



Department for Levelling Up,  
Housing & Communities

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*By email only*

Our ref: APP/W0530/W/23/3315611

Your ref: 22/02771/OUT

23 April 2024

Dear Madam

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78  
APPEAL MADE BY BROOKGATE LAND LIMITED ON BEHALF OF THE CHESTERTON  
PARTNERSHIP AT LAND TO THE NORTH OF CAMBRIDGE NORTH STATION,  
CAMBRIDGE  
APPLICATION REF: 22/02771/OUT**

*This decision was made by Minister of State for Housing, Planning and Building Safety, Lee Rowley MP, on behalf of the Secretary of State.*

1. I am directed by the Secretary of State to say that consideration has been given to the report of Lesley Coffey BA(Hons) BTP MRTPI, who held a public local inquiry from 6 June 2023 into your client's appeal against the failure of South Cambridgeshire District Council to determine your client's hybrid application for planning permission for **a)** An outline application (all matters reserved apart from access and landscaping) for the construction of three new residential blocks providing up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i (offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works and demolition of existing structures and **b)** A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), with associated car and cycle parking, a multi storey car and cycle park, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures, in accordance with application Ref. 22/02771/OUT dated 14 June 2023.
2. On 24 March 2023, this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act (TCPA) 1990.

## **Inspector's recommendation and summary of the decision**

3. The Inspector recommended that the appeal be allowed, and planning permission be granted subject to conditions.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, except where stated, and agrees with her recommendation. He has decided to allow the appeal. The Inspector's Report (IR) is attached. All references to paragraph numbers, unless otherwise stated, are to that report.

## **Environmental Statement**

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and the environmental information submitted before the inquiry/hearing opened. Having taken account of the Inspector's comments at IR1.17, the Secretary of State is satisfied that the Environmental Statement and other additional information provided complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

## **Procedural Matters**

6. The Secretary of State notes that the Inquiry was adjourned on 23 June 2023 in order to allow for further work to be completed in relation to water neutrality. This information was received on 6 October 2023, and the parties subsequently commented on it. He also notes that parties were invited to comment on the revised National Planning Policy Framework (the Framework) and Written Ministerial Statement (WMS) published on 19 December 2023. The Secretary of State does not consider that the further work in relation to water neutrality nor publication of the revised Framework and WMS raises any matters which would require him to refer back to the parties for further representations prior to reaching his decision on this appeal, and he is satisfied that no interests have thereby been prejudiced.

## **Matters arising since the close of the inquiry**

7. Mandatory biodiversity net gain (BNG) has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date, such as the appeal subject to this letter, are not subject to mandatory BNG.
8. On 8 March 2024, the Secretary of State wrote to the main parties to afford them an opportunity to comment on the Joint statement on addressing water scarcity in Greater Cambridge, published on 6 March 2024. A list of representations received in response to this letter is at Annex A. These representations were circulated to the main parties on 25 March 2024. Copies of the letters listed in Annex A may be obtained on request to the email address at the foot of the first page of this letter.

## **Policy and statutory considerations**

9. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

10. In this case the development plan consists of the South Cambridgeshire Local Plan (SCLP) 2018 and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021). The Secretary of State considers that relevant development plan policies include those set out at IR4.6.
11. Other material considerations which the Secretary of State has taken into account include the Framework and associated planning guidance (the Guidance), as well as the December 2023 WMS addressing the Government's vision for Cambridge, and the March 2024 Joint Statement on addressing water scarcity in Greater Cambridge. A revised version of the Framework was published on 19 December 2023 and amended on 20 December 2023.
12. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.

#### *Emerging plans*

13. Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.

#### *Emerging North East Cambridge Area Action Plan (NECAAP)*

14. The site falls within the boundary of the emerging NECAAP. As set out by the Inspector in IR 4.9-4.11, the Proposed Submission version has been approved for public consultation but is dependent on the approval of the Waste Water Treatment Plant (WWTP) Development Consent Order (DCO). The consultation process is therefore paused.
15. The Secretary of State agrees with the Inspector that the NECAAP should attract very limited weight, following assessment against Paragraph 48 of the Framework. While the plan is at a relatively late stage of preparation, the NECAAP is being prepared on the basis that the existing WWTP will be relocated to Green Belt land. As noted by the Inspector in IR4.11, there are numerous unresolved objections to this approach. This presents a barrier to the strategic comprehensive approach within the NECAAP policies. Examination of the DCO has been completed and its findings will be provided to the relevant Secretary of State no later than 17 July 2024, and prior to the conclusion of this process, the NECAAP should continue to be given very limited weight.

#### *Emerging Greater Cambridge Local Plan*

16. The emerging plan comprises the Greater Cambridge Joint Local Plan, which is being prepared jointly by Cambridge City Council and South Cambridgeshire District Council.
17. The emerging Greater Cambridge Local Plan is at an early stage of preparation. In accordance with paragraph 48 of the Framework, the Secretary of State agrees with the Inspector at IR4.12 that very limited weight can be given to this plan.

## **Main issues**

18. The Secretary of State agrees with the Inspector that the main issues are those set out in IR14.1.

### *Design and Layout*

19. The Secretary of State has given regard to the segregation of residential and employment uses within the development layout. For the reasons set out at IR14.3-14.9, the Secretary of State agrees with the Inspector's conclusion that the separation of the residential and commercial uses would assist with providing the best quality of accommodation for each use and would not give rise to an inactive frontage.
20. For the reasons set out in IR14.11, the Secretary of State agrees with the Inspector's conclusion to not afford the Townscape Strategy any significant weight.
21. The Secretary of State notes the discussion regarding buildings S06 and S07 at IR14.13 - IR14.16 and agrees with the Inspector's conclusion at IR14.16 that there is no reason why the buildings proposed as part of the outline application cannot adopt a similar design approach. For the reasons set out in IR14.17 the Secretary of State agrees that wider gaps between S06 and S07 would detract from the overall masterplan.
22. For the reasons set out in IR14.18-19, the Secretary of State agrees with the Inspector in her disagreement with the Council's view that there is a lack of distinction between Milton Avenue and Station Row, such that there is not a legible street network with a strong sense of place.
23. The Secretary of State has noted that guidance on heights varies between emerging local policy documents (IR14.20). For the reasons set out in IR14.22-IR14.23, he agrees with the Inspector that Building S04 would not be overbearing, and that it would provide a successful transition between One Cambridge Square and the proposed residential use (IR14.23).
24. For the reasons set out in IR14.24 - IR14.26 the Secretary of State agrees building S04 would be acceptable in townscape terms.
25. For the reasons set out in IR14.28 and IR 14.30 - IR14.31, the Secretary of State agrees with the Inspector's conclusion that the footprint, articulation and proposed materials of Buildings S06 and S07 combine to provide high-quality, well-designed buildings.
26. For the reasons given in IR14.36-IR14.41, the Secretary of State agrees with the Inspector's conclusion at IR14.42 that the proposal would deliver a high quality design and a distinctive sense of place in accordance with Policies HQ1 and SS/4 of the Local Plan. For the reasons set out in IR14.85 - IR14.90, he also agrees with the Inspector's conclusion at IR14.90 that the proposal as a whole would respect and retain the character and distinctiveness of the local landscape, including the River Cam corridor, and would therefore comply with Policies HQ/1 and NH/8. The Secretary of State gives this moderate weight.

### *Landscape and Visual Effects*

27. For the reasons given at IR14.20, the Secretary of State agrees with the Inspector's approach, that the proposed buildings, including height, falls to be assessed in terms of

their contribution to the townscape of the proposal and any harm to the wider landscape due to the very limited weight which can currently be given to the NECAAP.

28. The Secretary of State notes the Inspectors view in IR14.49 regarding height guidance within various documents, and her conclusion that the issue is whether there would be an adverse impact on character and appearance of surrounding landscape.
29. The Secretary of State has noted the key characteristics of the River Cam Valley as set out at IR14.55, and for the reasons given in IR14.56-65, he agrees with the conclusions of the Inspector that the development would result in a moderate adverse landscape impact to the River Cam Corridor (IR14.61), comprising a moderate negative to Fen Road, and moderate/minor adverse, reducing to minor and neutral to the south, on the Chesterton residential area (IR14.65). In respect of visual effects and having carefully considered the Inspector's analysis at IR14.66-87, the Secretary of State agrees with the Inspector's conclusions that the key characteristics of the Local Character Area would be maintained (IR14.88) He further agrees with the Inspector's conclusion at IR14.88 that while harm is identified to a number of viewpoints, the limitations to the harm within the viewpoints means that the visual harm from these locations is not representative of the impact of the scheme on the River Cam corridor overall.
30. The Secretary of State agrees with the Inspector's overall conclusions at IR14.90, that that the proposal would harm the character and appearance of the surrounding landscape, but such harm would be limited and generally localised and is mainly due to the change in the character of the site from a largely brownfield site to a new Urban Quarter. The Secretary of State agrees that considered in the context of the allocation of the site within the development plan, the proposal as a whole would respect and retain the character and distinctiveness of the local landscape, including the River Cam corridor, and comply with Policies HQ/1 and NH/8. He assigns this moderate weight.

#### *Heritage Assets*

31. The Secretary of State has considered the Inspector's analysis of the impact on the settings of the Riverside and Stourbridge Conservation Area (CA) and the Fen Ditton CA (IR14.94-14.109). The Secretary of State notes the key characteristics of the Riverside and Stourbridge CA (IR14.94-14.96), which forms part of a green wedge which extends from the city centre to the boundary of the city, its historic character, and that its significance is derived in part from the ancient town fair that grew up around the leper hospital on Barnwell Abbey . He notes the Inspector's statement that the setting of this CA makes a limited contribution to its significance. For the reasons set out at IR14.97, the Secretary of State agrees that the proposal would result in less than substantial harm to the significance of the CA, at the lowest end of the scale.
32. The Secretary of State also notes the Inspector's statement at IR14.100 that the setting of the Fen Ditton CA contributes to its heritage significance in that it ties the village to the surrounding agricultural land and the historic importance of the river. For the reasons set out at IR14.104-107, the Secretary of State agrees with the Inspector's conclusion that the proposal would slightly impact the significance of the CA as more buildings would be noticeable in views out from the area to its wider setting, and in this regard there would be some very limited conflict with Policy NH/14 that seeks to sustain and enhance the significance of heritage assets. He also agrees that harm will be less than substantial, and towards the lowest end of the scale. In accordance with paragraph 205 (formerly 199) of the Framework, he assigns great weight to these heritage impacts.

### *Water Supply and Quality*

33. The Secretary of State has carefully considered the effects of the proposal upon water supply. The Secretary of State has noted the Inspector's judgement at IR14.169 that while water quality and supply is a material consideration, the proposal would not in itself harm water quality or water resources, but that cumulative impacts of the appeal proposal with other development would add to demand for water.
34. The Inspector acknowledges in this context that a sustainable supply of water for the Cambridge Water area may not be available for several years (until after the Grafham Transfer is operational). The Inspector leaves for the Secretary of State the decision as to whether the statutory process and other measures in place in respect of water supply are sufficiently robust to ensure that the proposal, together with other development, would avoid placing an unacceptable demand on water resources and potentially harm ecological interests (IR14.173).
35. The Inspector proposed an optional condition be placed on an approval which would delay the occupation of development until either the Grafham Transfer Water supply option is operational or the Water Resources Management Plan (WRMP) for the Cambridge Water operating area is approved (IR14.174).
36. Since the conclusion of the Inquiry and the recommendation made by the Inspector, the March 2024 Joint Statement on addressing water scarcity in Cambridge has been published by the Department for Levelling Up, Housing and Communities (DLUHC), Department for Environment Food and Rural Affairs (Defra), the Environment Agency and Greater Cambridge Shared Planning Service (which manages the planning service for Cambridge City Council and South Cambs District Council). This statement announces the development of a water credits market to supplement and potentially accelerate delivery of the water management measures to meet all of the areas future water needs being promoted by Cambridge Water through its WRMP, alongside wider communications to reduce water use in the area. Paragraph 9 of the Joint Statement states that modelling demonstrates that the scheme should deliver water savings that are sufficient to address concerns raised around sustainable water supply to the Cambridge area.
37. In the context of the publication of the Joint Statement, the Secretary of State considers that the proposal accords with Policies CC/4 and CC/7, and with national policy on water use and supply, and would not have an unacceptable consequence on water supply and quality. As a result, the Secretary of State considers the proposed optional condition is not necessary, and considers that matters relating to water supply and quality are neutral in the planning balance.

### *Occupant amenity*

38. The Secretary of State has had regard to the Inspector's assessment of the illustrative design in terms of living conditions for future occupants. He notes that parameter plans would allow for flexibility in the layout and design of the proposed dwelling to limit the number of single aspect dwellings (IR14.126). For the reasons set out in IR14.126, the Secretary of State agrees with the inspector that the proposed dwellings would provide suitable living conditions for future residents within the constraints of the parameter plans (14.127).

### *Comprehensive vision*

39. For the reasons set at IR14.128-14.132 the Secretary of State agrees with the Inspector that the development plan for the appeal site identifies the site for employment focussed development. He also agrees that the failure to comply with the Development Capacity Assessment, which has not been subject to consultation and is not part of the development plan, does not add weight against the proposal (IR14.133).
40. For the reasons set out at IR14.134, the Secretary of State agrees that the proposed development needs to mitigate its impact on the services and infrastructure (IR14.134). He also agrees with the Inspector that there is no substantive contrary evidence to support reaching a different conclusion to the Council and Local Highway Authority, who are satisfied that subject to the planning obligations, the proposal would not prejudice the future development of the wider area.

