 57 and 60 of the Cambridge Local Plan (2018) and paragraph 135 (f) of the National Planning Policy Framework (2024).”*
- 6.3 This can be distilled to its two constituent parts for consideration:
- i) Impacts to daylight, sunlight and overshadowing to some habitable rooms and gardens.
 - ii) Impacts upon outlook (particularly to St Matthew’s Gardens and Silverwood Close properties).
- 6.4 When considering the standard of residential amenity and any changes to it, it is important to appreciate that it is a standard that is made up of many factors and the associated planning consideration of it is not achieved through any single technical assessment, it is a matter of judgement based on a number of considerations.
- 6.5 My evidence concludes that there is limited harm to residential amenity. In forming my planning judgement on this matter, I undertake this process:
- i) What is the existing standard of the residential amenity;
 - ii) How the standard of residential amenity may change as a result of the Development;
 - iii) Identify any residual harm to residential amenity;
 - iv) Assess any identified harm against policy; and
 - v) Identify any policy conflict and/or residual harm to place into the planning balance.

6.6 Through my assessment I explore harm as follows:

- i) Any harm arising from sunlight, daylight, overshadowing impacts
- ii) Any harm arising from outlook impacts
- iii) Conclude with my judgement on the overall residual harm to residential amenity (so taking into account beneficial impacts to residential amenity to weigh against the harm to residential amenity).

6.7 It is important to note that there is a difference between impact and harm. The Development is of scale and will impact on its neighbouring properties. There will be a noticeable change in the outlook and experience for some properties and, to a large degree, this is somewhat inevitable through the optimisation and reuse of previously developed land in a sustainable location.

6.8 In some situations that impact will create an adverse impact, but this does not naturally equate to harm. An adverse impact could worsen a situation in regard to residential amenity, but to a degree that the impact is wholly acceptable on its own merits and no harm is caused. In some situations, the degree of adverse impact is greater and does step over a threshold to cause harm. Once harm is identified it then requires judgement to determine the scale of harm. I use the following scale to attribute relative harm:

- Slight
- Limited
- Moderate
- Significant
- Great
- Substantial

6.9 I make reference in my assessment to specific planning controls within the Application that relate to protecting the standard of residential amenity at the reserved matters stage. As an overarching point I rely on Mr Leonard's evidence (CD7.08) and the agreed *Design, Scale and Massing* Topic Paper (CD6.16) to provide a description of the Parameter Plans and the Design Code in how they form extensive controls and give clear intent for how the detailed design of the development needs to be undertaken with due consideration to the impact upon and relationship with neighbouring properties.

What is the existing standard of the residential amenity – the locality

6.10 I will first undertake a broader appreciation of the standard of residential amenity in the locality of the Site.

6.11 The Site is presently a retail park with an extensive surface car park comprising seventeen large format retail units and 885 car parking spaces (CD2.47a, Section 3.41).

The design quality and the daily running of the retail park has a direct impact on the standard of the existing residential amenity to the surrounding residential properties. The main qualities of the existing Site that I consider inform a judgement on the existing general standard of residential amenity are:

- 6.12 **Vehicle movements** – The Transport Assessment (CD 2.47a, Section 7, Table 16) supporting the Application found that there are 10,974 two-way car/ van trips on a weekday, 12,510 two-way car/ van trips on a Saturday and 8,622 two-way car/ van trips on a Sunday associated with the existing Site. This includes for servicing with an average of 310 two-way trips on a weekday, 324 two-way trips on a Saturday and 256 two-way trips on a Sunday (CD2.47a, Section 4, Table 10). The vehicular access road to the retail park is via the Coldham's Lane roundabout and continues alongside the shared boundary with the residential properties to Silverwood Close before turning into the centre of the retail park where it meets the pedestrian and cycle entrance into St Matthew's Gardens. This is a significant number of trips into and through the Site, which directly generates associated noise disturbance and air quality impacts, which I consider below.
- 6.13 **Air Quality** – The vehicular trips generate an adverse impact on air quality. The Environmental Statement as part of the Application (CD2.36b, Section 6, Paragraph 6.45) confirms the Site is within an Air Quality Management Area.
- 6.14 **Noise** – The retail park generates notable noise. I have visited the Beehive Centre many times, including walking around the local residential streets and visited several properties to Silverwood Close and St Matthew's Gardens. The existing retail operation generates some adverse noise impacts seven days of the week. Notably the engine and tyre noise from the 76,002 two-way car/ van movements over a seven day period; along with the idling of engines in traffic or in waiting vehicles; the banging of car doors and car boots; the servicing of retail units facing Sleaford Street and York Street properties, including for large delivery vehicles manoeuvring (including audible reversing warnings) and the clattering of pallets and cages into and out of the retail units. I have repeatedly experienced adverse noise impacts at and around the Site arising from the day-to-day running of the retail park.
- 6.15 **Perceived Threat of Crime** – In particular the pedestrian entrances from York Street and Sleaford Street. These are not well-lit areas, have little natural surveillance and are hemmed in linear walkways.
- 6.16 **Appearance** – The SoCG (CD6.03) at Paragraph 2.8 says '*The built structures on the site include a variety of large-format retail units, the majority are two storeys and of little architectural merit*' and with '*extensive surface-level car parking*' (Paragraph 2.4). The retail park is not an attractive development when appreciated from beyond or within its boundaries. There is some planting to the boundaries and within the Site, but it is of limited quality, consistency and value.
- 6.17 **Quality of the Place** – Overall the Site does not offer a high quality experience. Pedestrians and cyclists have convoluted routes through the Site and sometimes no route provided at all. There are no external spaces that can be readily enjoyed. There is a mix of comparison and convenience retail units. I am aware through the consultation and engagement process relating to the Application that a number of people value some of these retailers.

- 6.18 I find that these characteristics and impacts result in an overall adverse impact to the standard of residential amenity to the surrounding properties.

How the standard of residential amenity may change as a result of the Development – the locality

- 6.19 Continuing with the broader appreciation of residential amenity prior to considering individual properties, there are many principal characteristics of the Development that will impact on the standard of residential amenity, which I consider to be:
- 6.20 **Vehicle movements** – The SoCG (CD6.03, page 26) at bullet-point 8 ‘Transport’ within the list of planning benefits says *‘There would be estimated reductions in two-way car trips from the site of 10,000 per weekday and 12,000 per weekend day’*. These represent a significant reduction in vehicle movements and achieves a resultant reduction in the associated adverse noise and air quality impacts. The Environmental Statement (CD2.36g, page 317) concludes that the environmental aspect of ‘transport’, as a result of the operational phase of the development, will lead to a ‘major beneficial’ residual effect.
- 6.21 **Air Quality** – The reduction in vehicular trips generate an improvement to air quality. The Environmental Statement accompanying the Application (CD2.36b, Section 6.70, page 58) says *‘The Proposed Development would result in a reduction of car parking spaces and subsequent reduction in vehicle movements, in annual average daily traffic, when compared to the existing site. It is predicted the Proposed Development would have a minor beneficial impact on air quality’*.
- 6.22 **Noise** – The existing retail park vehicular routing takes vehicles deep into the Site. The proposed masterplan for the Development places the multi-storey car park close to the Coldham’s Lane vehicular access to intercept cars and avoid them driving further into the Site. The principal servicing of the buildings is done via a dedicated service yard sited adjacent to and in parallel with the railway line. The demotion of the car and service vehicles helps create a well-ordered layout to the Development which in turn optimises the opportunities for public realm and landscape and so creating large parts of the Site that are ‘car free’ or to experience limited vehicular use, especially to St Matthew’s Garden, York Street and Sleaford Street.
- 6.23 **Security through design** – There will be much-increased natural surveillance from the proposed buildings and from clear routes for pedestrians and active travel. For the York Street and Sleaford entrances, which I consider to be in the most need for improvement on this matter, the Development takes the opportunity to plan for these routes to have a better line of sight into and along these routes, to open up the routes when one enters the Site (rather than being hemmed in), greater natural surveillance and overall a more pleasant experience.
- 6.24 **Appearance** – Mr Leonard’s evidence presents a development that will be of a high architectural quality. While the proposed buildings are larger than the existing retail units and so will generally be more visible; what one will see will be a site with a greatly improved character and appearance.

- 6.25 **Landscaping** – The existing Site has some planting to its boundaries and some planting interspersed across the surface-level car park. The proposals include a landscape strategy to add to the quality of the Development, including trees to the boundary of the Site and within the new public realm. The landscape strategy will contribute an attractive and notable part of the visual experience.
- 6.26 **Quality of the Place** – The proposal will lead to a transformational change and one that is wholly appropriate to a site with the potential for regeneration. It will reimagine the Site with an extensive and vastly improved ground plane experience. It will be a welcoming and accessible Site, with pedestrian and cycle routes prioritised and planned for through the Development. The layout includes many and varied public spaces from the large scale new green park, the hard surfaced civic plaza and green routes through the site; all offering free-to-use public spaces to pass through or spend time in a pleasant environment. An active mixed-use ground level floorspace will form a new local centre to include around 17 units of a range of sizes, but likely to include some shops, cafes, eateries and community space. The proposals will create a high quality place for the public to use and enjoy.
- 6.27 I find that these proposed characteristics and impacts will generate a beneficial impact and a highly noticeable uplift to the standard of residential amenity to the surrounding properties due to the transformation of the site by the Development.

