

Town & Country Planning Act 1990: Application called in by the Secretary of State

**BEEHIVE CENTRE, COLDHAMS LANE, CAMBRIDGE, CAMBRIDGESHIRE,
CB1 3ET**

APP/Q0505/V/25/3360616

POSITION STATEMENT

On behalf of the Local Planning Authority

The Applicant notes the contents and is content with the suggested way forward as set out in paragraphs 8-9, 11, and 13-15 herein.

24 June 2025

Background

1. In January 2025, after the revised application for permission for the redevelopment of the Beehive Centre was submitted by Railway Pension Nominees Ltd ("**the Applicant**") but prior to its scheduled determination by the Cambridge City Council ("**the Council**") Planning Committee on 12 February 2025, there was some communication between the parties regarding the potential for securing acceptable daylight, sunlight and overshadowing ("**DSO**") outcomes from a permissioned scheme by way of condition.¹
2. The planning application is in outline with a suite of five Parameter Plans controlling (for example) overall heights and plot coverage etc.² Separately, the Applicant has produced an illustrative scheme.³ According to its 3D electronic modelling, the outputs of which were presented in the eb7 Daylight and Sunlight Report, Addendum Report and Appendices,⁴ the DSO effects of the illustrative scheme would be materially lesser (when assessed according to BRE guidelines) than the effects of a scheme built to the maximum parameters secured under the Parameter Plans.
3. At the time of previous correspondence on the issue of a condition, the Council's concern was *inter alia* that it could not be sufficiently confident that the effects of the illustrative scheme would, themselves, be acceptable in planning terms. The application was called in on 12 February 2025 and negotiations regarding a condition stalled.
4. In the course of preparation for the Inquiry, the Applicant has provided the Council with access to its 3D modelling, which was not available to Officers before the Committee Report was finalised, and with additional evidence on

¹ CD11.1, CD11.2

² CD2.16-CD2.20

³ CD2.14, CD2.15

⁴ CD2.31, CD2.63A, CD2.63B

the effects of the scheme on daylight by way of room-weighted Vertical Sky Component ("VSC") calculations, and clarification regarding previously unknown room layouts and uses.

5. The Council's case to the inquiry has - because the scheme for which permission is sought is an outline scheme constrained by the Parameters Plans, and there has been no further discussion about a condition limiting the effects to those shown for the illustrative scheme - focused on the acceptability of the DSO impacts of the 'maximum parameters' scheme.
6. On the opening morning of the Inquiry, the Inspector made a series of comments (including by way of questions to Cllr Porrer) indicating an interest in the relative daylight and sunlight implications of the illustrative scheme as compared to the maximum parameters scheme. He also noted that there had previously been discussions between the Applicant and the Local Planning Authority on this issue and asked whether those discussions had progressed any further.
7. In light of the Inspector's steer on this issue, and the provision of additional information by the Applicant in the course of preparation for the Inquiry, the parties have revisited the issue of a potential DSO condition.

Position now agreed

8. The parties agree that the DSO effects of the illustrative scheme - as set out in CD7.09 - would be materially lesser than a scheme built out to the maximum parameters shown on the Parameter Plans; **and that the residual DSO harm from the illustrative scheme would be acceptable in planning terms.** There would be no proper basis for a DSO-related reason for refusal for a scheme which secured DSO impacts which were no worse than those shown in CD7.08 for the illustrative scheme. This is something which can be conditioned.

9. This agreement is without prejudice to the parties' positions, as articulated in their evidence, that the effects of the 'maximum parameters' scheme are:
 - a. For the Appellant, acceptable; and
 - b. For the Council, unacceptable and justifying refusal of permission.
10. Further, the Council has considered the effect of such a position on the overall planning balance, including the residual concern about outlook and visual enclosure. While it remains of the view that the proposal, limited as to its DSO effects by the proposed condition, would cause harm, its position on the planning balance would change: **the harms would now be outweighed by the benefits, such that planning permission should be granted.**
11. This means that there is agreement that, in principle, permission could be granted for the Application scheme subject to a condition restricting DSO effects to no greater than those modelled for the Illustrative Scheme. The precise wording of a draft condition is still being finalised between the parties but, in summary, it would secure — by reference to the tables produced by eb7 in the appendices to its Daylight and Sunlight Addendum Report — that any reserved matters application would need to be accompanied by a Daylight and Sunlight Report demonstrating, on a window-by-window or receptor-by-receptor basis, that no individual VSC, No Sky Line ("NSL"), Annual Probable Sunlight Hours ("APSH"), winter hours ("WPSH") or BRE 2-hour sunlight test (on 21 March) measurement for the final scheme would be worse than the comparable effect as modelled in respect of the illustrative scheme and set out in CD7.08.
12. On the basis of such a condition limiting the DSO effects of the scheme on nearby residential properties, the Council considers that the balance of factors would point to approval of the Application scheme.

13. On that basis (and subject to the Inspector's endorsement of such an approach) neither main party would seek to cross-examine the DSO or Planning witnesses of the other.

14. For the avoidance of doubt:

- a. the Council remains of the view that the harms from the maximum parameters scheme would be considerably greater than those arising from the illustrative scheme, and would represent an unacceptable impact on residential amenity justifying the refusal of permission. It would therefore continue to oppose any recommendation that permission be granted on the basis of the maximum parameters scheme with no condition to secure a limitation of the DSO effects; and
- b. the Applicant maintains the contrary view: the effects of the maximum parameters scheme would be acceptable, but it is content to accept a condition limiting the DSO effects to those shown in eb7's analysis of the illustrative scheme.

15. The main parties consider this has the potential to considerably foreshorten the inquiry and represents an efficient and pragmatic way of addressing the main issues between them.

Josef Cannon KC

Dr Lois Lane

25 June 2025