### *Other matters*

41. For reasons given at IR14.135 – 14.137 the Secretary of State agrees with the Inspector's conclusion at 14.138 that the proposal would be acceptable in terms of its impact on the highway network and would make appropriate provision for sustainable travel. He assigns neutral weight to this consideration.

## **Benefits of the proposal**

### *Environmental*

42. The Secretary of State notes the Inspector's statement at IR14.185 that the proposed development would reuse brownfield land in accordance with paragraph 120 (c) of the Framework (now 124 (c)). The Inspector also notes the proposed development will deliver a scheme with BREEAM Excellent certification as a minimum, would include water efficiency measures, would use SuDS and prioritise non-motorised and public transport. Additionally, the Inspector considers the provision of about 80.27% BNG would be a further significant benefit of the proposal (IR14.186).
43. Taken together and in accordance with paragraph 124 (c) of the Framework, the Secretary of State gives substantial weight to these environmental benefits.

### *Open space and recreation*

44. The Inspector considers that the proposal would include attractive, well designed public open spaces at Chesterton Square and the Piazza (IR14.183). The Secretary of State agrees with this statement, and also agrees that the weight attributed to the Wild Park should not be reduced, and collectively assigns moderate weight to these benefits.
45. The Secretary of State also assigns moderate weight to wider outdoor space provision within the public realm, which will create space for collaboration, supporting well-being and social inclusion (IR14.184).

### *Office and commercial laboratory space*

46. For the reasons given at IR14.110 - IR14.123, the Secretary of State agrees with the Inspector's conclusions at 14.124 that the proposal would assist with meeting the shortfall in laboratory and office floorspace in the short and medium term. He also agrees it would contribute to the continued growth of the Research and Development cluster in North

East Cambridge area, in accordance with Policies E/9, SS/4 and S/5 as well as national planning policy and that it would also be consistent with the Government's Cambridge Vision, as referenced in the WMS (IR14.89). The Secretary of State notes the Inspector's statement that there is no ceiling for the delivery of office and laboratory floorspace (IR14.176), and assigns great weight to this benefit.

47. The Secretary of State notes the Inspector's conclusion that the proposal would comply with Policy SS/4 and the Government's vision for Cambridge 2040 in that it would help to deliver a new Urban Quarter with a focus on employment. The Inspector states that great weight should be assigned to economic benefits. In accordance with paragraph 85 of the Framework, the Secretary of State assigns significant weight to economic growth and productivity benefits, and driving innovation.

#### *Housing land supply*

48. The Secretary of State has noted that the parties agree the delivery of housing and affordable housing is a benefit of considerable weight (IR14.182). The Secretary of State agrees the delivery of housing and affordable housing carries considerable weight.

#### **Planning conditions**

49. The Secretary of State had regard to the Inspector's analysis at IR13.1-13.30, the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 56 of the Framework and the relevant Guidance. The Secretary of State is satisfied, with the exception of draft condition 49 (which addresses water supply as discussed in paragraph 37 above), that conditions recommended by the Inspector comply with the policy test set out at paragraph 56 of the Framework and that the conditions set out at Annex D should form part of his decision.

#### **Planning obligations**

50. The Secretary of State has had regard to the Inspector's analysis at IR12.1-12.23, the planning obligation dated 13 July 2023, paragraph 57 of the Framework, the Guidance and the Community Infrastructure Levy (CIL) Regulations 2010, as amended. For the reasons given at IR12.1-12.23, he agrees with the Inspector's conclusion that the obligation complies with Regulation 122 of the CIL Regulations 2010 and the tests at paragraph 57 of the Framework.

#### **Planning balance and overall conclusion**

51. For the reasons given above, the Secretary of State considers that the appeal scheme is in accordance with Policies CC/4, CC/7, NH/8, SS/4, S/5, E/9 and HQ/1 of the development plan, and there is some very limited conflict with Policy NH/14. Overall, he concludes that it is compliant with the development plan when taken as a whole. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in line with the development plan.
52. Weighing in favour of the proposal is a design which would deliver a high quality sense of place which carries moderate weight; the need for office and laboratory space which carries great weight; and other economic benefits which carries significant weight; the delivery of housing and affordable housing which carries considerable weight; environmental measures including the reuse of the brownfield site, its sustainable location, BREEAM 2018 Excellent certification, water efficiency and BNG which carries substantial weight and the provision of public realm and open space, which carries



moderate weight and its benefits via well-being and social inclusion, which also carries moderate weight.

53. Weighing against the proposal are the less than substantial harm to Riverside and Stourbridge and Fen Ditton CAs which carries great weight.
54. In line with the heritage balance set out at paragraph 208 (formerly 202) of the Framework, the Secretary of State has considered whether the identified 'less than substantial' harm to the significance of the Riverside and Stourhead and Fen Ditton CAs is outweighed by the public benefits of the proposal. Taking into the account the public benefits of the proposal as identified in this decision letter, overall, the Secretary of State concludes that the benefits of the appeal scheme are collectively sufficient to outbalance the identified 'less than substantial' harm to the significance of the designated heritage assets. He considers that the balancing exercise under paragraph 208 of the Framework is therefore favourable to the proposal.
55. Overall, in applying s.38(6) of the PCPA 2004, the Secretary of State considers that despite the very limited conflict with the development plan, there is overall compliance with the development plan. Furthermore, material considerations in this case indicate that permission should be granted.

### **Formal decision**

56. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants planning permission subject to the conditions set out in Annex B of this decision letter for **a)** An outline application (all matters reserved apart from access and landscaping) for the construction of three new residential blocks providing up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i (offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works and demolition of existing structures and **b)** A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), with associated car and cycle parking, a multi storey car and cycle park, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures, in accordance with application Ref. 22/02771/OUT dated 14 June 2023.
57. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the TCPA 1990.

### **Right to challenge the decision**

58. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the TCPA 1990.
59. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or

if the Local Planning Authority fails to give notice of its decision within the prescribed period.

60. A copy of this letter has been sent to South Cambridgeshire District Council and Cambridge Past Present and Future, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully



Decision Officer

*This decision was made by Minister of State for Housing, Planning and Building Safety, Lee Rowley MP, on behalf of the Secretary of State, and signed on his behalf*

#### **Annex A Schedule of representations**

##### **Representations received in response to the Secretary of State's letter of 8 March 2024**

<b>Party</b>	<b>Date</b>
Greater Cambridge Shared Planning Service	22 March 2024
Mills & Reeve LLP on behalf of the appellant	22 March 2024

## **Annex B List of conditions**

### **Conditions applicable to the Full Permission and Outline Permission**

#### ***Phasing***

##### *Site Wide Phasing Plan*

1. Prior to the commencement of any development, with the exception of below ground works, a Site Wide Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Site Wide Phasing Plan shall include a mechanism for its review and amendment. The development shall be carried out in accordance with such approved details. References within this permission to a “phase” shall be to a phase as identified in the approved phasing plan.

##### *Demolition Construction Environmental Management Plan (DCEMP)*

2. Prior to the commencement of any development on any phase, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority for that phase.

The DCEMP for a phase shall include the following in respect of that phase:

a) Proposed earthworks including method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2007.

b) Archaeological protection and mitigation measures to be implemented during the construction process.

c) A traffic management plan including:

- contractor’s access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the phase, details of their signing, monitoring and enforcement measures designed to require compliance with the approved routing arrangements;
- contractor parking including details and quantum of the proposed car parking and methods of preventing on street car parking; movements and control of muck away lorries;
- movements and control of all deliveries; and control of dust, mud and debris, in relationship to the operation of the adopted public highway.

d) Details of haul routes within the phase.

e) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor’s compound during the construction period to be agreed on a phased basis.

f) Collection and Delivery times for construction purposes. (Standard delivery and collection times during construction and demolition are between 0800 hours and 1800 hours on Monday – Friday and between 0800 hours and 1300 hours on Saturday and no collections or deliveries on Sundays or Bank and public holidays).

g) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to

include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment

- h) Noise and vibration (including piling) impact / prediction assessment, monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open sites – Part 1 and 2 (or as superseded).
- i) Details of best practice measures to be applied to prevent contamination of the water environment during construction.
- j) Measures for soil handling.
- k) Details of concrete crusher if required to be used on that phase.
- l) Details of odour control systems used during construction including maintenance and manufacture specifications.
- m) Maximum noise levels and appropriate mitigation for construction machinery, equipment, plant and vehicles.
- n) Site lighting during construction.
- o) Screening and hoarding details.
- p) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- q) Procedures for interference with public highways.
- r) External safety and information signing notices.
- s) Liaison, consultation and publicity arrangements, including dedicated points of contact.
- t) Complaints procedures, including complaints response procedures
- u) Membership of the considerate contractors' scheme.
- v) The provision of safe walking and cycling routes through the construction site including the management of existing Public Rights of Way, as well as routes serving completed phases of the development.
- w) A Construction Travel Plan setting out measures to encourage construction site operatives and construction site visitors to travel to and from the phase using sustainable means of transport.
- x) Piling method statement detailing mitigation measures, where piling is proposed.

Development of each phase shall be carried out in accordance with the approved DCEMP for that phase.

### ***Biodiversity***

#### ***Construction Ecological Management Plan***

3. Prior to the commencement of each phase of development, (including demolition, ground works, vegetation clearance) a Construction Ecological Management Plan (CEcMP) for that phase shall be submitted to and approved in writing by the local planning authority. The CEcMP for each phase shall include the following in respect of that phase:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures to avoid or reduce impacts during construction (both physical measures and sensitive working practices) in the form of method statements.
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP for a phase shall be adhered to and implemented throughout the construction period of that phase strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

#### *Ecological Design Strategy*

4. Prior to the commencement of each phase of development, with the exception of below ground works, an Ecological Design Strategy (EDS) for that phase addressing habitat creation, ecological enhancement, mitigation and compensation where appropriate, which shall be in accordance with the Greater Cambridge SuDS Supplementary Planning Document (2022) shall be submitted and approved in writing by the local planning authority.

The EDS shall include the following in connection with a phase:

- a) The purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve the stated objectives.
- d) The extent and location/area of all proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Details of initial aftercare and long-term maintenance.
- i) Details of monitoring and remedial measures.
- j) Details for disposal of any wastes arising from the works.

The EDS for a phase shall be implemented in accordance with the approved details on that phase and thereafter all features shall be retained in that manner for the lifetime of the development.

#### *Lighting Scheme*

5. Prior to the commencement of each phase of development above ground, a lighting scheme for that phase shall be submitted to and approved in writing by the local planning authority. The scheme shall:

- a) Include details of any external lighting within that phase such as street lighting, floodlighting, security lighting and an assessment of impact on any sensitive residential premises off site. The scheme for a phase shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within that phase, on the boundary of the that phase and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals “Guidance Notes for the Reduction of Obtrusive Light GN01:2011”.
- b) Identify those areas/features on that phase that are particularly sensitive for bats and which are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g. for foraging; and
- c) Show how and where any external lighting will be installed which clearly demonstrates that areas to be lit will not disturb or prevent bats from using their territory or having access to their breeding sites and resting places.

No external lighting within a phase shall be installed other than in accordance with the specifications and locations set out in the approved scheme for that phase, and shall be maintained thereafter in accordance with the scheme for the lifetime of the development.

### *Green Roofs*

6. No above ground level development shall commence on any building until details of any biodiverse (green, blue or brown) roof(s) for that building have been submitted to and approved in writing by the local planning authority. Details of the green biodiverse roof(s) shall include means of access for maintenance purposes. Plans and sections showing the make-up of the sub-base to be used shall include the following:

- a) Roofs will be biodiverse based with extensive substrate varying in depth from between 80-150mm.
- b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the locality and shall contain no more than a maximum of 25% sedum (green roofs only)).
- c) The biodiverse (green) roof shall not be used as an amenity facility nor sitting out space of any kind whatsoever and shall only be used otherwise as a biodiverse green roof in the case of essential maintenance or repair, or escape in case of emergency.
- d) Where solar panels are proposed, bio-solar roofs shall be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.
- e) A management/maintenance plan.

All works to biodiverse roofs on a building shall be carried out in accordance with the approved details for that building prior to first occupation of that building and shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

## ***Contamination***

### ***Site Investigation***

7. No development of any building or the Wild Park within a phase shall commence until:

a) The site for that building or the Wild Park has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives determined through a risk assessment and which has been agreed in writing by the local planning authority.

b) Detailed proposals for that building or the Wild Park for the removal, containment or otherwise rendering harmless of any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the local planning authority.

### ***Remediation***

8. Prior to the first occupation of each building or the first use of the Wild Park within any phase of development, the works specified in any Remediation Method Statement detailed in Condition 7 for that building or the Wild Park must be completed and a verification report submitted to and approved in writing by the local planning authority.

### ***Unidentified Contamination***

9. If, during remediation or construction works, any additional or unexpected contamination (AUC) is identified, then: (1) works in the relevant phase shall cease until (2) remediation proposals for the AUC have been agreed in writing by the Local Planning Authority before any further works on the phase proceed and where such works relate to the construction of a building the remediation proposals shall be fully implemented prior to first occupation of that building hereby approved.

## ***Transport***

### ***Future Management and Maintenance of Streets***

10. Prior to the commencement of each phase of development, with the exception of below ground works, details of the proposed arrangements for future management and maintenance of the proposed streets under the control of the Applicant within that phase shall be submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details. Where streets are to be adopted, they shall be maintained in accordance with the approved management and maintenance details until such time as such streets are adopted.