How the standard of residential amenity may change as a result of the Development – individual properties

- 6.28 At paragraph 6.3 I identify two principal and constituent parts to the putative reason for refusal. I now deal with the first of these; ‘Impacts to daylight, sunlight and overshadowing to some habitable rooms and gardens’.

Daylight, Sunlight and Overshadowing

- 6.29 I rely on the expert evidence of Mr Lonergan (CD7.03) on the matters of daylight, sunlight and overshadowing. He has tested 774 windows serving 477 habitable rooms as well the garden amenity areas to the surrounding properties.
- 6.30 Mr Lonergan sets the context for his assessment at 16.1.1 and 16.1.3 – 16.1.4 of his conclusion:
- “...large areas of open car park land and the need to optimise the land use, will inevitably lead to some deviations from the numerical targets within the BRE guidance. It is also widely accepted that the BRE targets are to be applied with a degree of flexibility relative to the site context...”*
- “When considering the acceptability of daylight and sunlight effects and adequacy of the post-development condition a 2-stage test is to be applied. Firstly, technical effects beyond the BRE guidance are to be identified. Secondly, the acceptability of these deviations is to be assessed.”*
- 6.31 The Supplementary SoCG on ‘Daylight, Sunlight and Overshadowing’ (CD6.06, paragraph 3.1.7, 3.1.11) recognises this point of context and change, accounting for the fact the Site is presently

low rise with extensive areas of surface parking but holds the potential for optimisation and densification. It also recognises that the assessment is not solely a numerical one, but one that requires judgement:

“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.

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.”

- 6.32 Through this assessment Mr Lonergan’s conclusion finds (Paragraphs across 16.1.26 - 16.1 30 - 33, 16.1.46) (my emphasis):

“There is the potential for noticeable reductions in respect of a small number of specific properties to the north at St Matthew’s Gardens and Silverwood Close. This affects neighbours that face the currently open car park element of the site and a number of properties with a sunken lower ground floor level. In these areas a degree of change is inevitable. Whilst the extent of some changes may numerically be considered moderate, or even major adverse, such change does not reflect the adequacy of retained amenity which detailed consideration of effects shows will be acceptable...

Across the 774 windows and 476 habitable rooms tested only three dining / kitchen spaces, at 171 to 175 St Matthew’s Gardens, and two bedrooms, at 165 and 167 St Matthew’s Gardens, experience reductions beyond the BRE VSC targets and have retained values below this level. In all instances the nature of the affected space and their specific constraints mean that there will be little effect on their use and amenity as a result of the proposals.

The retained amenity to these spaces are also in line with, or better than, the pre-existing values identified to other neighbours around the site. I therefore do not consider the retained levels to be inadequate and this is supported by other examples of similar or more significant effects which I have identified in varying contexts across Cambridge.

In respect of direct sunlight only a single room, of 88 considered to be relevant, falls below the BRE targets. The affected living room, at 177 St Matthew’s Gardens, is positioned within a sunken terrace and only falls below the BRE targets due to a limited reduction in low-angle winter sunlight.

The overall effect to this room is only 1% APSH beyond the BRE target level and the room otherwise maintains appropriate levels of overall sunlight throughout the remainder of the year. Given the position of this room, and the boundary condition to the application site, it is questionable whether the effect would be noticeable.

Whilst 5 gardens fall below the base BRE sun on ground targets only one of these, 38 Silverwood Close, falls below the guidance by more than 5%. This garden is limited by existing tree cover such that the 'real world' effect of this additional shading is considered to be limited.

Supplementary testing confirms the limited deviation from the BRE guidance in respect of the sun-on-ground assessment. All of the affected gardens, including that at 38 Silverwood Close, would meet the BRE targets by 2nd April. This is within 2 weeks of the March target date and ensures that the spaces would retain appropriate levels of amenity. This is particularly the case in the summer months when the BRE guide notes the particular benefits of sun on ground for activities such as sitting out and child play...

Overall the proposals inevitably result in some reductions in daylight and sunlight that exceed the BRE targets as a result of the optimisation of the site. Whilst some of these reductions effects may be noticeable, amenity will remain generally good for an urban location. I am of the firm view that the retained amenity is appropriate and will not materially affect the use and enjoyment of the neighbouring properties. I consider the effects of the scheme are acceptable when assessed against the relevant factors outlined in the BRE guideline and adequate in line with the relevant Local Plan policies “

- 6.33 I am informed by the evidence and summary tables prepared by Mr Lonergan (CD7.03a, tables 16-22). All references within this assessment are to Mr Lonergan's summary tables and relate to the Parameter Plan volume assessment. Briefly taking each in turn and in the same order:
- 6.34 **Sleaford Street** – The vast majority of the properties meet the BRE assessment. Three major numerical deviations are found where the 'changes may be perceptible but the overall use and amenity of the space will not be materially impacted given the specific room uses and adequate retained VSC levels'. This is a limited impact and I attach no harm.
- 6.35 **York Street** – All 146 windows meet the VSC targets. There are 10 minor numerical NSL deviations, three moderate; and four major. The 'Changes may be slightly perceptible but the overall use and amenity of the space will not be materially impacted given the very localised effects and adequate retained VSC levels'. This is a very limited impact and I attach no harm.
- 6.36 **St Matthew's Gardens** – Drawing out Mr Lonergan's conclusions:
- i) 153- 155 – [changes] not considered to be noticeable or material
 - ii) 157-161 - Changes may be slightly perceptible but the overall use and amenity of the space will not be materially impacted
 - iii) 163, 165 and 167 - Effects may be noticeable but retained levels are adequate such that use of spaces unlikely to be materially affected
 - iv) 169 – 175 - Effects noticeable but retained levels adequate by comparison to neighbours / wider precedent and good retained amenity to upper floors

- v) 177 – 201 - Changes may be perceptible although boundary condition will limit this. Retained VSCs of 18% - 25% are adequate such that use of spaces is not affected. Use unlikely to be affected based on retained amenity.
- vi) 203 - Changes may be slightly perceptible but the overall use and amenity of the space will not be materially impacted.
- vii) 205 – 221 - Some change in daylight levels but fully BRE compliant such that are not considered to be noticeable or material.

6.37 Noting Mr Lonergan's conclusions and rationale, and accounting for the degree of noticeable change, I apply a slight harm to 163, 165, 167 169-175 St Matthew's Gardens.

6.38 **Silverwood Close** - Drawing out Mr Lonergan's conclusions:

- i) 28 -33 - Not considered to be noticeable or material.
- ii) 34-39 - The changes are likely to be largely unnoticeable to the majority of main living spaces but some noticeable effects to kitchen/dining and bedrooms. Where perceptible the overall use and amenity of the space will not be materially impacted.
- iii) 40 – 45 - Changes may be slightly noticeable but limited and retained amenity means the overall use of the space will not be affected.
- iv) 46 – 51 – May be localised noticeable changes at 49/50 and 51 but adequate retained amenity means use of the space will not be materially impacted.
- v) 52 – 55 - Some change in daylight levels but fully BRE compliant such that are not considered to be noticeable or material.
- vi) 56 – 59 - Some change in daylight levels but fully BRE compliant such that are not considered to be noticeable or material.
- vii) 60 – 61 - Change unlikely to be perceptible and will not affect the use of the space.
- viii) 62 – 65A – Change unlikely to be perceptible and will not affect the use of the space.

6.39 The significant majority of the results meet the BRE. Where there are numerical deviations, these are found to be largely imperceptible and in all cases adequate levels retained. For numbers 34 – 39, 40 – 45, 49/50 and 51 the change 'may' be more noticeable and, noting Mr Lonergan's conclusions and rationale for these properties, I attach a slight harm.

6.40 **Pym Court** – 'Some minor, largely unnoticeable reductions. Fully within the BRE guidelines and not considered material'. I attach no harm to this impact.

- 6.41 **Hampden Gardens** – ‘Changes may be slightly perceptible to the low number of affected rooms but the overall use and amenity of the space will not be materially impacted’. I attach no harm to this impact.
- 6.42 **The Terrace** – ‘Changes less likely to be perceptible and the overall use and amenity of the space will not be materially impacted given the very localised effects and adequate retained VSC levels’. I attach no harm to this impact.
- 6.43 In regards to Sun On Ground, I note that Mr Lonergan finds that the garden of No. 38 Silverwood Close will fall more materially below the BRE guideline and will experience increased overshadowing and that this will be a noticeable change for the property. I have visited the property and note there is a large tree to the side boundary of the property and dense planting to the rear boundary that will temper the impacts from the Development. Mr Lonergan’s expert view is that the perceived effect on amenity from this additional shading will be “extremely minor” (15.1.10). I attach a slight harm to this impact.

Daylight, Sunlight and Overshadowing – Conclusion on Harm

- 6.44 Mr Lonergan finds that some properties will experience a reduction in the received daylight and sunlight, in the significant majority of cases this change will not be perceptible or only slightly perceptible. This is a low level impact indeed and will not materially impact on the enjoyment of the property.
- 6.45 In a small number of situations there will be a noticeable change, but even this is at the lower end of being noticeable and in all cases there will be adequate retained access to daylight and sunlight and no material impact to the enjoyment of the property.
- 6.46 The assessment of the maximum Parameter Plan massing finds that all neighbouring residential properties will retain adequate daylight and sunlight. One garden (No 38 Silverwood Close) will more materially fall below the BRE guidelines for ‘sun on ground’ and the effect will be “extremely minor”.
- 6.47 I find there will be a slight harm due to the reduced light received to properties 163, 165, 167, 169 – 175 St Matthew’s Gardens; 34 – 39, 40 – 45, 49/50 and 51 Silverwood Close; and slight harm due to reduced sunlight in the rear garden of 38 Silverwood Close.
- 6.48 Mr Lonergan also undertakes an assessment of the Illustrative Scheme (IS) (16.1.34 – 16.1.36). He finds:

“Under the illustrative scheme deviations from the BRE targets in respect of direct sunlight fall away and shading deviations are limited to a single garden.

The potential reductions in daylight levels are also effectively managed under the illustrative scheme which removes virtually all of the numerically ‘major’ reductions with the exception of highly localised areas having specific constraints such as recessed windows which the BRE guide notes as potentially sensitive.

This indicates that the additional controls of the scale of development through the design code would ensure that the effects of future Reserved Matters applications would be closely managed and not exceed the effects currently reported. The application also includes a requirement to ensure the continued acceptability of daylight / sunlight effects of key plots in respect of such Reserved Matters applications.”

- 6.49 This strongly indicates that the real-world delivery of the scheme, as opposed to the maximum massing envelope of a Parameter Plan form, will be less impactful to neighbouring properties, which is as I expected being a reserved matters scheme will overall, be a smaller mass than the maximum massing envelope of the Parameter Plan form, accounting for the constrained maximum plot coverage allowed for each plot set into the ‘Maximum Buildings Heights and Plots Parameter Plan’ (CD2.18) and the need to accommodate the requirements of the Design Code and its many codes relating to forming a scheme in response to the neighbouring conditions (see Appendix B of Mr Leonard’s evidence for a summary list of such codes; ‘*Principal Design Code Controls Relating to Neighbouring Residential Conditions*’).

Outlook

- 6.50 In regard to outlook, the putative reason puts this concern ‘particularly’ to St Matthew’s Gardens and Silverwood Close properties. In terms of the residential neighbours to other nearby streets I do not consider there to be harm on their outlook, for which I provide a brief account of my considerations and rationale on this.
- 6.51 Appendix A of Mr Leonard’s evidence provides a helpful series of drawings to show the relationship of the proposal (plot by plot) to the neighbouring properties that I describe below, and it provides for visual representations of comparators, being building-to-building relationships that are found locally to help appreciate the proposed relationships of the scheme to the neighbouring properties. While the comparable examples are not the same when considered in a three-dimensional environment, they are helpful to appreciate separation distances and a sense of enclosure.
- 6.52 **York Street** – The Parameter Plans include for ‘Hive Park’ as the large open expanse running in parallel and opposite to a large section of the rear-facing properties along York Street. With regard to the York Street properties that face opposite or close to the proposed Buildings; for Building 7 there is a minimum distance between it and the principal facing elevations of the York Street properties of 35.56 metres, which increases to 67.19 metres at the upper set back level; for Building 8 there is a minimum of distance between it and the principal facing elevations of the York Street properties of 37.29 metres, which increases to 59.76 metres at the upper set back level. Furthermore, York Street properties are on a ground level around 2.3 metres higher to Buildings 7 and 8 and the Landscape and Open Space Parameter Plan (CD2.16) includes for a landscape zone 13.1m metres wide along the shared boundary with Plot 7 and 10.2 metres alongside Plot 8, which is designed to accommodate a two-layer tree planting proposal. The Design Code (CD2.64b) at code 2.10.26 and 2.10.27 say that there ‘must’ be a substantial green buffer with tree planting to screen views towards neighbouring properties.
- 6.53 **Sleaford Street** – Most of the adjoining properties to Sleaford Street sit next to the extensive ‘Hive Park’ new open green park which forms part of the proposed scheme. A small number of properties are adjacent to Building 6, but these Sleaford Street properties are on a higher ground

level by around 2.2 metres. The Maximum Building Heights and Plots Parameter Plan (CD2.18) includes significant and multiple upper level set backs to Building 6 as a direct response to the proximity and relationship with these Sleaford Street properties. This is shown in Mr Leonard's Appendix A which demonstrates the extensive and multiple set backs within the Plot 6 controls. The Design Code (CD2.64e) at 5.6.8 – 5.6.11 includes Plot 6 specific codes to address 'Neighbouring Conditions'.

- 6.54 **Cromwell Road** – I include in this summary account for all properties facing the Site from the east as accessed via various short side roads from Cromwell Road. The nearest facing residential properties are set a significant distance away being at least 68.5 metres and their view towards the Site is across a wide multi-track railway line.
- 6.55 Outlook is a relevant consideration for some properties beyond those that are focussed on as part of the DLSL assessment.
- 6.56 I group certain properties together along St Matthew's Gardens and Silverwood Close where I consider their outlook will be comparable for the purposes of my assessment and forming a judgement on outlook. In my judgement there are six groupings (identified on a plan at Appendix 4).
- i) Group 1 – Facing Properties at St Matthew's Gardens.
 - ii) Group 2 – Facing Silverwood Close terrace row with their rear elevation facing south west.
 - iii) Group 3 - Facing Silverwood Close terrace row with their rear elevation facing south east.
 - iv) Group 4 - Facing Silverwood Close terrace row with their rear elevation facing east.
 - v) Group 5 - Facing Silverwood Close terrace row with their rear elevation facing north east.
 - vi) Group 6 –Facing Silverwood Close terrace rows that bend around the western corner of Building 1
- 6.57 I shall take each of these groups in turn to assess the impact of the Development on their outlook.

Group 1

- 6.58 The rear of these residential properties face onto Building 8 and will have an angled view towards the shorter elevation of Building 9. These properties are a mix of townhouses and apartments. Some of these properties have a below ground-level lower floor of accommodation with their garden, or a part of it, at that same lower level. There is a dense planted boundary along the shared boundary, which is particularly dense at adjacent eye-level.

- 6.59 The minimum separation between the proposed buildings at St Matthew's Gardens properties is 21.4 metres (set by the Maximum Building Heights and Plots Parameter Plan ('Heights and Plots PP') CD2.18) measured to the larger apartment block in the centre of this group, with the majority of properties in this group set back a little further to create a slightly larger minimum gap of 24.9 metres.
- 6.60 Both Building 8 and Building 9 include for a set back to their upper floors as a defined control on the Maximum Building Heights and Plots Parameter Plan ('Heights and Plots PP') (CD2.18).
- 6.61 For Building 8, being the building this Group will predominantly see, the maximum height could be 15.09 metres to the top of its 'base', that lower part of the building below the set-back. Above this base height there will be a minimum set back of 13.5 metres to the upper floors, and with no allowance for building above the base to that part of the building facing York Street and 203 – 213 St Matthew's Gardens.
- 6.62 A good appreciation of the dimensional relationship between St Matthew's Gardens and the Plot 8 base is the local comparator of 180 – 190 Newmarket Road which has a comparable separation of 21 metres (21.4 meters for Plot 8) to the facing height of 17.9 meters (15.09 metres for Plot 8). This shows that such a building-to-building relationship is found in this local mixed-use area.
- 6.63 The Design Code (CD2.64) adds to the Parameter Plan controls. Specifically for Building 8 it includes controls that will lead a highly responsive facing form to Building 8 to the benefit of the outlook from Group 1 properties. In particular, Design Codes 5.8.0, 5.8.1 and 5.8.4 to 5.8.12 collectively will ensure the design is responsive to the relationship with surrounding properties. I highlight from these codes *'The architectural treatment must breakdown the length of the long facade facing St Matthew's Gardens', 'The architectural language of the building should be domestic in scale and proportion to relate to its neighbouring context', 'It must be demonstrated how overlooking from windows and terraces facing St Matthew's Gardens will be managed and mitigated'*.
- 6.64 For Building 9, it is its shorter elevation that faces at an angle towards Group 1. It is set away a minimum 26.6 metres. A minimum set back of 11.95m above the base level is set into the Heights and Plots PP and a minimum separation between Building 8 and 9 of 14.5m.
- 6.65 Building 9 does not, in itself, greatly impact the outlook to the Group 1 properties, but it does add to the overall mass of built form, when combined with Building 8, in the outlook from those properties within the eastern part of the Group 1 area.
- 6.66 The Landscape and Open Space Parameter Plan (CD2.16) is of further relevance here. A landscape zone is provided for along the shared boundary with the Group 1 properties to a minimum width of 3.75 metres and up to 7.4m. The Landscape Strategy included in the Design and Access Statement (DAS) (CD2.01g) at page 163 shows the landscape intentions to retain tree groups and individual trees along the shared boundary. Page 202-203 show the intentions for a continuous planted zone alongside St Matthew's Gardens. Page 206 presents a cross-section between Plot 8 and the shared boundary, showing the space for tree planting, and page 208 is an illustrative CGI view.