### ***Car and Cycle Parking***

11. Prior to first occupation of any building within a phase, with the exception of below ground works, a Car and Cycle Parking Management Plan (CCPMP) for that phase shall be submitted to and approved in writing by, the local planning authority. The approved CCPMP for a phase shall include, but not necessarily be limited to, the following details:

- a) how the car and cycle parking spaces will be allocated for each building including, where relevant, on-street parking;
- b) confirmation that car and cycle parking provision for each building will be made available to occupants and maintained in operational condition for the lifetime of the development;
- c) when the surface level car and cycle parking will be made available for use;
- d) how the safety of users and access to the car and cycle parking areas within each building will be controlled and managed, including after hours use; and
- e) the location and appearance of proposed security measures such as gates/shutters across the vehicle entrance/exit.

The development of each phase shall be carried out in accordance with the CCPMP for that phase and retained thereafter.

## **Landscape**

### *Hard and Soft Landscape*

12. Notwithstanding the approved plans, prior to the commencement of development above ground level for each phase, other than demolition, details of a hard and soft landscaping scheme for that phase shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a) existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports);
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation/planting programme;
- c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.
- d) the planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate.
- e) details of all tree pits, including those in planters, hard paving and soft landscaped areas. All proposed underground services will be coordinated with the proposed tree planting.

All hard and soft landscape works within each phase shall be carried out and maintained in accordance with the approved landscaping details and programme for delivery for that phase. If within a period of ten years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable.

### *Irrigation and Maintenance Scheme*

13. Where the approved plans identify that trees are to be planted on a building plot then such building shall not be occupied until an irrigation and maintenance scheme for those trees has been submitted to and approved in writing by the local planning authority. From occupation of such building the approved irrigation and maintenance scheme shall be implemented and thereafter retained.

## **Sustainability**

### *BREEAM Interim Design Stage Certification*



14. Within six months of commencement of each building (excluding the residential buildings), or as soon as practicable after commencement of that building, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the local planning authority demonstrating that BREEAM 'excellent' as a minimum will be met for that building, with five credits for Wat 01 (water consumption). Where the Design Stage certificate for a building shows a shortfall in credits for BREEAM 'Excellent' accreditation, a statement shall also be submitted identifying how the shortfall for that building will be addressed to secure 'Excellent' accreditation. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

#### *BREEAM Post Construction Certification*

15. Prior to the first use or occupation of each building (excluding the residential buildings) hereby approved, or within six months of first occupation of that building, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the local planning authority, indicating that the approved BREEAM rating has been met for that building. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

#### *Emission Ratings*

16. No gas fired combustion appliances for any building within each phase shall be installed until details demonstrating the use of low Nitrogen Oxide (NO<sub>x</sub>) combustion boilers, (i.e., individual gas fired boilers that meet a dry NO<sub>x</sub> emission rating of ≤40mg/kWh) for that building have been submitted to and approved in writing by the local planning authority.

If the proposals include any gas fired Combined Heat and Power (CHP) System, the details shall demonstrate that the system meets the following emissions standards for various engine types:

- Spark ignition engine: less than or equal to 150 mg NO<sub>x</sub>/Nm<sup>3</sup>
- Compression ignition engine: less than 400 mg NO<sub>x</sub>/Nm<sup>3</sup>
- Gas turbine: less than 50 mg NO<sub>x</sub>/Nm<sup>3</sup>

The details shall include a manufacturers Nitrogen Oxides (NO<sub>x</sub>) emission test certificate or other written evidence to demonstrate that every appliance installed meets the emissions standards above.

The approved appliances for each building shall be fully installed and operational before that building is occupied or the use of that building is commenced and retained as such.

#### **Design**

##### *Materials*

17. Prior to commencement of each phase of development above ground level, except for demolition, details of all the materials for the external surfaces of buildings to be used in the construction of the development for that phase shall be submitted to and approved in writing by the local planning authority. Only materials specified in the approved details shall be used on that phase of development.

## *Sample Panels*

18. Prior to commencement of each phase of development above ground, except for demolition, sample palettes shall be available to view on site of all the external materials to be used on site for buildings within that phase. Sample palettes shall include sample panels of all bricks proposed to be used on site, together with sheeting material to be used for metal cladding and other materials to be used for fenestration. The brick panels shall be representative of the choice of bond, coursing, special brick patterning, mortar mix and pointing techniques. All details shall be submitted to and approved in writing by the local planning authority. The approved sample panels for a phase are to be retained on site for the duration of the work on that phase for comparative purposes. Works on a phase will take place only in accordance with approved details for that phase.

## **Drainage**

### *Surface Water Drainage Design*

19. No development above ground level on a phase shall commence until a detailed design of the surface water drainage for that phase, including a management and maintenance plan of surface water drainage within that phase, has been submitted to and approved in writing by the local planning authority. The design submitted shall distinguish between those parts of the system which are to be adopted by a statutory undertaker and those which are to remain under private ownership. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed:

- Flood Risk Assessment and Drainage Strategy, PJA Civil Engineering Ltd, Ref: 05425-R-03-C-FRA Rev C, Dated: 6 June 2022
- Technical Note, PJA Civil Engineering Ltd, Ref:05425 Version E, Dated: 17 April 2023

and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupiers;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;

- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Permissions/consents to connect to a receiving watercourse or sewer;
- h) CCTV survey and assessment of the downstream network to demonstrate sufficient capacity to receive additional volumes of surface water;
- i) For the first Phase only, an investigation into downstream connectivity of the First Public Drain Overflow, via dye tracing, of the culverted section beneath the railway lines, adjoining the Site should be undertaken. A Summary Report, with accompanying photographs and plans, should be prepared and submitted to the local planning authority and shared with the Lead Local Flood Authority;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

The approved surface water drainage scheme for each phase of development shall be subsequently implemented in full accordance with the approved details prior to the first occupation of any part of the phase of development or in accordance with an implementation programme agreed in writing with the local planning authority and retained thereafter.

#### *Surface Water Drainage (Construction Phase)*

20. Prior to the commencement of each phase of development, details of measures indicating how additional surface water run-off from that phase will be avoided/mitigated during the construction works for that phase shall be submitted to and approved in writing by the local planning authority. The details for a phase shall include collection, balancing and/or settlement systems for these flows as required. The approved measures and systems for that phase or part thereof shall be brought into operation before any works to create buildings or hard surfaces commence on that phase or relevant part thereof.

#### *System Survey & Report*

21. Upon completion of the approved surface water drainage system for each phase, including any attenuation ponds, SuDs and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor for that phase shall be submitted to and approved in writing by the local planning authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the approved details. Where any corrective/remedial works are necessary, details of those works with a timetable for their completion, shall be provided for approval in writing by the local planning authority. Any corrective/remedial works required for a phase shall be carried out in accordance with the approved details and timetable for that phase and subsequently re-surveyed by an appropriately qualified Chartered Surveyor or Chartered Engineer, with their findings submitted to and approved in writing by the local planning authority.

#### *Foul Water*

22. Prior to the commencement of each building within a phase of development above ground level a scheme for the provision and implementation of foul water drainage for that building shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first occupation of each building within a phase or in accordance with an implementation programme agreed in writing with the local planning authority.

## ***Airport safety***

### ***Bird Hazard Management Plan***

23. Prior to commencement of buildings within each phase of development above ground level, other than demolition, a Bird Hazard Management Plan for that phase shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include details of the management of any flat/shallow pitched/green roofs on buildings within that phase which may be attractive to nesting, roosting and loafing birds.

The Bird Hazard Management Plan for a phase shall be implemented as approved and shall be managed in accordance with the Plan for the life of the buildings within that phase.

### ***Glint and glare***

24. Prior to the installation of any PV panels on the roof of any building, a Glint and Glare Assessment for the PV panels on that building shall be submitted to and approved in writing by the local planning authority. No PV panels shall be installed on a building other than in accordance with the approved details for that building.

## ***Environmental Amenity***

### ***Noise (plant/equipment)***

25. Prior to the commencement of each phase of development above ground level, a noise assessment and a scheme for the insulation of the building(s) and/or associated plant / equipment or other attenuation measures for each building, designed to minimise and mitigate the level of noise emanating from the building(s) and/or plant/equipment shall be submitted to and approved in writing by the local planning authority for that phase. The scheme for each building as approved shall be fully implemented before the first occupation of that building and shall thereafter be maintained in strict accordance with the approved details for the life of the development.

### ***Odour – details of extraction***

26. Prior to the first occupation of any building within each phase of development which is to contain a commercial kitchen, a scheme detailing plant, equipment and machinery used for the purposes of extraction, filtration and abatement of cooking odours for that building shall be submitted to and approved in writing by the local planning authority. The approved scheme for a building shall be installed and fully implemented before the first occupation of that building and shall thereafter be maintained in strict accordance with the approved details.

### ***Height Limitations on Buildings and Structures***

27. No building or other structure, whether temporary or permanent shall be permitted to be erected on the site at any time which exceeds 51 metres Above Mean Sea Level (AMSL).

### ***Compliance with Environmental Statement***

28. The development shall be carried out in accordance with the mitigation measures set out in Table 20.1 of the Environmental Statement (dated June 2022) and the following Technical Notes:

a) Technical Note by PJA Civil Engineering Ltd (Ref:05425 Version E dated 17 April 2023)

- b) Technical Note by Temple Group Ltd (Ref:T6118 dated 20 April 2023)
- c) Technical Note ECO00253 CN Phase 2 by RPS Consulting Services Ltd (RPS) dated 5 May 2023

#### *Implementation of the Low Emissions Strategy*

29. The development hereby approved shall be carried out in accordance with the Cambridge North Low Emission Strategy, PJA, August 2022 Version B. Prior to first occupation or use of any building hereby approved, a detailed implementation plan shall be submitted to and approved in writing by the local planning authority for that building. The implementation plan for a building shall show the location of electric vehicle charge points (at least 25% of the new car parking spaces to have electric charging points with passive provision for the remainder), capacity, charge rate, details of model, location of cabling and electric infrastructure drawings to include passive charge point provision for all remaining spaces connected to that building. The electric vehicle charge points for each building shall be installed within that building prior to first use of that buildings in accordance with the approved implementation plan and retained thereafter.

#### *Hours of Works*

30. No construction or demolition work shall be carried out and no plant or power operated machinery shall be operated in connection with the construction of the development other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

#### *Commercial Deliveries*

31. Collection from and deliveries to any non-residential premises including those with retail, food or commercial uses shall only take place between the hours of 07.00 to 23.00 Monday to Saturday and 0900 to 1700 on Sunday, Bank and other Public Holidays.

#### **Conditions applicable to that part of the application that was submitted in full with full details**

##### *Time Limit*

32. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

##### *Approved Plans*

33. The development hereby permitted shall be carried out in accordance with the approved documents, as listed at Schedule 1 of this decision, save for where such details are superseded by further details being submitted to and approved by the local planning authority pursuant to the conditions attached to this permission.

##### *Change of Use Class E*

34. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the buildings S4, S6 and S7 shall only be used for office (Use Class E(g)(i)) and research and development (Use Class E(g)(ii)) uses above ground floor level and for no other use without the granting of a specific planning permission.

### *Change of Use Class E & F*

35. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the ground floor use of buildings S4, S5, S6 and S7 (other than those connected with the operation of the mobility hub) shall only be used for Class E (excluding Class E (g) (iii)) and Class F and for no other use without the granting of a specific planning permission.

### **Conditions applicable to that part of the application which was submitted in outline and without full details**

#### *Outline Permission (Reserved matters)*

36. Prior to the commencement of each phase of development, details of the appearance, layout and scale, (hereinafter called the 'reserved matters') for that phase shall be submitted to and approved in writing by the local planning authority. The development of each phase shall be carried out as approved.

#### *Time Limit*

37. Application(s) for approval of the reserved matters for any phase in outline shall be made to the local planning authority before the expiration of five years from the date of this permission. The development of each outline phase shall commence before the expiration of three years from the date of approval of the last of the reserved matters of that phase to be approved.

38. The development hereby permitted shall be carried out in accordance with the approved documents as listed at Schedule 2 of this decision, save for where such details are superseded by further details being submitted to and approved by the local planning authority pursuant to the conditions attached to this permission.

#### *Quantum of Development (compliance)*

39. The development pursuant to the outline element of this permission of the uses listed below shall not exceed the following development levels:

- a) three residential blocks providing up to 425 residential (Use Class C3) units.
- b) up to 1,366sqm of flexible Class E and Class F floorspace (excluding Class E (g) (iii)) at ground floor level of the residential blocks.
- c) two commercial buildings providing up to 22,538 sqm of Classes E(g) i(offices) and ii (research and development) floorspace (NIA).
- d) up to 1,366 sqm of flexible Class E and Class F floorspace (NIA) (excluding Class E (g),(iii)) at ground floor level of the two commercial buildings.

### ***Residential amenity***

#### *Internal Noise Levels*

40. Each reserved matters application for a phase containing residential development pursuant to this outline permission shall include (for the written approval of the local planning authority) a noise assessment and noise attenuation / insulation scheme for such residential development (having regard to the building's fabric, glazing and mechanical ventilation requirements) identifying measures to protect occupiers of that residential development from

traffic noise emanating from Milton Road, the A14, primary routes through the site, and the Cambridge Guided Busway, which shall be submitted to the local planning authority for approval.

The noise insulation scheme for a reserved matters application shall demonstrate that the external and internal noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded) can be reasonably achieved for the relevant part of the development and shall include a timescale for phased implementation of any recommended mitigation measure contained in the assessment.

The scheme for each part of the residential development within a phase or part thereof as approved shall be fully implemented prior to first occupation of that part of the residential development and shall thereafter be retained in perpetuity.