Design Code '2.10.30' is that 'Street G *must* create a new tree planting buffer zone to the St Matthew's Gardens boundary edge'; Street G being defined as the street running between Plot 8 and St Matthew's Gardens.

6.67 In summary for Group 1. These properties will see a greater mass of building than they can currently see within their outlook. However, I consider this to be tempered because of the notable minimum distances between the proposed buildings and the residential properties, a significant set back or no build zone above the building base, the existing dense planted boundary, the intervening increased landscape zone to be secured by the Application and that what will be seen are buildings to a high design standard, including for a clear design control to *'breakdown the length of the long facade facing St Matthew's Gardens'*.

6.68 I consider there to be limited harm to residential amenity by way of a reduced outlook and increased sense of enclosure.

Group 2

6.69 This Group is a terrace row facing south west. Due to the cul-de-sac arrangement of Silverwood Close this Group is set at an angle to the Site. It is set a minimum of 59 metres from Plot 9 and 38.2 metres from Plot 10.

6.70 This Group will also benefit from the Design Code and its requirement for Plots 8, 9 and 10 to have due consideration to the neighbouring residential properties.

6.71 Due to these separation distances and that the new buildings will be largely set to one side of the outlook to these properties, while their outlook will change, I do not consider the outlook for Group 2 properties would be harmed.

Group 3

6.72 This Group faces directly on to the shared boundary with the Site and towards the facing elevation of Plot 10.

6.73 Plot 10 is controlled by the Ground Floor and Upper Floors Parameter Plans, to be a car park to its upper floors and a mixed use ground floor.

6.74 The Heights and Plots PP secures a minimum 27.1 metre separation (increasing to 33.31 metres to the original rear elevation line of the terrace row) and a maximum facing height of 25.09 metres. The facing elevation of Plot 10 to Group 3 is 33.45m in length.

6.75 The Plot 10 drawings at Mr Leonard's Appendix A include a series of 3D model images of the proposal when viewed from Silverwood Close properties. The real-world experience of a building is not a static view, but a kinetic one. Plot 10 will be a marked change to the outlook for Group 3 properties, being it will be a 25.09 metre high building where presently there is not one, but I do not consider their outlook would be impacted to an unreasonable or unacceptable degree.

Plot 10 will not unduly dominate their outlook and there will be deeper extent of outlook to either side of Plot 10.

- 6.76 Mr Leonard's 10 Station Road local comparator provides some appreciation of this proposed relationship, albeit the proposals will include a larger separation and taller facing building. The situation is, by comparison, improved at Plot 10 due to the Design Code controls to secure an elevation that is highly responsive to its residential neighbours.
- 6.77 The Design Code includes for a number of relevant measures for Plot 10 and its relationship with Group 3:
- i) 2.10.33 Street H must create a new tree planting buffer zone to the Silverwood close boundary edge.
 - ii) 2.10.34 Street H must be designed to create an environment that mediates the influence of vehicle movements over houses and gardens of Silverwood Close.
 - iii) Section 5.10 introduction 'Plot 10 is a prominent plot within the masterplan that requires exemplary high quality design solutions to minimise the impact of vehicular movement and parking on neighbours and the ground floor experience within. The architecture is required to marry the active ground floor and upper parking levels into a cohesive hybrid design that resolves the technical challenges of delivering this typology in an urban location'.
 - iv) 5.10.7 Consideration of daylighting and amenity for neighbouring properties must be demonstrated at reserved matters application stage.
 - v) 5.10.8 It must be demonstrated how overlooking from the upper levels facing St Matthews Gardens and Silverwood Close will be managed and mitigated.
 - vi) 5.10.9 The facade facing Silverwood Close must be of high architectural quality.
 - vii) 5.10.10 Reserved Matters applications must demonstrate how light and noise from the car park will be effectively managed.
 - viii) 5.10.11 The architectural treatment of the facade facing Silverwood Close should include incorporation of ground planted green façades.
 - ix) 5.10.12 The architectural treatment of the facade facing Silverwood Close should be designed to minimise overlooking and activity.
 - x) 5.10.13 Horizontal or vertical fins or both should be used to minimise light spill towards Silverwood Close and prevent overlooking by redirecting the angle of view from inside the MSCP.

- xi) 5.10.14 Fins that are perpendicular to the facade will reduce visibility of Silverwood Close gardens and fins at a 45 degree angle to the facade should be used to further prevent visibility.

- 6.78 The Design Code will ensure an 'exemplary' design, dealing with potential noise and light impacts, daylight and sunlight and overlooking.
- 6.79 Page 210 of the DAS (CD2.01h) shows the planting intent for the area between Silverwood Close and Plot 10, including for a line of tree planting. Design Code '2.10.33' is that 'Street H *must* create a new tree planting buffer zone to the Silverwood Close boundary edge'; Street H being defined as the street running between Plot 10 and Silverwood Close.
- 6.80 There will be some harm to the Group 3 properties due to the degree of change and scale of building to face them, more so to 35-38 Silverwood Close, being 34 and 39 Silverwood Close are at the end of the terrace row and will enjoy a greater outlook beyond the edges of Plot 10. I consider this to be at the upper end of limited harm.

Group 4

- 6.81 These properties face towards Plot 3 and with a slight angled view towards Plot 2
- 6.82 Plot 3 has a stepped footprint. The part stepping towards Group 4 will retain a minimum gap of 39.1 metres and limit the facing elevation to be no more than 20.75 metres in height.
- 6.83 Plot 2 steps forward (into the Site) beyond Plot 3. Plot 2 would have a minimum separation to Group 4 by 42.4 metres.
- 6.84 I note that the outlook from Group 4 will include, most notably, the run of Buildings across Plots 2, 3 and 10. However, principally due to the minimum separation distances, while their outlook will change, I do not consider the outlook for Group 4 properties would be harmed.

Group 5

- 6.85 These properties part face Plot 1 and part face to the side of Plot 1, where a single storey cycle store is to be sited.
- 6.86 The minimum set back from the rearmost projection within the Group 5 to Plot 1 will be 18.6 metres. The maximum facing height of Plot 1 is limited to 10.84 metres. This will form a building that is greater in height immediately facing Group 4 than the existing building (occupied by Porcelanosa).
- 6.87 Section 5.1 of the Design Code (CD2.64e) contains codes to control Plot 1 and its relationship to its neighbours including overlooking, tree planting to the boundary and responding to the domestic scale of the neighbouring properties.

- 6.88 Due to these separation distances, height controls and Design Code controls, while their outlook will change, I do not consider the outlook for Group 5 properties would be harmed.

Group 6

- 6.89 This Group wraps around the western corner of Plot 1. They are set at an angle or set further away (as a build-to-building dimension) than those properties within Group 5 and the proposal includes for the retention of the group of trees to the north western side of Plot 1. While their outlook will experience a limited change, I do not consider the outlook for Group 6 properties would be harmed.

Outlook – Conclusion on Harm

- 6.90 While a number of properties will experience change and see buildings, or larger buildings, where they currently do not, a change or a new impact do not equate to harm. In most instances there are notable minimum separation distances, significant upper level set-backs controlled by the Parameter Plans, along with many related controls in the Design Code to ensure a responsive and high quality development will be seen.
- 6.91 I find there to be limited harm to Group 1 and limited harm at the upper end to Group 3 because of the greater degree of change and the greater impact to the outlook to these properties.

Identify any residual harm to residential amenity

Sunlight, daylight and overshadowing

- 6.92 I find there to be a slight harm to the light received to properties 163, 165, 167, 169 – 175 at St Matthew's Gardens; 34 - 39, 40 – 45, 49/50 and 51 Silverwood Close; and slight harm to reduced light to the rear garden of 38 Silverwood Close.

Outlook

- 6.93 I find there to be limited harm to outlook for properties within Group 1 (St Matthew's Gardens facing Plot 8 and 9) and limited harm at the upper end for properties within Group 3 (Silverwood Close properties facing Plot 10).

Overall Residential Harm

- 6.94 Overall, I place the harm to residential amenity to identified properties at the upper end of limited harm.
- 6.95 In doing so I note that 163, 165, 167, 169 – 175 at St Matthew's Gardens and 34 – 39 Silverwood Close incur harms for both sunlight/daylight and outlook.

- 6.96 In coming to a final view on the level of harm to residential amenity it is relevant to consider the overall improvement to the standard of residential amenity to the locality to be achieved by the development, which is a point confirmed at 3.1.18 of the *Daylight, Sunlight and Outlook* Topic Paper (CD6.19). I assessed this overall improvement through paragraphs 6.19 – 6.27, concluding:

"I find that these proposed characteristics and impacts will generate a beneficial impact and a highly noticeable uplift to the standard of residential amenity to the surrounding properties due to the transformation of the site by the Development".

- 6.97 Taking into account the highly noticeable direct benefits that will result from the Development to the general standard of residential amenity locally, including for those that will experience some harm, there will be a residual limited harm to residential amenity at the lower end of limited. In other words, whilst the changes would be experienced as negative by a small number of properties, the overall effect is of relatively little change in residential amenity when one takes all relevant matters into account.

Assess any identified harm against policy

- 6.98 The Council cite four Local Plan policies (55, 56, 57 and 60) and paragraph 135 (f) of the NPPF to substantiate its putative reason for refusal. Being that I find some residual harm to residential amenity, I will now establish if this amounts to a conflict with policy.

Policy 55 'Responding to Context' (CD4.04)

- 6.99 It states as its overarching requirement that *'Development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places'*. It has three criterion as part of the policy.
- 6.100 Without question in my view, the Development clearly accords with the policy. The design consideration undertaken over many years to form a responsive design to its context is extensive.
- 6.101 There is no policy conflict and rather the support that the Policy offers to compliant schemes weighs in favour of the proposals.

Policy 56 'Creating Successful Places' (CD4.04)

- 6.102 It states as its overarching requirement that *'Development that is designed to be attractive, high quality, accessible, inclusive and safe will be supported'*. It goes to direct that proposals should accord with 11 criterion (a-k).
- 6.103 None of the criterion expressly relate to residential amenity nor give direction for how a design should account for it. I strongly consider that the Development accords with the policy, including for all of its criterion.

- 6.104 There is no policy conflict and rather the support that the Policy offers to compliant schemes weighs in favour of the proposals.

Policy 57 'Designing New Buildings' (CD4.04)

- 6.105 It states that *'High quality new buildings will be supported where it can be demonstrated that they [accord with eight criterion]'*.
- 6.106 None of the criteria expressly relates to residential amenity nor gives direction for how a design should account for it. The Development accords with the policy, including for all of its criteria.
- 6.107 I note criterion (a) and for new buildings to *'have a positive impact on their settings in terms of location on the site, height, scale and form, materials and detailing, ground floor activity, wider townscape and landscape impacts and available views'*, in the context that there is some residual harm concluded by Mr Macquire's townscape and visual evidence (CD7.04). However, I consider that there is an overall positive impact across the criterion (a) matters and the policy as a whole.
- 6.108 There is no policy conflict and rather the support that the Policy offers to compliant schemes weighs in favour of the proposals.

Policy 60 'Tall Buildings and the Skyline in Cambridge'

- 6.109 This is a policy concerned with assessing taller buildings and sets out five criterion against how relevant developments 'will be considered'. Its criterion (d) does expressly address residential amenity and states *'amenity and microclimate – applicants should demonstrate that there is no adverse impact on neighbouring buildings and open spaces in terms of the diversion of wind, overlooking or overshadowing, and that there is adequate sunlight and daylight within and around the proposals'*;
- 6.110 Criterion (d) includes for two policy tests; (1) 'no adverse impact' in regards to wind, overlooking or overshadowing; (2) 'adequacy' of sunlight and daylight.
- 6.111 For (1), Mr Lonergan's evidence (CD7.03) finds that there will be some increased overshadowing and so by definition, for criterion (d), an adverse impact results; albeit I find it an acceptable impact once a judgement and balance is applied, including for the expert evidence of Mr Lonergan on overshadowing. This creates a minor policy conflict.
- 6.112 For (2), Mr Lonergan's evidence finds that adequate retained levels of sunlight and daylight will remain to be in accordance with this part of the policy.
- 6.113 The concluding main policy wording notes that *'...the requirements of the assessment criteria for proposals is set out in Appendix F [of the Local Plan]'*. The Appendix F criterion (d) section is at page 327 of the Local Plan (CD4.04).

- 6.114 Its paragraph F.43 says '*Public and Private open spaces and amenity areas shall not be in shadow for significant amounts of time of the day/year*', which suggests that some overshadowing is acceptable.
- 6.115 The section concludes at F.44, '*In summary, proposals for buildings defined as 'tall' in this guidance will need to demonstrate the impacts of the proposal on neighbouring properties and open space and be designed to minimise any potential negative impacts*'. The approach to 'minimise' potential impacts is reflected in the first sentence of the putative reason for refusal.
- 6.116 The Local Plan approach to 'minimise' leads me to appreciate that the impact on neighbouring properties is not a matter that requires the eradication of all adverse impacts.
- 6.117 The Development is highly responsive, informed and formed through an iterative design process to balance competing considerations and optimise the potential of the Site through the re-use of suitable brownfield land.
- 6.118 In regard to matters of residential amenity, the proposal has a conflict with the 'no adverse impact' part of criterion d of Policy 60 in regard to overshadowing, albeit there is some conflict between the 'no adverse impact' test in the main policy text and the supporting appendix which allows for an element of judgement.

NPPF 135(f)

- 6.119 This states that '*planning decisions should ensure that developments; create places that are safe, inclusive and accessible and which promote health and well-being, **with a high standard of amenity for existing and future users**; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience*' (my emphasis).
- 6.120 In reading 135 as a whole, its direction is to a development and its site, in that context 135 (f) and the direction for a high standard of amenity would refer to existing and future users of the site.
- 6.121 If a generous interpretation was applied to 135(d) for the 'existing' users to include neighbouring or nearby users. The design of the Development has considered the standard of amenity for the existing neighbouring properties; the collective evidence presented by the Applicant demonstrates this point. Towards the outset of this section of my evidence I have described how the general standard of amenity will be improved in the locality through the removal of the retail park and its replacement with a well-designed Development.
- 6.122 Some neighbouring properties will nevertheless experience some overall reduction in the standard of their amenity, but I consider their retained standard will still be high by reference to Mr Lonergan's conclusions on daylight, sunlight and overshadowing, Mr Leonard's conclusions on the quality of the place that the design (and the planning controls) will deliver and my own conclusions on outlook and the overall uplift in amenity locally such that I am satisfied no individual residential property would fall below a high standard of amenity.

Identify any policy conflict and/or residual harm to place into the planning balance.

- 6.123 Through my assessment of residential amenity, taking into account the conclusions of Mr Lonergan (CD7.03) and Mr Leonard (CD7.08), I find one minor conflict with policy 60 and I identify limited harm, at the lower end, to the residential amenity of some residential properties and an enhanced amenity for the area more generally. I place this level of harm into my planning balance assessment in the concluding section of my evidence.

7.0 Harms

- 7.1 I summarise and explain the harms I have identified to be carried into the planning balance.

Townscape and Visual

- 7.2 The scheme will generate, at worst, two minor adverse effects upon two localised receptors. For the most part the proposals would result in a neutral effect upon key receptors with some receptors experiencing positive effects.
- 7.3 I found one minor conflict with Policy 60 (c) due it is 'no adverse impact' criteria.
- 7.4 I attach very limited weight to the harm caused by the two minor adverse effects identified by Mr Macquire (CD7.04).

Heritage

- 7.5 There is less than substantial harm to six heritage assets, all at the low end of the spectrum.
- 7.6 In respect of listed buildings within the vicinity of the Application Site, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have *"special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess."*
- 7.7 In accounting for the *'special regard'*, Mr Handforth finds the heritage impacts to be 'negligible' and are all at the low end of less than substantial harm. I attach limited weight to each.

Residential Amenity

- 7.8 The proposed buildings are of a greater scale than the existing retail units with the proposed layout placing some of these new buildings on parts of the Site that are currently under-utilised as extensive surface car parking.
- 7.9 The design of the masterplan and the ten proposed principal buildings have been formed through a contextual, informed, responsive and iterative design process that seeks to balance a host of design considerations, including for the relationship and impact to residential neighbours.
- 7.10 The proposal has optimised the potential of the site through the re-use of suitable brownfield land and in doing so has taken care to respond to the potential impacts to residential neighbours.
- 7.11 At paragraph 30.34 of the Committee Report (CD3.01) it says *'...it must be recognised that to accommodate the aspirations of Government policy to deliver meaningful growth, particularly in economic terms on brownfield sites such as this, that a significant degree of change and densification of the site is inevitable'*.