### *Housing Mix*

41. Applications for reserved matters for a phase of development which contains residential units shall include the following details of housing mix:

- a) A plan showing the location and distribution of market and affordable units (including tenure type)
- b) Internal areas for each unit of accommodation; and
- c) A schedule of dwelling sizes (by number of bedrooms).

### *Residential Space Standards*

42. For each reserved matters application for a phase of development containing residential development pursuant to this outline permission details of the layout of the dwelling(s) as required by condition 36 above, shall demonstrate that all the dwelling(s) meet or exceed the Government's Technical Housing Standards - Nationally Described Space Standard (2015) or successor document.

### *M4(2) Units*

43. At least 5% of all residential units within each reserved matters phase of development shall be designed to meet the accessible and adaptable dwellings M4 (2) standard of the Building Regulations 2010 (as amended) or successor document. A compliance statement shall be submitted with any reserved matters application for layout in relation to any phase of development or part thereof containing residential development pursuant to this outline permission to demonstrate the key principles have been achieved. In the event that such standards are replaced by an alternative national measure for building design applicable at the time of submission of any reserved matters application then the equivalent measures shall be applicable to the relevant part of the proposed development.

### *Lift access*

44. Within any reserved matters application for a phase of development containing residential development pursuant to this outline permission details of any lifts proposed within the proposed residential building(s) shall be provided. The lifts shall be retained and maintained in a safe and operational condition for the lifetime of the building(s) which they serve.

## **Sustainability**

### ***Sustainability and Energy Statements***

45. Each reserved matters application for a phase of development pursuant to this outline permission shall be accompanied by a Sustainability Statement setting out how the proposals meet the sustainability targets and commitments set out in the Cambridge North Sustainability Strategy, Hoare Lea, Revision 03 26 May 2022 as updated by (i) the Addendum to the Sustainability Strategy, Hoare Lea, Revision 1, 23 August 2022; (ii) the Cambridge North Energy Strategy, Hoare Lea, Issue 01 27 May 2022; and (iii) the Energy Strategy Addendum, Hilson Moran, 20 September 2022. Where the statement relates to part of the residential development, the statement shall also include details for the development of separate energy consumption targets for that part of the residential development within the phase of development.

The Sustainability Statement shall be subsequently implemented in full accordance with the approved details and maintained thereafter.

### ***Water Conservation***

46. Each reserved matters application for a phase of development pursuant to this outline permission which include a residential component shall be accompanied by a Water Conservation Strategy for the written approval of the local planning authority. The strategy shall include a water efficiency specification for each dwelling type, based on the Fitting Approach set out in Part G of the Building Regulations 2010 (2015 edition or any future successor) demonstrating that all dwellings (when considered as a whole) are able to achieve a typical design standard of water use of no more than 89 litres/person/day, as far as reasonably practicable. The approved strategy for a residential dwelling shall be subsequently implemented in full accordance with the approved details prior to first occupation of that residential dwelling and thereafter shall be retained.

Broadband provision (compliance)

47. No dwelling shall be first occupied until the necessary infrastructure to enable that dwelling to directly connect to and receive fibre optic broadband is installed and is capable of being fully operative.

### ***Change of Use Class E & F (compliance)***

48. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the ground floor use of the commercial and residential buildings shall only be used for uses within Class C3, Class E (excluding Class E (g) (iii)) and/or Class F and for no other use. The exception to this is the community room to be provided in Building S13-S16 which shall be used for uses within Use Class F2(b) only and for no other for no other use.



## SCHEDULE 1 – APPROVED PLANS FOR THE FULL APPLICATION

DRAWING REFERENCE	TITLE	DATE
<b>Site-Wide - General</b>		
239-ACME-PLA-S00-0010	Location Plan	June 2022
239-ACME-PLA-S00-0011	Site Plan	June 2022
<b>Site-Wide Landscape Plans - Detail</b>		
630_01(MP)001 P5	Landscape Masterplan	April 2023
630_01(MP)002 P3	Ecology Strategy Ground Floor	April 2023
630_01(MP)003 P1	Ecology Strategy Roof	June 2022
630_01(MP)004 P3	Public Open Space Provision	April 2023
630_01(MP)005 P2	Hard Landscape Strategy (West)	October 2022
630_01(MP)006 P2	Hard Landscape Strategy (East)	October 2022
630_01(MP)007 P2	Hard Landscape Strategy (Wild Park)	October 2022
630_01(MP)008 P2	Tree Strategy	October 2022
630_01(MP)009 P1	Planting Strategy (West)	June 2022
630_01(MP)010 P1	Planting Strategy (East)	June 2022
630_01(MP)011 P1	Levels and Drainage (West)	June 2022
630_01(MP)012 P1	Levels and Drainage (East)	June 2022
630_01(MP)013 P1	Levels and Drainage (Wild Park)	June 2022
630_01(MP)014 P3	Attenuation Strategy	April 2023
630_01(MP)015 P1	Furniture Strategy (West)	June 2022
630_01(MP)016 P1	Furniture Strategy (East)	June 2022
630_01(MP)017 P1	Furniture Strategy (Wild Park)	June 2022
630_01(MP)019 P1	Roof Strategy	June 2022
630_01(MP)020 P3	Tree Root Cell Extents	April 2023
630_01(MP)021 P2	Wild Park and Aggregates Yard Interface	October 2022
630_01(MP)022 P1	Cycle Strategy (West)	October 2022
630_01(MP)023 P1	Cycle Strategy (East)	October 2022
630_01(MP)024 P1	Proximity to Mineral Safeguarded areas	October 2022
630_01(MP)101 P1	Milton Avenue 1 of 2	June 2022
630_01(MP)102 P1	Milton Avenue 2 of 2	June 2022
630_01(MP)103 P2	Chesterton Way 1 of 3	October 2022
630_01(MP)104 P2	Chesterton Way 2 of 3	October 2022
630_01(MP)105 P2	Chesterton Way 3 of 3	October 2022
630_01(MP)106 P2	Cowley Road North	October 2022
630_01(MP)107 P2	Cowley Road East	October 2022
630_01(MP)108 P1	The Link	June 2022
630_01(MP)109 P2	Bramblefields Way	October 2022
630_01(MP)201 P2	1 Milton Avenue and Milton Walk	October 2022
630_01(MP)202 P2	Chesterton Square	October 2022
630_01(MP)203 P2	Station Row	October 2022
630_01(MP)204 P1	Station Row Features	June 2022
630_01(MP)205 P2	Piazza	October 2022
630_01(MP)206 P1	Station Row Passage	June 2022
630_01(MP)207 P1	Chesterton Passage	June 2022
630_01(MP)208 P1	Cowley Circus	June 2022
630_01(MP)209 P3	Wild Park	April 2023
630_01(MP)210 P2	Typical Meanwhile Use for Pocket Park	October 2022
630_01(MP)212 P1	Roof Garden – Labs	June 2022

630_01(MP)213 P1	Roof Garden – 1 Milton Avenue	June 2022
630_01(MP)301 P1	Residential Masterplan	June 2022
630_01(MP)304 P1	Play Areas – LEAP and LAP	June 2022
630_01(MP)305 P1	Play Areas – Natural Play	June 2022
630_01(MP)306 P1	Play Areas – Wild Park	June 2022
630_01(MP)307 P1	Residential Roof Garden Masterplan	June 2022
630_01(MP)308 P1	Roof Garden Features	June 2022
630_01(CD)001 P1	Typical Tree pit in hard landscaping	June 2022
630_01(CD)002 P1	Typical Tree pit in soft landscaping	June 2022
630_01(CD)003 P1	Typical Tree pit in raised planter over basement	June 2022

**Site-Wide Highways  
Plans - Detail**

05425-C-2203-P2	Fire Tender Tracking (Sheet 1 of 2)	October 2022
05425-C-2204-P2	Fire Tender Tracking (Sheet 2 of 2)	October 2022
05425-C-2205-P1	Lab Servicing Access Swept Path Analysis Refuse Vehicle	June 2022
05425-C-2206-P2	Rigid Truck Tracking	October 2022
05425-C-2207-P1	Refuse Vehicle Tracking (Plan)	June 2022
05425-C-2208-P0	Whole Site Refuse Vehicle Tracking	October 2022

**Building S04**

1781-MAKE-S04-PA1999 Rev 01	S4 Basement Plan	October 2022
1781-MAKE-S04-PA2000 Rev 01	S4 Ground Floor Plan	October 2022
1781-MAKE-S04-PA2001 Rev 01	S4 Level 01 Plan	October 2022
1781-MAKE-S04-PA2002 Rev 01	S4 Levels 02-04 Typical Plan	October 2022
1781-MAKE-S04-PA2005 Rev 01	S4 Level 05 Plan	October 2022
1781-MAKE-S04-PA2006 Rev 01	S4 Level 06 Plan	October 2022
1781-MAKE-S04-PA2007 Rev 01	S4 Level 07 Plan: Plant	October 2022
1781-MAKE-S04-PA2008 Rev 01)	S4 Roof Plan	October 2022
1781-MAKE-S04-PA2200	S4 Proposed East Elevation	June 2022
1781-MAKE-S04-PA2201	S4 Proposed South-East Elevation	June 2022
1781-MAKE-S04-PA2202	S4 Proposed South-West Elevation	June 2022
1781-MAKE-S04-PA2203	S4 Proposed North-West Elevation	June 2022
1781-MAKE-S04-PA2250 Rev 01	S4 Proposed Section AA and Section BB (Short and Long Section)	October 2022

**Building S05**

239-ACME-PLA-S05-0100	S5 Location Plan	June 2022
239-ACME-PLA-S05-1100	S5 Ground Floor Plan	June 2022
239-ACME-PLA-S05-1101	S5 First Floor Plan	June 2022

239-ACME-PLA-S05-1102	S5 Second Floor Plan	June 2022
239-ACME-PLA-S05-1103	S5 Third Floor Plan	June 2022
239-ACME-PLA-S05-1104	S5 Fourth Floor Plan	June 2022
239-ACME-PLA-S05-1105	S5 Roof Plan	June 2022
239-ACME-PLA-S05-1110	S5 Basement Plan Acme	June 2022
239-ACME-PLA-S05-1200	S5 Mobility Hub Section	June 2022
239-ACME-PLA-S05-1300	Western And Eastern Elevations	June 2022
239-ACME-PLA-S05-1301	Northern And Southern Elevations	June 2022
<b>Building S06 and S07</b>		
1818-MAKE-S06-PA1949 Rev 01	S6 and S7 Combined Basement Plan	October 2022
1818-MAKE-S06-PA1950 Rev 02	S6 and S7 Combined Ground Floor Plan	October 2022
1818-MAKE-S06-PA1999 Rev 01	S6 Basement Plan	October 2022
1818-MAKE-S06-PA2000 Rev 02	S6 Ground Floor Plan	October 2022
1818-MAKE-S06-PA2001	S6 Levels 01-02 Typical Plan	June 2022
1818-MAKE-S06-PA2003	S6 Level 03 Plan	June 2022
1818-MAKE-S06-PA2004	S6 Level 04 Plan: Plant	June 2022
1818-MAKE-S06-PA2005	S6 Roof Plan	June 2022
1818-MAKE-S07-PA1999 Rev 01	S7 Basement Plan	October 2022
1818-MAKE-S07-PA2000 Rev 02	S7 Ground Floor Plan	October 2022
1818-MAKE-S07-PA2001	S7 Levels 01-02 Typical Plan	June 2022
1818-MAKE-S07-PA2003	S7 Level 03 Plan	June 2022
818-MAKE-S07-PA2004	S7 Level 04 Plan: Plant	June 2022
818-MAKE-S07-PA2005	S7 Roof Plan	June 2022
1818-MAKE-S06-PA2150 Rev 01	S6 and S7 Combined North-West Elevation	October 2022
1818-MAKE-S06-PA2151 Rev 01	S6 and S7 Combined South-East Elevation	October 2022
1818-MAKE-S06-PA2200 Rev 01	S6 Proposed North-West Elevation	October 2022
1818-MAKE-S06-PA2201	S6 Proposed North-East Elevation	June 2022
1818-MAKE-S06-PA2202 Rev 01	S6 Proposed South-East Elevation	October 2022

1818-MAKE-S06-PA2203	S6 Proposed South-West Elevation	June 2022
1818-MAKE-S06-PA2240	S6 and S7 Proposed Combined Section AA (Long Section)	June 2022
1818-MAKE-S06-PA2250	S6 Proposed Section BB and Section CC (Short and Long Section)	June 2022
1818-MAKE-S07-PA2200 Rev 01	S7 Proposed North-West Elevation	October 2022
1818-MAKE-S07-PA2201 Rev 01	S7 Proposed North-East Elevation	October 2022
1818-MAKE-S07-PA2202 Rev 01	S7 Proposed South-East Elevation	October 2022
1818-MAKE-S07-PA2203	S7 Proposed South-West Elevation	June 2022

## SCHEDULE 2 – APPROVED PLANS FOR THE OUTLINE APPLICATION

Drawing reference	title	Date
239-ACME-PLA-S01-0101 Rev A	Existing Site Conditions	October 2022
239-ACME-PLA-S01-0102 Rev A	Building Layout and Application Type	October 2022
239-ACME-PLA-S01-0103 Rev A	Maximum Building Envelope – Basement	October 2022
239-ACME-PLA-S01-0104 Rev A	Maximum Building Envelope – Ground Floor Level	October 2022
239-ACME-PLA-S01-0105 Rev A	Maximum Building Envelope – Typical Level	October 2022
239-ACME-PLA-S01-0106 Rev A	Building Heights Plan	October 2022
239-ACME-PLA-S01-0107 Rev A	Proposed Uses – Ground Floor	October 2022
239-ACME-PLA-S01-0108 Rev A	Access Plan	October 2022
239-ACME-PLA-S01-0109 Rev A	Landscape and Open Spaces Plan	October 2022
239-ACME-PLA-S01-0300	Parameter Plans Area Schedule	June 2022