- 7.12 Some properties will experience a reduction in the received daylight and sunlight, in the vast majority of cases this change will not be perceptible or only slightly perceptible.
- 7.13 In a small number of situations there will be a noticeable change, but even this is at the lower end of being noticeable.
- 7.14 In all cases there will be adequate retained access to daylight and sunlight and no material impact on the enjoyment of the property.
- 7.15 The assessment of the maximum Parameter Plan massing finds that all neighbouring residential properties will retain adequate daylight and sunlight. One garden (No 38 Silverwood Close) will more materially fall below the BRE guidelines for 'sun on ground' and the effect will be "extremely minor".
- 7.16 I find there will be a slight harm to the light received to properties 163, 165, 167, 169 – 175 at St Matthew's Gardens; 34 - 39, 40 – 45, 49/50 and 51 Silverwood Close; and slight harm to reduced light in the rear garden of 38 Silverwood Close.
- 7.17 In terms of outlook, I identify limited harm to those properties in St Matthew's Gardens facing Plot 8. I identify limited harm at the upper end to those properties in Silverwood Close directly facing Plot 10. For these properties the new development will result in a more noticeable change and due to the proximity and scale of development in these situations it will adversely affect their outlook to a level that harm is created, but it is tempered by the controls in the Parameter Plans and Design Code and by reference to the existing overall quality of amenity that will experience a highly noticeable uplift due to the transformation of the site by the Development.
- 7.18 There is one minor conflict with Policy 60 criterion (d) due its 'no adverse impact' criteria.
- 7.19 I consider there is limited harm (at the upper end of limited) to residential amenity. When the direct benefits to the general standard of residential amenity in the locality through the delivery of the scheme are included for, I consider there to be residual limited harm, but at the lower end of limited harm.

8.0 Other Material Considerations

- 8.1 In this section I set out the material considerations to be taken into account as directed by Section 70(2) of the Town and Country Planning Act 1990.

Building a strong, competitive economy in Direct Alignment with Government Ambition

- 8.2 Mr O'Byrne provides economic evidence in support of the proposals (CD7.06). His conclusion says (6.2, 6.5 – 6.8):

"I believe it [the proposal] will make a positive contribution to the UK economy, increase competitiveness in key sectors, strengthen the Cambridge cluster and have a meaningful impact on outcomes of local people through social and employment and skills initiatives ...

The strategic and economic case for the Proposed Development is compelling. It would support Cambridge's global innovation cluster and the Government's objectives to strengthen UK productivity and international competitiveness by building on sectoral and geographical strengths.

This location is right at the centre of one of the UK's most valuable economic assets, where research, innovation and technology come together. Demand for high-quality, centrally located R&D space in Cambridge with ESG credentials and amenity offer is high, and is vital to ensuring that Cambridge can compete against other global competitors.

Cambridge has a significant comparative advantage in attracting high value investment in life science and technology. However, this advantage will erode without provision of appropriate, accessible and strategically located spaces such as those proposed.

In my professional opinion, this proposal represents a vital opportunity to deliver strategically significant socio-economic benefits to the UK economy, complemented by meaningful local commitments to support local jobs and address inequalities."

- 8.3 This is a compelling and strong conclusion. The scheme is not to make a marginal contribution, but a significant one. It will make a positive contribution locally but is of such scale and importance that it will make a positive and significant contribution at the national level.
- 8.4 In further consideration of this matter. I find the Site is well located for new employment uses in Cambridge, being a sustainable brownfield location within proximity of the City Centre, the key academic departments and institutions of the University, and walking distance of the railway station. The Development will create a new research and innovation location, with the flexibility to provide office and dry or wet laboratory floorspace to meet market demand through a phased and responsive approach to delivery and occupational needs.

- 8.5 In the context of the city's acknowledged constraints and the preferred locational approach laid out within Policy 2 of the Local Plan, the Site provides a rare opportunity to provide a significant, strategic-scale employment development on brownfield land in a sustainable, central location whilst reducing pressure on the historic core and the Green Belt. This aligns fully with the Local Plan's Spatial Strategy.
- 8.6 The Development will assist in meeting some of the anticipated and growing needs for office and laboratory space in Cambridge. As stated by Officers in the Committee Report (CD3.01 Paragraph 13.19):
- "The current outline planning application through its scale, design and edge of centre location, provides an important opportunity to secure an identified need for office and lab floorspace in the City. Supporting the proposals in this instance recognises the inherent challenges in delivering physically available and viable floorspace in the short to medium including the contribution it can make in order to maintain the Cambridge region as a national and global destination for life sciences and ICT research in the much longer term."*
- 8.7 At the national level, there continues to be a strong and repeated policy imperative for the growth of Cambridge. The previous Government identified a vision for Cambridge as *"Europe's science capital"* with the Case for Cambridge (March 2024) (CD9.14) setting out their ambition for the City as a catalyst for the growth of the UK economy, particularly focused around the life science and technology sectors. The current Government has built on this foundation, stating that *"we should seek to maximise the potential contribution that Greater Cambridge could make to the UK economy"* and *"Greater Cambridge has a vital role to play in this Government's mission to kickstart economic growth"* (Matthew Pennycook Letter to Local Leaders, 23 August 2024)(CD9.23).
- 8.8 The Cambridge Growth Company (CGC) has been tasked with advising Government and driving forward its ambitions for Cambridge, including for the appointment of Peter Freeman (Matthew Pennycook Letter, 30 October 2024) (CD9.24) as the Chair of CGC and in doing so stating that *'Cambridge is one of the UK's most important economic assets, a global centre of innovation home to the largest life science cluster in Europe'* and *"[t]he success of Greater Cambridge is a national priority for this government"*.
- 8.9 The Autumn 2024 budget included various commitments to support Cambridge, showing further intent at the national level to 'unlock' growth at Cambridge. The budget included:
- 3.19 - East West Rail will connect Oxford, Milton Keynes and Cambridge and unlock land for housing and laboratories, supporting the wider Cambridge life science cluster.*
- 3.30 - Unlocking transformational growth in the Oxford, Milton Keynes and Cambridge corridor through £10 million of funding to enable the Cambridge Growth Company to develop an ambitious plan for the housing, transport, water, and wider infrastructure Cambridge needs to realise its full potential, and by taking the next steps to deliver East West Rail. This will support life sciences companies and unlock private investment, cementing Cambridge's status as a globally renowned centre of excellence and its important role within the Industrial Strategy.*

3.53 - ...the Cambridge life sciences cluster is being supported by taking the next steps in delivering East West Rail, to connect the laboratories, industrial parks, and housing needed.

4.61 - To spread growth across the country, this settlement provides the stability that local leaders and investors need by... Unlocking future economic growth through £10 million of funding to enable the Cambridge Growth Company to develop an ambitious plan for the housing, transport, water and wider infrastructure Cambridge needs to realise its full potential and taking the next steps to deliver East West Rail.

4.70 - ...this scheme will unlock land for housing and laboratories across the region, particularly around Cambridge, supporting the world-leading life sciences sector

- 8.10 The CGC was awarded £10 million of funding, which is to form a spatial plan for Greater Cambridge to deliver the ‘ambitious plan’ for Cambridge to realise its full potential.
- 8.11 On 28 January 2025, the Chancellor of the Exchequer made a statement (CD9.26) to unveil new plans to deliver the Oxford-Cambridge Growth Corridor will boost the UK economy by up to £78 billion by 2025. The Beehive Centre proposals were explicitly referenced as part of the announcement, which highlights the recognised importance of the proposals *‘The Environment Agency have lifted their opposition to new development around Cambridge (Waterbeach and the Beehive centre). This unlocks the delivery of 4,500 new homes and associated community spaces such as schools and leisure facilities as well as office and laboratory space in Cambridge City Centre. This demonstrates how the government, councils, and regulators are working together to find solutions that unlock growth and address environmental pressures’.*
- 8.12 The November 2024 Green Paper, Invest 2035: the UK’s modern industrial strategy (Department of Business & Trade) (CD9.13) confirmed that *‘Growth is the number one mission of this government’* and identified Cambridge as a high-performing life science cluster where *“planning constraints hold back growth”*.
- 8.13 There is a strong imperative and unequivocal national government direction for delivering economic growth at Cambridge. The Development will make a significant contribution towards delivering new employment floorspace to support economic growth in a location where the government wants to see it happen.

Achieving well-designed places

- 8.14 Mr Leonard’s evidence explains the approach to achieving a high quality design response and how the planning application is structured to ensure the delivery of them.
- 8.15 The proposal is a well-designed place established through an iterative design process that has been informed by consultation and stakeholder engagement, technical assessments and ongoing review, amendment and refinement. It is a highly responsive design to the Site, the local context and the wider context, which established the capacity of the Site to deliver a scheme of this nature and scale. This includes consideration of Local Plan policy, the National Design Guide and achieving sustainable development.

- 8.16 The design process has been undertaken as a balanced exercise to consider in the round the many aspects and factors to achieving good design, within the context of optimising the potential of the Site and the value of using suitable brownfield land for an identified need.
- 8.17 Amongst other considerations, the design was informed at all stages by townscape and visual expert input through reviewing and responding to design iterations set within viewpoint analysis; ongoing heritage assessments to avoid or minimise any conflict between the heritage asset's conservation and the proposal; a study of the boundary conditions and relationship to neighbouring properties, including sunlight-daylight-overshadowing, potential overlooking and overbearing relationships; a design approach to support a modal shift to sustainable transport modes by prioritising the provision of infrastructure to support pedestrians, active travel and sustainable transport, alongside demoting the car by reference to quantum of car parking spaces and holding the parked cars in a single enclosed location close to the entrance of the Site to keep the larger part of the Site largely free of vehicular movements.
- 8.18 Great care and effort has been taken to design the scheme in a highly-considered and collaborative way to reach the Development proposal which appropriately balances the development challenges with the opportunities to optimise the potential of the Site.
- 8.19 The proposed buildings are of a greater scale than the existing retail warehouses and the proposed layout places some of these new buildings on parts of the Site that are currently under-utilised as extensive surface car parking. The proposal has optimised the potential of the Site through the re-use of suitable brownfield land and in doing so has taken care to respond to potential negative impacts to residential neighbours. Given the degree of change proposed to the Site there is some limited harm to the amenity of some neighbouring residential properties.
- 8.20 It is a development designed for the long-term with sustainability a core part of the design ethos and approach. A purposeful intent to establish a strong sense of place that will add to local area and Cambridge and create a much-improved place from one that is currently dominated by the car and forming a poor-quality built environment. A design that embraces inclusivity to ensure that it is a place that will be welcoming to all, including a range of community and social infrastructure provision, plus a local centre to provide opportunities and flexibility for shops, cafes, restaurants, services, leisure facilities, health and wellbeing establishments and co-working spaces at ground floor level.
- 8.21 The design approach takes the opportunity to introduce a significant new green park and separately a plaza, designed to accommodate a host of external functions and activities to be enjoyed by the public and the future employees. The layout and green infrastructure targeting a significant 100% uplift in Biodiversity Net Gain, including a dedicated ecology area, plus a tree strategy to include locations and growing space for trees of major scale to grow and thrive to their full growing potential.
- 8.22 The scheme will be delivered through a phased delivery. At CD2.13 is the 'Indicative Phasing' drawing that supported the amended planning submission of August 2024. It shows a likely scenario for how the development will be delivered in phases. The first phase is likely to be infrastructure with the Coldham's Lane access improvement and green infrastructure within the site. The second phase, likely overlapping in delivery with the infrastructure works, will include Plot 10 (multi storey car park), Hive Park and adjoining Plots to Hive Park.

8.23 The remaining Plots are delivered thereafter. The intent of the phased delivery is to achieve 'placemaking' at the outset with the principal open space, public realm and connectivity delivered early to create an attractive and functional place for the benefit of the locality and to attract tenants.

8.24 The proposal is designed to be a well-considered new place set within a clear vision.

Other Considerations

8.25 The NPPF sets out the national government's approach to planning policy and is a material consideration for the determination of planning application. I draw out key references to the NPPF below that I have not addressed elsewhere in my evidence. I can confirm that the Development complies with the NPPF.

NPPF Section 8 Promoting healthy and safe communities

8.26 The NPPF recognises the importance of high quality open spaces such as those set into the scheme through the Landscape and Open Space Parameter Plan (CD2.16) and the Design Code, including for Hive Park and the extensive public realm running through the layout. Paragraph 103 says '*Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change*'.

NPPF Section 6 Building a strong, competitive economy

8.27 Paragraph 85 (my emphasis):

*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. **Significant weight should be placed on the need to support economic growth and productivity**, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. **This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity**, which should be able to capitalise on their performance and potential.*

8.28 Paragraph 86 refers to planning policies, but it is notable that the latest December 2024 edition of the NPPF inserted a new requirement for planning policies to pay particular regard to laboratories:

- b) *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;*

8.29 Paragraph 87 (my emphasis):

Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for:

*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);*

b) storage and distribution operations at a variety of scales and in suitably accessible locations that allow for the efficient and reliable handling of goods, especially where this is needed to support the supply chain, transport innovation and decarbonisation; and

c) the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.

8.30 The Development is to support a well-established knowledge sector and cluster, which contributes to the local, regional and national economy and supports a national growth mission in an area where Britain can be a global leader in driving innovation and an area with high levels of productivity.

8.31 The Development benefits from the significant weight provided by Section 6 of the NPPF on the need to support economic growth and productivity. Further benefit can be applied because it supports Britain to be a global leader in driving innovation in an area with high levels of productivity.

NPPF Section 11 Making effective use of land

8.32 Paragraph 124 starts the section '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'.

Paragraph 125c

8.33 Paragraph 125 c is directly relevant and is triggered by the Proposal. It states that 'Planning policies and decisions should:

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;' (my emphasis)

8.34 This is a notable change from the previous version of the NPPF (December 2023), its equivalent paragraph was 124(c) which said decisions should:

give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

- 8.35 I underline the new inserted wording in the up to date version above. The same level of 'substantial' weight is still to be applied to the value of using brownfield land, but now with a direction for such developments to be approved unless 'substantial' harm would be caused. As I describe at the start of Section 4 to deal with planning benefits, substantial is a very strong term; in my view the strongest term to attribute weight in the NPPF.
- 8.36 This is a purposeful change to the NPPF and notably changes the approach to the planning balance in determining relevant planning applications. It gives unequivocal direction that relevant developments can cause harm and should still be approved; but more so that they can cause harm to just below substantial and are still to be approved.
- 8.37 It is agreed in the SoCG (CD6.03) that the Proposed Development will utilise suitable brownfield land, is within a settlement and for an identified need (Paragraph 7.12). As such, it is agreed with the Council that the components of 125(c) are triggered to apply NPPF 125(c) to the determination of the application (Paragraph 7.19).
- 8.38 I have established that NPPG 125(c) applies and as such the proposal should be approved unless substantial harm would be caused.
- 8.39 The NPPG adds to this matter:

How does policy 125(c) (substantial weight to brownfield land proposals) apply to decision making?

Paragraph 125(c) of the National Planning Policy Framework states planning policies and decisions should 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. When determining such proposals, decision makers will need to take account of this policy alongside other policies within the Framework taken as a whole. As an example, where a proposal would cause less than substantial harm to the significance of a designated heritage asset, paragraph 215 (which requires the public benefits of the proposals to be weighed against the less than substantial harm) would still need to be applied. Where relevant, decision makers will need to provide a clear articulation of how paragraph 125(c) has been demonstrably considered and applied alongside other policies.

Paragraph 129

'Planning policies and decisions should support development that makes efficient use of land' (emphasis added).

- 8.40 There are five criteria attached to the paragraph which the proposal complies with and so the NPPF, in this regard, offers support in favour of the proposals.

NPPF Section 12 Achieving well-designed places'

- 8.41 Section 12 of the NPPF gives direction to 'Achieving well-designed places'. Paragraph 135 says that decisions should ensure that developments achieve six criterion (a-f), which I consider the proposals do meet. In summary, the proposals will:
- A. Function well and add to the overall quality of the area for the lifetime of the development
 - B. Be visually attractive
 - C. Be sympathetic to local character and history, while including for increased density
 - D. Establish a strong sense of place creating an attractive, welcoming and distinctive places to live, work and visit
 - E. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development
 - F. Create a place that is safe, inclusive and accessible, with a high standard of amenity for existing and future users
- 8.42 The design process is in accordance with Paragraph 137 and that '*design quality should be considered throughout the evolution and assessment of individual proposals*'. The pre-application planning process commenced in March 2021 and has since supported a well-informed, collaborative and iterative design process. A Statement of Community Involvement accompanied the application to describe the extensive consultation and engagement undertaken over a sustained period of time (CD1.03 and CD2.02).
- 8.43 The proposals benefit from NPPF Paragraph 137 that says '*Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot*'. Nicky Sheppard, representing Abbey People (a community charity in the Abbey Ward in which the Site is located, set up to improve the lives and wellbeing of Abbey residents), contributed to the 12 February Planning Committee (2 hours 46 minutes in to the public recording) to say "*over the last four years Railpen have made significant efforts to engage with the community through various channels... in our opinion they have been responsive to all of the issues raised by residents*".
- 8.44 The proposals also benefit from Paragraph 139(b) which says '*...significant weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings*'. The Development will deliver a reimagined comprehensive transformation of the Site from its current form as a retail park which is spatially dominated by surface car parking to one that is welcoming, with extensive public realm, an attractive environment and a reprioritisation to the pedestrian and active travel.

National Planning Policy Guidance (NPPG)

8.45 I draw out the following relevant guidance. My emphasis added with underline.

8.46 *Paragraph: 006 Reference ID: 66-006-20190722.*

How are daylight and sunlight regulated?

Where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory living conditions for future occupants.

8.47 *Paragraph: 007 Reference ID: 66-007-20190722*

What are the wider planning considerations in assessing appropriate levels of sunlight and daylight?

All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings.

In such situations good design (such as giving careful consideration to a building's massing and layout of habitable rooms) will be necessary to help make the best use of the site and maintain acceptable living standards.

8.48 The guidance directs that some adverse impact to the daylight and sunlight received to neighbouring occupiers is acceptable, but such an impact should not be unreasonable. Also, that there is a recognition to make the best use of the site and maintain acceptable living standards.

8.49 **Benefits**

8.50 I establish in Section 4 of my evidence that the Development will achieve net gains across the three sustainability objectives of environmental, social and economic to deliver impactful benefits to the local community, Cambridge City, the wider area and nationally. Taken together as a whole, the benefits arising from the Development are of substantial weight to be placed into the planning balance.