The Planning Inspectorate

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# Report to the Secretary of State

by Lesley Coffey BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Date 25 January 2024

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**TOWN & COUNTRY PLANNING ACT 1990**

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**APPEAL BY**

**BROOKGATE LAND LIMITED ON BEHALF OF THE CHESTERTON  
PARTNERSHIP**

**PROPOSED DEVELOPMENT AT LAND TO THE NORTH OF CAMBRIDGE  
NORTH STATION, CAMBRIDGE**

Inquiry Opened on 6 June 2023

File Ref: APP/W0530/W/23/3315611

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<https://www.gov.uk/planning-inspectorate>

**ABBREVIATIONS**

AAP	Area Action Plan
AQMA	Air Quality Management Area
BNG	Biodiversity Net Gain
BtR	Build to Rent
CCC	Cambridge County Council
CCPMP	Car and Cycle Parking Management Plan
CGB	Cambridge Guided Busway
CMC	Case Management Conference
CEMP	Construction and Environmental Management Plan
CSP	Cambridge Science Park
CW	Cambridge Water
CWWTP	Cambridge Waste Water Treatment Plant
DAS	Design and Access Statement
DCEMP	Demolition and Construction Environmental Management Plan
DCO	Development Consent Order
EA	Environment Agency
EFI	Environmental Flow Indicators
ELEDS	Employment Land and Economic Development Study 2020
FDCA	Fen Ditton Conservation Area
GW	Groundwater
GWTE	Groundwater Dependant Terrestrial Habitats
HIA	North East Cambridgeshire Heritage Impact Assessment
IDP	Infrastructure Delivery Plan
LCA	Landscape Character Area
LCVIA	NEC Landscape Character and Visual Impact Appraisal
LVIA	Landscape and Visual Impact Appraisal
NE	Natural England
NECAAP	North East Cambridge Area Action Plan
NIA	Net Internal Area
NPPF	National Planning Policy Framework
OFWAT	Water Services Authority,
PPG	Planning Practice Guidance
RBMP	River Basin Management Plan
RSA	Restoring sustainable extraction
RSCCA	Riverside and Stourbridge Conservation Area

SCDC	South Cambridgeshire District Council
SCLP	South Cambridgeshire Local Plan
SEA	Strategic Environmental Assessment
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Urban Drainage System
SWB	Surface Water Body
TA	Transport Assessment
TEP Report	North East Landscape Character and Visual Impact Appraisal – Development Scenarios
TP	Travel Plan
WFD	Water Framework Directive
WINEP	Water Industry National Environment Programme
WRE	Water Resources East
WISER	Water Industry Strategic Environmental Requirements
WMS	Written Ministerial Statement
WRMP	Water Resources Management Plan

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**File Ref: APP/W0530/W/23/3315611**

**LAND TO THE NORTH OF CAMBRIDGE NORTH STATION, CAMBRIDGE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Brookgate Land Limited on behalf of the Chesterton Partnership against South Cambridgeshire District Council.
- The application Ref 22/02771/OUT is dated 14 June 2023.
- The development proposed is a hybrid application for:
  - a) An outline application (all matters reserved apart from access and landscaping) for the construction of three new residential blocks providing up to 425 residential units and providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)); and two commercial buildings for Use Classes E(g) i (offices), ii (research and development) providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), together with the construction of basements for parking and building services, car and cycle parking and infrastructure works and demolition of existing structures.
  - b) A full application for the construction of three commercial buildings for Use Classes E(g) i (offices) ii (research and development), providing flexible Class E and Class F uses on the ground floor (excluding Class E (g) (iii)), with associated car and cycle parking, a multi storey car and cycle park, together with the construction of basements for parking and building services, car and cycle parking and associated landscaping, infrastructure works and demolition of existing structures.

**Summary of Recommendation: The appeal be allowed, and planning permission granted subject to conditions.**

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**1 Introduction and Procedural Matters**

- 1.1 The parties agreed a minor amendment to the description to better reflect the scale of the residential development proposed. The revised description is set out in the Statement of Common Ground (SoCG) dated 23 May 2023.<sup>1</sup> I find that the amended description more accurately reflects the nature of the proposed development and have used it above.
- 1.2 The Inquiry opened on 6 June 2023 and sat for 12 days. It was adjourned on 23 June 2023 in order to allow for additional modelling to be completed in relation to water neutrality issues and provide the parties with the opportunity to comment on the modelling. I carried out an accompanied site visit on 8 June 2023. I also carried out an unaccompanied site visit on 27 September.
- 1.3 The appeal was recovered by the Secretary of State on 24 March 2023 in exercise of his powers under section 79 and paragraph 3 of Schedule 6 of the Town and Country Planning Act 1990. The reason for this direction was that the appeal involved proposals for residential development of over 150 units or on a site of over 5 hectares, which would significantly impact on the Government's

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<sup>1</sup> CD 6.11

objective to secure a better balance between housing demand and supply, as well as create high quality, sustainable, mixed and inclusive communities.

- 1.4 The application is a hybrid application. The outline application is for all matters to be reserved apart from access and landscaping. It comprises a Residential Quarter, which is proposed to accommodate up to 425 homes, and the Triangle Site, which is proposed to accommodate two commercial buildings with amenity provision at ground floor level.
- 1.5 The full planning application is for One Milton Avenue (building S04), a Mobility Hub (building S05) and One and Three Station Row (buildings S06 and S07). One Milton Avenue is a proposed office building with space for retail use at ground floor. The Mobility Hub would accommodate 725 car parking spaces. One and Three Station Row are laboratory buildings.
- 1.6 Cambridge Past Present and Future appeared as a Rule 6(6) party.
- 1.7 I held a Case Management Conference (CMC) on 11 April 2023. The procedure for the Inquiry and the timetable for the submission of documents were discussed at the meeting. The likely main issues and the Inquiry programme were also discussed.
- 1.8 Prior to the Inquiry I sought further comments from Natural England (NE) by letter dated 1 June 2023 in relation to water neutrality matters and other matters raised in its representations. A response to this note was received by the Inquiry on 16 June 2023.<sup>2</sup>
- 1.9 The Inquiry was adjourned on 23 June 2023 in order to allow for further work to be completed in relation to water neutrality. This information was received on 6 October 2023,<sup>3</sup> and the parties subsequently commented on it.<sup>4</sup> The Inquiry was closed in writing on 19 October 2023.
- 1.10 The Secretary of State published a revised National Planning Policy Framework and issued a Written Ministerial Statement on 19 December 2023. The parties were invited to comment on both. I have taken these comments, as well as the revised Framework and the Written Ministerial Statement into account in reaching my conclusions.

### *Planning Obligations*

- 1.11 A draft agreement under Section 106 of the Town and Country Planning Act 1990 was submitted to the Inquiry. This was discussed at a roundtable session and a number of changes were agreed between the parties. An executed copy dated 13 July 2023 was submitted during the adjournment. The planning agreement addressed the provision of affordable housing, the Build to Rent accommodation, a range of contributions and community uses required by the District Council, the provision of Biodiversity Net Gain and open space, the provision of public art, the adoption of the guided busway, financial

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<sup>2</sup> ID 1.10

<sup>3</sup> ID 1.33

<sup>4</sup> ID 1.34, ID 1.35

contributions to the County Council, education contributions, highway contributions and works, and covenants by the Council and County Council. I return to this matter at Section 11.

*Putative Reasons for Refusal*

1.12 The appeal is against the Council's failure to determine the application within the prescribed period. The Councils' Joint Development Control Committee on 22 March 2023 unanimously endorsed the 'minded to' refuse recommendation for the eight reasons included in the Officer's Report.<sup>5</sup>

1.13 In summary the reasons for refusal were:

1. The proposed development would not result in high quality development that delivers a well-designed place contributing positively to its surroundings. It would harm the surrounding landscape and Green Belt, particularly to the eastern edge of the site, and the adjacent urban areas and its relationship with the wider North East Cambridge Area, the City skyline and the landscape beyond. It would also have an overbearing presence on the existing development to the east of the development on Fen Road and to the west of the development, particularly on Discovery Way.

2. The effect on heritage assets, in particular the Fen Ditton and the Riverside and Stourbridge Common Conservation Areas, due to the height and massing, and siting of the buildings along the eastern edge.

3. The proposal fails to provide high quality public open space or a public realm which would result in a well-designed coherent sense of place that contributes to local distinctiveness. The proposal also fails to provide sufficient, convenient formal children's play space for residents. The shape and form of buildings within the outline application would result in potential incompatible building designs fronting streets and open spaces. Building S04 (One Milton Avenue) is overly large and bulky for its location.

The proposed development through its over reliance on two tier cycle parking, together with the poor relationship of some cycle access points in relation to cycle way, fails to provide convenient and accessible provision for cycle parking and does not sufficiently promote active travel.

4. The application does not explain how the requirements of the development plan for comprehensive development of the area would be achieved in the absence of a comprehensive and appropriate S106 agreement.

5. The absence of planning obligations to mitigate the requirement for community infrastructure.

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<sup>5</sup> CD 4.00 & CD 4.01 section 26

6. Insufficient information regarding climate change allowances used and to confirm that the proposed SuDS system has been designed to accommodate the lifetime of the development.

7. Insufficient information to adequately assess the ecological impact of the proposals, particularly in relation to bats.

8. Insufficient information within the noise report to demonstrate that the interaction between the proposed commercial use and the Aggregates Railhead (a Transport Infrastructure Area) would not prejudice the existing or future uses of the Transport Infrastructure Area.

1.14 Prior to the opening of the Inquiry the Council confirmed that there was sufficient technical information to address reasons for refusal 6, 7 and 8. In addition, the appellant and the County Council agreed a package of measures, including strategic highway contributions, which were agreed would address the fourth reason for refusal. Having reviewed the submitted evidence, I share this view, and have considered the appeal accordingly. Should the SoS wish to review the evidence in relation to these matters it can be found within the appendices to the updated Statement of Common Ground (Appendix 1 Flood Risk; Appendix 2 Safeguarded sites; Appendices 3 Technical Note in relation to biodiversity & 4).<sup>6</sup>

1.15 In addition to the putative reasons for refusal, the Environment Agency (EA) raised concerns regarding the effect of the proposal on water neutrality.<sup>7</sup>

1.16 The Government published an updated National Planning Policy Framework on 5 September 2023. The parties were not invited to comment on this since the substantive changes related to onshore windfarms and therefore were not relevant to the proposals.

1.17 The application was accompanied by an Environmental Statement (ES) prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.<sup>8</sup> In response to consultee and neighbour comments on the application, a suite of new and amended plans and documents was submitted.<sup>9</sup> The relevant updates to the ES in relation to this additional information are set out in an additional note.<sup>10</sup> I am satisfied that the ES was produced in accordance with the 2017 EIA Regulations, and the information produced has been taken into account in preparing this Report. All other environmental information submitted in connection with the appeal, including that arising from questioning at the Inquiry has also been taken into account.

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<sup>6</sup> CD 6.11

<sup>7</sup> CD 13.00 – 13.08

<sup>8</sup> CD 1.17 – 1.58

<sup>9</sup> CD.2.00 – 2.91

<sup>10</sup> CD.2.00

## 2 The Appeal Site and Its Context<sup>11</sup>

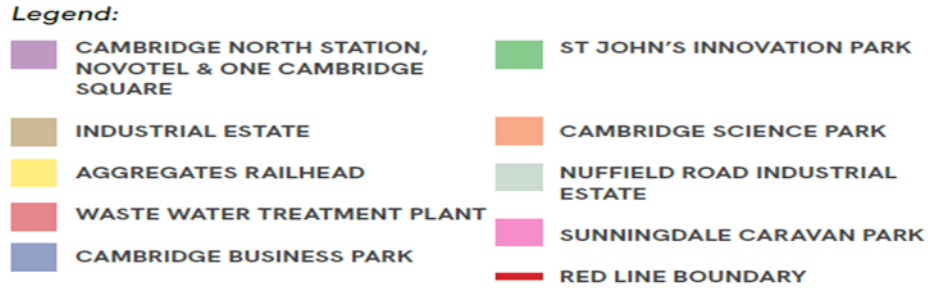
- 2.1 The Site is located on the north-east edge of Cambridge within South Cambridgeshire District and immediately adjoins the administrative boundary of Cambridge City Council to the south-west. It is approximately 3km from the city centre. The Site benefits from access to a range of public transport services which connect the Site with Cambridge City Centre, local regional destinations and national destinations via the rail and bus network.
- 2.2 The Site extends to approximately 9.9 hectares (ha) and includes the existing surface level Cambridge North railway station car park, areas of hardstanding and areas of scrubland.
- 2.3 The Site is bound to the north by the remainder of the former Chesterton Sidings site, to the east by the railway line, to the south by the recently constructed 'One Cambridge Square' office building and 'Two Cambridge Square' Novotel hotel building. The Cambridge Guided Busway (CGB) and Cambridge Business Park lie to the west and north-west. Cambridge North railway station, which opened in 2017, is located adjacent to the Novotel.

### **Site Context**



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<sup>11</sup> A full description of the Site and its context is set out within the application documentation and officer report to the 22 March 2023 meeting of the Councils' Joint Development Control Committee, at paragraphs 2.1 to 2.7.



- 2.4 The existing vehicular access to the Site is from Cowley Road which links Milton Road to Cambridge North station. A shared footway/cycleway is segregated from the carriageway by an area of vegetation and the First Public Drain, an ordinary watercourse located to the north west of the Site. Within the Site, Milton Avenue has footways on both sides of the road and a segregated cycleway.
- 2.5 There is also pedestrian and cycle access to the Site from the CGB and from Moss Bank to the south.
- 2.6 The land between the railway lines and the River Cam is occupied by a low-rise development of caravan parks within the Green Belt and industrial units accessed from Fen Road. To the west of the Site is the Bramblefields Local Nature Reserve and residential development at Discovery Way.
- 2.7 The Cambridge Green Belt is separated from the Site by the railway line. Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area are the closest heritage assets to the Site, with parts of their boundaries lying approximately 500m from the Site. Baits Bite Lock Conservation Area is located approximately 900m from the Site, with the Anglesey Abbey Registered Park and Garden approximately 5 kilometres away.
- 2.8 The application Site comes within the North East Cambridge Area Action Plan. (NECAAP). The first phase of development has taken place with the completion of the Cambridge North Rail station and Hotel. One Cambridge Square, the first office building of this initial phase is currently under construction.
- 2.9 Cambridge Waste Water Treatment Plant (CWWTP) and the aggregates railhead lie to the north. A Development Consent Order application (DCO) for the relocation of the CWWTP was accepted for examination in May 2023. The examination is due to close in April 2024. The site is in close proximity to further industrial and commercial uses, including the Cambridge Business Park and the Cambridge Science Park.

### **3 The Proposals**

- 3.1 The proposals are intended to form the next phase of the Cambridge North redevelopment.

### *Outline Proposals*

- 3.2 The outline application is for all matters to be reserved apart from access and landscaping. Parameter plans submitted with the application detail the proposed land uses, building heights, access and movement and open space and landscaping. The supporting Design and Access Statement (DAS) includes illustrative material which demonstrates how the proposal could be delivered within the proposed parameters. Drawings for the detailed matters, landscape and access, were submitted.
- 3.3 This proposal includes the Residential Quarter (S11-S12, S13-S16, S17-S21), which is proposed to accommodate up to 425 homes within three perimeter blocks. Unit sizes range from 1 bedroom to 3 bedroom homes. 155 of the homes would be open market and affordable units (within Block S13-S16). The remaining 270 homes would be Build to Rent units (BtR). Block S17-S21 and Block S11 – S12 are proposed to accommodate a number of amenities located at ground floor level, including a community room and cycle storage.
- 3.4 The Triangle Site is proposed to accommodate two commercial buildings (Use Class E (g) (i) /(ii)), referred to as One Chesterton Square (S09) and Two Milton Avenue (S08). Both buildings are proposed to accommodate office space, retail uses at food and beverage uses at ground floor level and a basement level to accommodate car parking, cycle parking, shower facilities and associated changing rooms and drying rooms, plant and storage.
- 3.5 The Building Height Parameter Plan identifies the maximum building heights permitted across the Site. Heights would range between 4 and 8 storeys (14m to 30m including plant). Lower heights are proposed to be located on the eastern edge of the Site along the railway edge and on the western edge of the Site with the tallest buildings to be located along Milton Avenue.
- 3.6 The Access Parameter Plan identifies the indicative alignments of the roads within the Site, together with the preferred alignment of the proposed cycle and pedestrian network. Means of access and detailed junction design are proposed as part of this application, including the Proposed Cowley Road/Milton Avenue Junction 'Cowley Circus' and the proposed Milton Avenue/The Link/Cowley Road East Junction.
- 3.7 The primary road of the Site would be the existing Cowley Road/Milton Avenue. The footway/cycleway on the western side are proposed to be switched from the current situation so that the cycleway is located closest to the carriageway to tie into the masterplan proposals. Additionally, space within the verges would be provided to accommodate disabled parking and loading bays.
- 3.8 Secondary roads would comprise a road from Cowley Road to the Cambridge North railway station car park (referred to in the masterplan as 'Cowley Road north'), a road along the eastern edge of the Site (referred to in the masterplan as 'Cowley Road east') and the existing link road from Cowley Road to the CGB (referred to in the masterplan as 'The Link'). The proposed tertiary streets are more compact in nature and enclose the Residential Quarter, with the existing CGB (referred to in the masterplan as 'Chesterton Way') forming the western edge of the site and a new street referred to in the masterplan as 'Bramblefields Way' forming the northern edge.



3.9 Details of landscaping is proposed as part of the application. The Landscape Masterplan demonstrates the location, quantum and function of green spaces within the Site. The phased construction of the development provides opportunities for 'meanwhile' uses to provide temporary on-site activities during construction, including public open space, growing areas, art and allotments or such other temporary uses as may be agreed in accordance with the Meanwhile Uses Strategy. The Meanwhile Uses Strategy is secured by way of a planning obligation.

3.10 The proposed, permanent open spaces include:



- Chesterton Gardens – a central park within the Residential Quarter which comprises extensive tree planting, lawn mounds, sinuous paths, planting, play areas, pergolas and seating areas;
- Chesterton Square – a public square within the commercial quarter which comprises trees, water feature jets and ‘sky mirror’, raised beds, planting, seating, and a ‘follow me’ paving band;
- Station Row – a linear swale with ecologically diverse plantings, seating-steps and causeway crossings;
- Piazza – a pocket park at the termination of Station Row, with a wide path to One Milton Avenue and the Residential Quarter;
- Milton Way – a pocket park and passageway for cyclists, with spill-out space for office workers and residents. Raised planters would sit over basements, with integrated seating;
- Courtyards - overlooking a tree belt, to include seating and tree planting; and
- Wild Park – areas of retained open mosaic habitat and new open mosaic restoration, a balancing pond, a circular recreational walk and areas of natural play.

### *Full Proposals*

- 3.11 The hybrid application includes a full application for One Milton Avenue (building S04), the Mobility Hub (building S05) and One and Three Station Row (buildings S06 and S07).
- 3.12 One Milton Avenue is a proposed office building. The building includes space for retail use at ground floor level, accessed via Milton Avenue. The building varies in height to a maximum of 7 storeys plus plant (30.83m). The building steps back to the north and west from level 5 upwards, offering amenity space to the building users. Buff stock brick is proposed with two tones of metallic panels. The lighter bronze finish is proposed to provide a contrast between the brick and the glazed areas, whilst the darker bronze finish is intended to highlight key architectural features.
- 3.13 The Mobility Hub is proposed to accommodate 725 car parking spaces across 5 levels. It would be between 14.15m and 15.81m in height, with the covered stairways on the northern and southern ends being 18.31m high. 622 of these spaces would be provided for rail users, re-providing the existing 428 surface car parking spaces, and accommodating a further 194 spaces for potential rail-related use should further growth in passenger demand occur in the future. The remaining 103 spaces would be provided at basement level of the mobility hub for the use of the commercial development.
- 3.14 The proposals seek to retain the flexibility to provide further parking for Network Rail. However, the time period over which passenger demand might grow, and hence trigger the potential need for additional spaces, is still uncertain.
- 3.15 The Mobility Hub also provides three flexible Class E use units at ground floor level on the western frontage of the building, facing onto Station Row. Vehicular access to the Mobility Hub would be via the new ‘Cowley Road east’ which would run along the eastern boundary of the Site. The Mobility Hub would feature folded metal panels on the western façade and perforated metal panels on the

eastern façade. The western façade includes a feature stair at the southwestern corner to signal the gateway leading towards the rest of the development. This elevation forms one of the main pedestrian flows from the station.

- 3.16 One and Three Station Row are laboratory buildings. They are 4 storeys in height, plus plant (up to 22.1m high). The building blocks step back to the east and west at level three, to provide amenity space for the building users. Flexible retail and other complementary ground floor uses are proposed at ground floor level. The retail uses seek to ensure an activated frontage to Station Row Passage. The side passages contain areas of public realm and visitor cycle parking. The design development of the façades revolves around the introduction of two grids. These articulate the alternating fingers, provide legible ground floor entrances, and define the recessed terraces.

## **4 Policy Context**

### *The National Planning Policy Framework (The NPPF)*

- 4.1 The NPPF is a material consideration in respect of this appeal. It confirms the presumption in favour of sustainable development. Sustainable development has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways.
- 4.2 The NPPF includes a number of policies relevant to the proposed development. These are discussed in more detail within my conclusions but include:
- Building a strong and competitive economy to help create the conditions in which businesses can invest, expand and adapt. The NPPF states that 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.
  - Recognising the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative, or high technology industries.
  - Promoting sustainable transport including walking, cycling and public transport
  - Focusing significant development on locations which are, or can be made, sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
  - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
  - Making 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.
  - The creation of high quality, beautiful and sustainable buildings and places that will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

## ***The Development Plan***

- 4.3 The development plan includes the South Cambridgeshire Local Plan (2018) (SCLP) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).<sup>12</sup>

### *The South Cambridgeshire Local Plan*

- 4.4 The Site forms part of the Major Development Site allocated under Policy SS/4 of the SCLP for the creation of a revitalised, employment focused area centred on a new transport interchange. It is intended to deliver high-quality mixed-use development, primarily for employment use, as well as a range of supporting uses, including commercial, retail, leisure and residential uses. The policy states that the amount of development, site capacity, viability time scales and phasing of development will be established through the preparation of an Area Action Plan (the NECAAP) to be developed jointly between South Cambridgeshire District Council and Cambridge City Council, and other stakeholders in the area. The majority of the NECAAP area is within Cambridge City Local Plan area, with Chesterton Sidings and part of the St John's Innovation Park within South Cambridgeshire.
- 4.5 Amongst other matters Policy SS/4 states that the development should not compromise opportunities for the redevelopment of the wider area. There is a similar policy (Policy 15) within the Cambridge Local Plan.<sup>13</sup>
- 4.6 Other relevant policies include:
- S/2: Objectives of the Local Plan
  - S/3: Presumption in Favour of Sustainable Development
  - S/5: Provision of New Jobs and Homes
  - S/6: The Development Strategy to 2031
  - SS/4: Cambridge Northern Fringe East and Cambridge North railway station
  - CC/1: Mitigation and Adaption to Climate Change
  - CC/3: Renewable and Low Carbon Energy in New Developments
  - CC/4: Water Efficiency
  - CC/6: Construction Methods
  - CC/7: Water Quality
  - CC/8: Sustainable Drainage Systems;
  - CC/9: Managing Flood Risk
  - HQ/1: Design Principles
  - HQ/2: Public Art and New Development
  - NH/2: Protecting and enhancing Landscape Character
  - NH/4: Biodiversity
  - NH/6: Green Infrastructure
  - NH/8: Mitigating the Impact of Development in and Adjoining the Green Belt
  - NH/14: Heritage Assets
  - H/8: Housing Density

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<sup>12</sup> CD 5.00 & CD 5.02

<sup>13</sup> CD.5.18

- H/9: Housing Mix
- H/10: Affordable Housing
- H/12: Residential Space Standards
- E/9: Promotion of Clusters
- E/10: Shared Social Spaces in Employment Areas
- E/22: Applications for New Retail Development
- SC/2: Health Impact Assessment
- SC/4: Meeting Community Needs
- SC/6: Indoor Community Facilities
- SC/7: Outdoor Play Space, Informal Open Space and New Development
- SC/9: Lighting Proposals
- SC/10: Noise Pollution
- SC/11: Contaminated Land
- SC/12: Air Pollution
- SC/14: Odour and Other Fugitive Emissions to Air
- TI/2: Planning for Sustainable Travel
- TI/3: Parking Provision
- TI/8: Infrastructure and New Developments
- TI/10: Broadband

4.7 The Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) identify the site as being within the Consultation Area for the Cambridge Northern Fringe Aggregates Railheads (Transport Infrastructure Area), the Cowley Road Waste Management Area (WMA), also known as the Cambridge Waste Transfer Station and the Cambridge Water Recycling Area (WRA). It is also a Sand and Gravel Mineral Safeguarding Area.

*Emerging North East Cambridge Area Action Plan (NECAAP)*

4.8 The Site falls within the boundary of the emerging NECAAP.<sup>14</sup> The NECAAP seeks to enhance the northern part of Cambridge for existing communities and help to meet the development needs of Greater Cambridge in a highly accessible location on a brownfield site. The strategic objectives include the creation of a vibrant mixed-use district and meeting the strategic needs of Cambridge and the sub-region. The NECAAP states that:

*“Creating a critical mass of activity in the area will help support a self-sustaining new city district and can reduce social inequality locally through the range of jobs and homes that are created. It can also help our response to climate change, by locating jobs and homes together, and where there are opportunities for travel by walking, cycling and public transport.”<sup>15</sup>*

4.9 Work on the NECAAP began in 2013. The Draft NECAAP (regulation 18) was subject to public consultation between 27 July 2020 and 5 October 2020. There are outstanding objections, including those by the appellant, in respect of the emerging NECAAP, including in relation to the quantum, heights, density, scale and massing of development.