9.0 Summary and Conclusion

- 9.1 My evidence provides a planning assessment of the proposals. I have expressly considered the Council's putative reason on the grounds of residential amenity. I have identified some harm to townscape, heritage and residential amenity would be caused, but I find that the development should be approved because the scheme is compliant with the Development Plan when read as whole, government policy directs for the proposals to be approved, and the benefits of the scheme clearly outweigh the harm identified.
- 9.2 The Proposed Development reimagines the Beehive Centre through a comprehensive redevelopment. It will transform an inefficient retail park into a vibrant, employment-led urban quarter with an activated ground floor and range of public spaces in a sustainable location that has capacity for a change in scale and density. It is set within the context of an adopted Local Plan that is underpinned by its Spatial Strategy and Vision that give a foundation for growth along with a clear recognition and support to the knowledge-based economy, while seeking to maintain the advantages of a compact city.
- 9.3 A context that is added to by the government's well-stated ambitious plans for growth for Greater Cambridge to realise its full potential. It has recognised that Cambridge is one of the UK's most important economic assets and a global centre of innovation, home to the largest life science cluster in Europe, and said that the success of Greater Cambridge is a national priority for this government.
- 9.4 This is a site that the Council wants to see 'reimagined' and is supportive of the principle, vision and general design intent of the proposals. In accordance with the NPPF section 11 Paragraph 125 (c), the Development uses brownfield land within a settlement for an identified need and in a sustainable location which supports a densification of development with increased mass and building heights. As such the proposals should be approved unless 'substantial harm' would be caused.
- 9.5 Local Plan Policy 1 states that, when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out in the Framework. Planning applications that accord with Local Plan policies will be approved without delay unless material considerations indicate otherwise.
- 9.6 Local Plan Policies 2 and 40 set out a strategy to support employment development, particularly growth of the Cambridge Cluster. The Application is for a Development that will deliver a significant quantum of office and laboratory floorspace to address an identified need, which is to be set within a high-quality landscape along with a new local centre.
- 9.7 Situated in a highly accessible, edge-of-centre location, the masterplan reimagines a previously developed site in accordance with Local Plan policies, the NPPF (including its paragraphs 85 and 87) and stated Government ambition.

- 9.8 From a vehicle-dominated retail park with high traffic generation, the masterplan prioritises active and sustainable travel choices. The Development will deliver a significant shift in modal share on the Site, with both on- and off-site transport initiatives, in accordance with Local Plan Policies 5, 80, 81 and 82.
- 9.9 The Proposals are accomplished through a contextual and iterative approach to shape a masterplan which has resulted in a design that will deliver significant new open space and extensive new planting, including a targeted Biodiversity Net Gain of 100%. It will be a well-designed and inclusive development that will form a distinctive place in its own right. The Development accords with the objectives set out in Local Plan Policies 55, 56 and 59.
- 9.10 The proposal will secure an outstanding design to promote a high level of sustainability and to locally raise the standard of design more generally. The Development will provide buildings that have sustainability measures integral to them, and which comply with high standards for energy and water efficiency. Acknowledging the declaration of a climate emergency, the Development will attain a range of ambitious but achievable sustainability targets, in accordance with Local Plan Policy 28.
- 9.11 In addition to providing a significant and increased number and range of job opportunities, the Development has been strongly influenced by its local community context. A range of social initiatives will be secured through the Development which will deliver notable and tangible benefits.
- 9.12 The Development will deliver a substantial and impactful suite of environmental, social and economic benefits, to which substantial weight is attributed within the planning balance. The Development will make a significant and positive impact.
- 9.13 On the other side of the balance must be placed any harm arising from the Development. Three residual harms are identified on the matters of townscape-and-visual impacts, heritage impacts and residential amenity.

Townscape and Visual

- 9.14 The scheme will generate, at worst, two minor adverse effects upon two localised receptors. For the most part the proposals would result in a neutral effect upon key receptors with some receptors experiencing positive effects.
- 9.15 The Development is designed in response to its context, including for a townscape analysis. This includes the form of the Parameter Plans and the Design Code which clearly expresses a design intent for a high-quality development of exceptional architectural quality with consideration of views in close proximity and longer-range. The Development will add to 21st Century Cambridge and the strong presence of research and development in its many forms.
- 9.16 I attach very limited weight to the harm caused by the two minor adverse effects.

Heritage

- 9.17 With respect to designated heritage assets, the Development will lead to negligible adverse impacts on six designated heritage assets amounting to less than substantial harm at the low end of the spectrum for each asset in the context of paragraph 215 of the NPPF.
- 9.18 Paragraph 215 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of designated heritage assets, this harm should be weighed against the public benefits of the proposal. Likewise, Local Plan Policy 61 reflects the approach set out in the Framework, with Policy 61 criteria (e) requiring clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of “*substantial public benefit*” through detailed analysis of the asset and the proposal.
- 9.19 The design evolution for the scheme has included for masterplan and parameter plan changes that minimise the impact on the Development on the significance of heritage assets and the Design Code including for controls as a direct response to heritage matters.
- 9.20 I have carried out the balancing exercise required via heritage policy through the context of a holistic view of the Development Plan. The “less than substantial” harm identified to the significance of each of the six heritage assets is at the low end of the spectrum. I attach limited weight to each of the six instances of harm with each instance clearly outweighed by the substantial public benefits to be delivered by the scheme.

Residential Amenity

- 9.21 The proposed buildings are of a greater scale than the existing retail warehouses and the proposed layout places some of these new buildings on parts of the Site that are currently under-utilised as extensive surface car parking. The design of the masterplan and the ten proposed principal buildings have been formed through a contextual, informed, responsive and iterative design process that seeks to balance a host of design considerations, including for the relationship and impact to residential neighbours. The proposal has optimised the potential of the site through the re-use of suitable brownfield land and in doing so has taken care to minimise potential negative impacts to residential neighbours.
- 9.22 There is some localised limited harm, but in considering all residential impacts together, I consider there is limited harm (at the upper end of limited) to residential amenity. When the direct benefits to notably raise the general standard of residential amenity in the locality through the delivery of scheme are included for, I consider there to be limited harm, but at the lower end.
- 9.23 In the context of NPPG ‘*How are daylight and sunlight regulated?*’ (my evidence, paragraph 8.45) the development would not have an ‘unreasonable’ impact on the daylight and sunlight levels enjoyed by neighbouring properties.

Conclusion

- 9.24 My assessment finds that there are two policy conflicts with the Development Plan at Local Plan policy 60 part (c) and part (d), both arising from the policy test being ‘no adverse impact’ whatsoever, rather than allowing for an assessment of adequacy or balance.
- 9.25 The Local Plan makes clear its strategic intent, upon which the development management policies sit. Its foreword says, in summary, *‘the city has plans to grow significantly; supporting the nationally important economic contribution the city makes; a vision for growth; [to] meet the important development needs that must be accommodated; an accessible, compact city form’*.
- 9.26 The Local Plan says its vision, upon which it is formed to deliver, is that the *“city will continue to develop”*, as a *“centre of excellence and world leader in the fields of higher education and research”* and that such development will *“foster the dynamism, prosperity and foster expansion of the knowledge-based economy”*, all while *“retaining the high quality of life and place”*.
- 9.27 The stated Local Plan objectives include for all development to *‘promote and support economic growth in environmentally sustainable and accessible locations, facilitating innovation and supporting Cambridge’s role as a world leader in higher education, research, and knowledge-based industries, while maintaining the quality of life and place that contribute to economic success’*
- 9.28 The full intent of the Local Plan is only achieved if appropriate development comes forward to deliver it. The Beehive Centre proposal is a highly appropriate development in this regard, it will deliver a significant contribution to the expansion of the knowledge-based economy, contributing to growth and doing so in a way that retains a compact city form. It is a development that will contribute to the Council meeting its own vision for Cambridge.
- 9.29 When read as a whole, the proposal is compliant with the Development Plan.
- 9.30 The public benefits arising from the Development – environmental, social and economic – are of substantial weight and collectively I consider they clearly outweigh the harm identified to the heritage significance of six designated assets (each instance being of less than substantial harm at the low end of the spectrum), townscape and visual (very limited harm) and residential amenity (limited harm).
- 9.31 On this basis the planning balance tips in favour of the Development and the application should be granted planning consent.
- 9.32 The planning balance is tipped yet further in favour of the development when NPPF 125(c) is applied, which I have established is the case for the Development. It directs that such proposals *‘should be approved unless substantial harm would be caused’*.
- 9.33 The putative reason for refusal says the *‘overall harm to residential amenity would be significantly adverse’* and the Council’s Statement of Case (CD6.07) at paragraph 6.2 says there is heritage harm (moderate less than substantial), townscape harm (low level) and *‘significant harm’* to the

residential amenity of neighbouring properties. The Council's own assessment of harm falls below the level of substantial, so even set against the Council's own case the application should be approved.

- 9.34 The level of harm caused by the Development cannot be said to be anywhere close to substantial and therefore the policy and government direction is for the application to be approved.