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<sup>14</sup> CD 5.32

<sup>15</sup> CD 5.32 paragraph page 10

- 4.10 The Proposed Submission version of the emerging NECAAP (Regulation 19) was reported to the respective decision-making committees of SCDC and Cambridge City Council over December 2021 to January 2022 and was approved for public consultation. The NECAAP is predicated on the relocation of the CWWTP taking place and will not proceed to the Proposed Submission Stage (Regulation 19) unless and until the DCO has been approved. Consequently, the NECAAP process is currently paused and the consultation on the submission version has not taken place.
- 4.11 The appellant considers the NECAAP attracts very limited weight, whilst SCDC considers it attracts limited weight.<sup>16</sup> The evidence base that has informed the emerging plan includes a number of inconsistencies between the various documents. More significantly, the NECAAP is predicated on the relocation of the CWWTP to Green Belt land. This is subject to a considerable number of objections, including from the local community. Consequently, there is no certainty that Development Consent will be granted for the relocation of CWWTP. In the light of this, together with the early stage the NECAAP has reached, and the outstanding objections, I agree with the appellant, that the NECAAP and its evidence base should attract very limited weight.

#### *The Emerging Greater Cambridge Local Plan*

- 4.12 Together with Cambridge City Council, SCDC is preparing a joint Local Plan, known as the Greater Cambridge Joint Local Plan. The plan remains at an early stage. The parties agree that it attracts very limited weight in the context of this appeal since it remains at an early stage of preparation. I share this view.

#### *Written Ministerial Statement (WMS) December 2023*

- 4.13 The WMS specifically addresses the Government's vision for Cambridge. It includes plans for a new urban quarter adjacent to the existing city.
- 4.14 It announced a review of building regulations to allow local planning authorities to introduce tighter water efficiency standards in new homes. It states that:

*"In the meantime, in areas of serious water stress, where water scarcity is inhibiting the adoption of Local Plans or the granting of planning permission for homes, I encourage local planning authorities to work with the Environment Agency and delivery partners to agree standards tighter than the 110 litres per day that is set out in current guidance."*

## **5 Matters Agreed**

### ***The Appellant and SCDC***

- 5.1 The various SoCGs provide a description of the appeal site and the surrounding area, details of the proposed development and the agreed development plan

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<sup>16</sup> CD 6.11 paragraph 8.12

policies.<sup>17</sup> The main SoCG also provides a summary of Statutory Consultee responses.

- 5.2 The matters agreed between the appellant and SCDC are set out in Section 5 of the main SoCG, the addendum to the SoCG, as well as the SoCG in respect of Design, Landscape and Heritage.<sup>18</sup> These include the relevant development plan and national planning policies.
- 5.3 The parties agree that the development proposal is primarily for employment use in accordance with Policy SS/4 of the SCLP. The residential development and housing mix proposed is acceptable in principle, in accordance with Policies SS/4 and H/9 of the SCLP. The provision of 40% affordable housing for the open market units, tenure mix, and 20% affordable private rent for the Build to Rent (BtR) units is agreed.
- 5.4 It is agreed that the Councils jointly have 6.5 years of housing land supply for the 2022-2027 five-year period using a 5% buffer.
- 5.5 The parties agree that the proposal would make a contribution to the public realm. It would also meet the space requirement for informal open space, informal children's play, formal equipped children's play and allotments.

### *Design*

- 5.6 In terms of design the guiding principles for the masterplan vision are agreed.
- 5.7 The proportions and landscape treatment of Milton Avenue as well as the type and proportion of open space proposed is agreed. The parties also agree that the design of Chesterton Gardens is of high quality, well located and would provide a variety of uses and activities for the residents.
- 5.8 It is agreed that Building S04 has a role in providing a transition in scale between the consented One Cambridge Square and the proposed residential development.
- 5.9 It is agreed that Buildings S06 and S07 have been designed to ensure they create an attractive frontage onto all surrounding streets and spaces. The buildings are articulated through changes in heights, building line and materials which serve to create four bays that appear linked to create the urban block. The bays are successful in reducing the apparent massing and proportions of the building when viewed from relatively close up.
- 5.10 The varied materials palette for Buildings S06 and S07 serves to further emphasise the articulation of the blocks. The elevational design introduces a sense of depth and rhythm, and a finer grain / human scale to the buildings. The entrances are successfully articulated and would be easily recognised as the entrances. The elevation design successfully integrates the rooftop plant.
- 5.11 The height of the mobility hub varies between 14.2m and 15.8m. The provision of space for amenity and retail uses to activate the ground floor along Station

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<sup>17</sup> CD 6.07, CD 6.08, CD 6.09, CD 6.10, CD 6.13 and CD 6.14

<sup>18</sup> CD 6.11, CD 6.7, CD 6.8, CD 6.9

Row is considered essential in making the introduction of a multi-storey car park in this location acceptable. The additional floor to floor heights allow for the future conversion into alternative uses and this is supported. The external architecture, including the external staircase, together with the design, colour and proposed materials work well to achieve a well-considered and high quality multi storey car park design.

- 5.12 The concept of framing Chesterton Square by Buildings S08 and S09 is also agreed.
- 5.13 The residential element is in outline and the floorplans are only illustrative at this stage. The residential provision is for up to 425 units. The parties agree that all residential units would have access to private external amenity space. Based on the illustrative floorplans, the proposal would provide 109 (25%) single aspect units. Of the single aspect units, 21 are north-west facing.

### *Landscape*

- 5.14 Policy SS/4 envisages that the character of the appeal site would change, with the addition of mixed uses creating a vibrant, employment-focused area.
- 5.15 The appeal site is not within a landscape, or landscape-related designation, nor is it immediately adjacent to such designations. The River Cam valley includes the Riverside and Stourbridge Common Conservation Area, to the south of the appeal site, and the Fen Ditton Conservation Area to the east of the appeal site. The River Cam valley contains a number of public rights of way including Harcamlow Way, Fen Rivers Way, as well as National Cycle Routes 11 and 51 and a number of other footpaths.
- 5.16 Land to the east of the appeal site, and east of the railway line, is within Green Belt. This is a spatial planning designation and does not imply landscape value. The appeal site is not a valued landscape in the sense of NPPF paragraph 174(a).
- 5.17 The "Guidelines for Landscape and Visual Impact Assessment", 3rd Edition, (GLVIA3) provides best practice and widely accepted guidance on how to carry out landscape and visual assessments. The most up to date guidance on how to assess landscape value is within the Landscape Institute's Technical Guidance Note 02/21, "Assessing Landscape Value Outside of National Designations".
- 5.18 The visualisations prepared as part of the ES, and the methodology and landscape receptors used in the Bidwells LVIA are agreed by the Council as appropriate for assessing the townscape, landscape and visual effects of the proposed development.
- 5.19 The representative viewpoints set out in table 12.5 of the ES were agreed with South Cambridgeshire District Council's Landscape Officer following testing of visibility at a wider range of viewpoints. Although it was agreed at the time of drafting the ES that these viewpoints were suitable for assessing the visual effects of the proposed development, the Council no longer agrees this position.
- 5.20 Nonetheless, it was agreed that the proposed development would have negligible or no visual effects on any of the Strategic Viewpoints identified at

figure F.3 of the Cambridge Local Plan. The parties agree there would be no visual effects upon long distance viewpoints 10, P1, P4, P5 or P6.

### *Heritage*

- 5.21 The Site does not contain any heritage assets. Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area are the closest heritage assets to the Site, with parts of their boundaries lying approximately 500m from the Site. Anglesey Abbey Registered Park and Garden lies approximately 5km to the northeast. Baits Bite Lock Conservation Area is located to the north east of the Site, approximately 900m from the Site, with the Grade II\* listed building Biggin Abbey located within it.
- 5.22 It is agreed by the main parties that the development proposals would cause “less than substantial” harm to the significance of the Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area, for the purposes of the NPPF.

### *Flood risk and drainage*

- 5.23 Further information was provided by the appellant in the form of a Technical Note by PJA Civil Engineering Ltd, Ref:05425 Version E, Dated: 17 April 2023. It has been demonstrated that the drainage system can be designed to accommodate the full 40% uplift for climate change allowances in the 1% Annual Exceedance Probability storm. The increased attenuation areas can be accommodated within the Site.
- 5.24 It is therefore agreed the development is acceptable in respect of flood risk. Accordingly, SCDC withdrew reason for refusal 6.

### *Need and Economic Development*

- 5.25 The Appeal Site is a specific site identified in Chapter 8 of the SCLP as an employment land allocation especially suited for cluster development – under Policy E/9.
- 5.26 The Employment Land and Economic Development Study 2020 (ELEDS) published in November 2020 confirms that the NECAAP submarket is key for Research & Development due to Cambridge Science Park.<sup>19</sup> The Appeal scheme is forecast to generate approximately 2,000 additional construction roles over the five-year construction period and approximately 4,300 additional on-site jobs after the Site is complete and the development fully operational.<sup>20</sup> It is agreed that the development would make a significant contribution to the local economy, especially as a proposal to support the knowledge-based Research and Development cluster in North East Cambridge.
- 5.27 The Greater Cambridge Employment and Housing Evidence Update (January 2023) confirms that demand for laboratory space has reached an all-time high with significant capital available for life sciences research but there is a severe

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<sup>19</sup> CD 5.09

<sup>20</sup> CD 6,11 paragraph 8.28



shortage of available laboratory move-in space.<sup>21</sup> Immediately available space has fallen to almost zero against this background of high demand. The importance of the Life Science sector was recognised in the Government's Spring Budget 2023.

5.28 Mr Bryan and Mr Kinghan agree that the benchmark figure for average demand of new Net Internal Area (NIA) floorspace each year is 461,000 sq ft per annum to 2041. It is also agreed that there is almost no commercial lab space available at the present time.

#### *Sustainable development*

5.29 It is agreed that the Site is within a highly sustainable and accessible location. It is within easy walking distance of the railway station and bus interchange.

5.30 The development would deliver up to 425 new homes, which would help to maintain the Greater Cambridge five-year housing land supply and deliver affordable homes and include provision for community and retail facilities as well as open space. The proposal would generate positive economic impacts during the construction and operational phases of the development.

#### *Safeguarded Sites*

5.31 Further information was provided by the appellant in the form of a Technical Note T6118 by Temple Group Ltd dated 20 April 2023. It is agreed that sufficient information has now been submitted to demonstrate that the interaction between the proposed commercial use and the aggregates railhead would not prejudice the existing or future uses of the transport infrastructure area. Accordingly, the LPA withdrew reason for refusal 8.

5.32 The parties agree that, subject to appropriate conditions, there are no unacceptable impacts in terms of air quality, vibration and noise, odour, land contamination, lighting, human health, archaeology or utilities.

#### *Benefits*

5.33 It is agreed that there are number of economic, environmental and social benefits arising from the scheme.

5.34 The economic benefits include:

- The provision of 48,347 sqm (NIA) of Grade A office, lab and R&D floorspace in North East Cambridge;
- Supporting the Cambridge innovation and tech cluster;
- The provision of 2,000 additional construction roles over the five-year construction period;
- After the site is complete and the development is fully operational, the provision of approximately 4,300 on-site additional jobs.

5.35 The social benefits include:

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<sup>21</sup> CD 5.10 paragraph 05 page 4

- The delivery of a significant number of new homes (up to 425 units), including 40% affordable housing on the open market units (up to 62 units) and 20% affordable private rent on the Build to Rent units (up to 54);
- Provision of new areas of public realm and open space;
- Provision of amenity and meanwhile uses, including community and retail provision;
- Provision of buildings with facilities integrated to promote health and wellbeing and the provision of walking and cycling infrastructure.

5.36 The environmental benefits include:

- Making use of previously developed land in an accessible and highly sustainable location;
- The delivery of a scheme with BREEAM 2018 Excellent certification as a minimum with an aspiration to target 'Outstanding' as the design develops;
- The delivery of an extensive increase in biodiversity across the Site;
- Provision of new areas of open space (2.211ha in total, of which 1.655ha is proposed or retained vegetation and at least 0.329ha is laid to permanent allotments/growing spaces);
- To facilitate a modal shift to non-car mode of transport, a wide range of measures are proposed to support public transport use and active travel.

### ***The Appellant and CPPF***

5.37 It is agreed that CPPF's concerns with the appeal scheme are limited to the impact of the proposed development on the landscape character and visual amenity of the area and on designated heritage assets, specifically Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area. In respect of these issues, CPPF's position accords with that set out in Reason for Refusal 1 and Reason for Refusal 2 by the LPA.

5.38 The parties agree the relevant development plan and the weight to be afforded to the emerging plans. It is also agreed that the methodology, landscape receptors and representative viewpoints included within the LVIA were agreed between the appellant and the LPA in advance of the assessment being completed.

### ***The Appellant and Cambridgeshire County Council<sup>22</sup>***

#### *Transport*

5.39 The parties agree that the proposal occupies a highly sustainable and accessible location, and would offer a genuine choice of transport modes.

5.40 The methodology and extent of related surveys to assess the development impact by way of the Transport Assessment (TA) is agreed as a basis to understand and assess the proposals. The impact of the development on the

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<sup>22</sup> CD 6.13

A14 has been agreed to be acceptable by National Highways, subject to a monitoring regime which will be secured in a Section 106 Agreement.

- 5.41 The level of car parking proposed for the development and the Railway Station is agreed and is within the car parking budget assigned to the Cambridge North allocation ('Chesterton Sidings' site) in the emerging NECAAP.
- 5.42 The level of cycle parking proposed would accord with SCLP Policies TI/2 and TI/3. The mix of Sheffield stands, double stacked spaces, parking for non-standard cycles and parking at street level for the commercial uses and the principles of the cycle parking provision for the residential use are agreed. The relationship of visitor cycle parking within the public realm to the proposed building entrances is agreed as being appropriate. Overall, it is agreed that the proposed cycle parking provision, and network of routes within the proposed development masterplan would encourage trips by active modes by future residents, employees and visitors to the proposed development.
- 5.43 The development proposes a suite of transport mitigation measures to encourage access to the site by sustainable modes of transport. These are secured by the s106 agreement. The parties agree that the development is not anticipated to result in an unacceptable impact on road safety, and that the residual cumulative impacts of the development on the road network are not anticipated to be severe.
- 5.44 The resulting transport strategies and mitigation measures have been specified and secured by way of planning conditions and a Section 106 Agreement. A sum of up to £4.5m has been agreed as an appropriate contribution. This sum comprises a financial contribution of up to £1.62m towards strategic transport measures, subject to a monitor and manage condition, £200,000 delivered as a financial contribution from the development, and measures amounting to £2,680,000 to be delivered by the developer. The split of the contribution is agreed.
- 5.45 There are no matters in dispute between the parties.

***The Appellant and the Environment Agency<sup>23</sup>***

- 5.46 The issues between the appellant and the Environment Agency centre on the availability of a sustainable water supply to support existing and proposed development within the Greater Cambridge Area.
- 5.47 The Water Services Authority (OFWAT) regulates the water industry on behalf of the Secretary of State and grants licences for water supply to water companies, including Cambridge Water (CW). The EA regulates the abstraction and impoundment of water to ensure that the water in England is abstracted sustainably.
- 5.48 The EA must exercise its functions so as to secure compliance with the requirements of the Water Framework Directive (WFD) including taking action

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<sup>23</sup> CD6.12

to prevent deterioration in the status of water bodies. The EA must have regard to River Basin Management Plans (RBMP) in exercising their functions.

- 5.49 CW is responsible for developing and maintaining an efficient and economic system for providing secure and sustainable water supplies to consumers. It is required by statute to set out how it intends to balance supply and demand over a 25 year planning period through a Water Resources Management Plan (WRMP), updated every 5 years.
- 5.50 SCDC in exercising its plan-making functions have a legal requirement to prepare plans with the objective of contributing to achieving sustainable development.

#### *Water Resource Management Plan*

- 5.51 WRMPs are produced every 5 years and assess customer demands and available supplies over a 25-year planning period. The Water Resources Planning Guidelines require CW to set out how it intends to achieve a secure supply of water for its customers and protect and enhance the environment.
- 5.52 The existing WRMP was published in 2019. The draft 2024 plan was published for consultation on 24 February 2023, with a further draft published in September 2023.<sup>24</sup> The final draft WRMP will be reviewed and approved by the Secretary of State.
- 5.53 Each WRMP is supported by a Strategic Environmental Assessment (SEA). The SEA process includes the assessment of the likely significant effects, including cumulative effects, of the WRMP and its reasonable alternatives. The WRMP also identifies ways in which adverse effects can be avoided, minimised or mitigated and how any positive effects can be enhanced. A monitoring plan allows for the identification of any unforeseen environmental effects and implementation of remedial action where necessary.

#### *Planning Policy*

- 5.54 Paragraph 20(b) of the NPPF confirms that water supply is a strategic matter to be addressed through development plans and that strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for infrastructure for water supply. Paragraph 174 (e) of the NPPF prevents new and existing development from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land stability. Development should where possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as RBMPs.
- 5.55 SCLP Local Policy CC/4 – Water Efficiency requires residential developments to achieve a minimum water efficiency equivalent to 110 litres per person per day. Proposals for non-residential development must be accompanied by a water

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<sup>24</sup> ID 1.37

conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard of 2 credits for water use levels.

- 5.56 SCLP Local Policy CC/7 – Water Quality sets out requirements for all development proposals. These include an adequate water supply to serve the whole development, or an agreement with the relevant service provider to ensure the provision of the necessary infrastructure prior to the occupation of the development. It is also required that the quality of water bodies will not be harmed, and opportunities have been explored and taken for improvements to water quality.
- 5.57 Both the EA and the appellant consider that CW is best placed to develop scenarios for the water availability for growth. It is also agreed that the standard of mitigation measures required for this planning application is a matter for the decision-maker. The EA recognises that the appellant, through the quantitative assessment, has demonstrated attempts to further reduce water use by proposing water efficiency and reuse measures exceeding current planning policy requirements of 110 litres per person per day.

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## **6 The Case for the Brookgate Land Limited**

- 6.1 This summary contains all material points in relation to the appellant's case and it is substantially based upon the closing submissions of the appellant. It is also taken from the evidence given on behalf of the appellant and from other documents submitted to the Inquiry and the appellant's response to the EA additional comments in relation to the EA review of the Cambridge Water Company scenario modelling.<sup>25</sup>
- 6.2 The appeal site lies close to Cambridge North station, which opened in 2017 as the result of a £50m investment of public funds. The Novotel Hotel and One Cambridge Square are both major commercial investments by Brookgate, the appellant company. The site is allocated brownfield land and is regarded by the Council as the most sustainable place in Cambridge to locate a mixed-use development.
- 6.3 The Council's case is that whilst the proposed uses are agreed to be in line with policy, the visual impact of the scheme is considered to be too great on landscape/visual and heritage receptors, and there were connected design issues with the scheme on site.
- 6.4 The Council agrees that the use of the appeal site should be optimised for the agreed uses. That means that to some extent the scheme would be visible from outside – principally from locations to the east of the River Cam and in some residential locations to the east and west of the site. It also acknowledges that its objectives for an urban quarter would not be met unless the scheme appears as an example of urbanism both within and from without the site.
- 6.5 Against that background, the impacts on landscape, visual receptors and the significance of two Conservation Areas would, in the view of the appellant, be small. The baseline of the Cam Valley and the two CAs include the noticeable presence of Cambridge's urban area already. The additional degree of urbanisation would cause limited harm.

### *Development Plan*

- 6.6 The relevant part of the development plan is the 2018 Local Plan. This will be five years old later in 2023 but it is agreed to be up-to-date and (with one minor exception) fully compliant with the NPPF.
- 6.7 The emerging NECAAP is not relied on by the Council as a benchmark against which to test the proposals and the putative reasons for refusal do not refer to it. Similarly, very little weight can be given to the emerging Greater Cambridge Plan.
- 6.8 Reference is made by the Council to the documents produced as evidence leading to the draft NECAAP. There are a number of discrepancies between these documents, and this makes them very difficult to use as any form of

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<sup>25</sup> ID1.35

touchstone. Moreover, the Council acknowledges that they have not been tested in any forum, or indeed put out for public consultation.

- 6.9 The intention is for North Cambridge to be a new quarter of Cambridge that is healthy, inclusive, walkable and low-carbon with a vibrant mix of science, workplaces, homes, services and social spaces. The aspiration is for the Appeal Site to become a steppingstone for the wider regeneration of North-East Cambridge.<sup>26</sup> This vision is supported by the recent WMS.
- 6.10 The vision for the site includes meeting the demand for laboratory space within Cambridge; the provision of housing; optimising the connectivity of the site by providing a low number of overall parking spaces for the office and residential use; providing a visually rich townscape; eliminating carbon-based heating and cooling and designing for electric mobility. The masterplan also sets out principles in respect of urban design, architectural design, sustainable design and accessibility.<sup>27</sup>
- 6.11 It is the appellant's view, that the hierarchy of the proposed streets would be clear and would meet legibility objectives as well as contribute to the sense of place in the scheme. The site is divided by the principal routes leading to and from the area close to the station.
- 6.12 Milton Avenue would be a much more spacious street than Station Row (only 16-18m wide). They would also differ in terms of traffic. Milton Avenue would be used by motorised vehicles, whilst Station Row would be limited to pedestrians and cyclists. The landscaping would also be different, with Milton Avenue characterised by large-scale boulevard type planting, and Station Row having a quite distinct feel due to the swale feature. These factors clearly distinguish the two routes and make Milton Avenue the major thoroughfare.
- 6.13 Cowley Road North (with its view eastwards towards the railway fence) would be easily recognised as a secondary route; the narrowness of Bramblefields Way, the approach to planting and the fact it would be one-way, makes it clear that it would also be a minor route. There would be a greater sense of openness at Cowley Circus pending the rest of the NECAAP development coming forward, but the final design of building S09 and the modest increase in height in residential building S20 would enclose it well.
- 6.14 There are good reasons for the segregation of the residential and commercial areas. The two uses can be difficult to combine in close proximity due to amenity issues. Splitting the residential into segments would have a detrimental effect on the provision of high-quality open space, play and other matters (such as combined rainwater harvesting and grey water recycling). Ms de Boom, on behalf of the Council, originally suggested that the residential accommodation might be put where building S07 is proposed. However, she recognised that locating a residential use adjacent to the railway and the presence of the aggregates area supports the location proposed by the appellant.

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<sup>26</sup> CD 8.04d Section 5.1

<sup>27</sup> CD 8.04d Sections 5.4,5.5,5.6,5.7,5.8

- 6.15 It was also suggested that the residential uses might be put where buildings S08 or S09 are proposed to be, but this would potentially constrain the open space uses in the heart of the masterplan (particularly in Chesterton Square).
- 6.16 Throughout the commercial buildings, there is provision for active frontages with other uses, enlivening the public realm. The appellant considers the disposition of the uses through the scheme would be entirely appropriate and contribute to the creation of a sense of place.
- 6.17 The new urban quarter would include active evening uses at ground floor. These spaces would be popular not just with the residents of Chesterton Gardens, but with existing residents of the wider area who expressed a keen interest in on-site facilities during the consultation process. For much of the time the area would be busy. Over 750 residents are predicted to occupy Chesterton Gardens. There would also be more than 4,000 workers throughout the scheme, as well as those from the wider area, those staying at the hotel, those working in One Chesterton Square, and those going to and from the station.
- 6.18 The Council was also critical of the size of the floorplate of the laboratory buildings and office buildings. Large single-built-form blocks are characteristic of all types of urban area, including historic central Cambridge. The facades of the buildings are heavily articulated and would not appear to be overly large in scale or massive.
- 6.19 The Council did not criticise the spatial relationships within Chesterton Gardens, or between building S04 and the residential area, or between buildings S08 and S09. It was critical of the gaps between buildings on the eastern side. It considered that the appeal proposal would be a "wall" of development.
- 6.20 The gap between buildings S06 and S07 has been very carefully considered and provides some articulation inside the scheme, but also ensures appropriate enclosure to Chesterton Square on its eastern side where Station Road intersects with it. To widen them would have undesirable consequences for the internal spatial quality and functionality of the proposal.
- 6.21 The Council is also concerned that the quantum of development, in particular, the heights of S04, S06 and S07, and the taller residential blocks, as well as cumulative effects from these heights would be too great. However, the putative design reason for refusal does not refer to buildings S06 and S07 (part of the full application).
- 6.22 S06 and S07 are 4 commercial laboratory storeys in height. They are mid-rise buildings and are designed to step down from 22.1m maximum to just over 20m, 17.4m and 13.4 m. Their heights are not out of step with more modern buildings in such use in the wider NE Cambridge area. The character which the appeal proposals would create would reinforce the local distinctiveness with well-designed buildings.
- 6.23 Both buildings are designed to read well from the east and are articulated in plan and section. Ms de Boom accepted that the A-B-A-B rhythm, would be effective at breaking up the mass of the buildings when seen within and near the appeal site. Their building lines are not identical and the degree of



articulation and detail on Station Row provides a real sense of variety and interest in the view along the western facades of the two buildings. The balconies, overhangs and materials make a considerable difference to the appearance of the buildings (for instance the vertical strip of ventilation outlets incorporated into the pattern, the metallic lining of the side elevations, the differences between the bronze panelling on S06 compared with the silver shade used in its neighbour). They would be very high-quality buildings with all the qualities and benefits that integration brings.

- 6.24 Building S04, is organised to mediate between One Cambridge Square and Chesterton Gardens. It steps down from 30.84 m in height next to One Cambridge Square to 27.91m, then down to 19.95m towards the residential area.<sup>28</sup> That stepping is emphasized by changes to materials with the top level being darker, the top two occupied floors would be a little lighter and the parapet line at the top of the grid finished with much lighter stone. The parapet line would wrap around three sides, leaving only the chief corner on Milton Avenue with a fully expressed 7 storeys.<sup>29</sup> The design would make a satisfying transition from the similar height of One Cambridge Square on one side down to the Milton Walk to the north. Seen from ground level the designed archway on the corner of Milton Avenue and Milton Walk is another notable feature which aids that transition.
- 6.25 The architecture of building S04 mediates between the finer grain of the residential buildings on the one hand, and the more monumental treatment given to One Cambridge Square. It would be seen from Discovery Way across a distance of around 100m. Such views already contain One Cambridge Square, as well as a significant planted buffer on the western side of Chesterton Avenue. Although building S04 is significantly taller and bigger than the bungalows at the southern end of Discovery Way, there is such a distance between them that internal or external living conditions will not be detrimentally affected; nor would those of the three storey houses in that street.
- 6.26 Discovery Way is within the urban residential area and the resultant juxtaposition is not unexpected or harmful, given the baseline position, and the high quality of what would be seen of building S04. There is no sunlight/daylight impact on those properties. There would be no overlooking or loss of privacy issue. No one living in Discovery Way objected to the application, and only one letter of objection was sent on the appeal.
- 6.27 The layout created between Station Row and the edge of the railway is a contextual response to the need to sub-divide the area between Milton Avenue, which is effectively already in place, and the railway. It enables the functional objectives of well-designed office and laboratory buildings to be achieved whilst also creating well-proportioned and enclosed spaces between them, opening up the way through to the north and the wider NECAAP area in the future.
- 6.28 Ms de Boom suggested that wider gaps could be provided by re-orientating buildings S06 and S07 east-west. As she acknowledged, this would create a townscape in which there was no permeability north-south on this side of the

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<sup>28</sup> CD 8.06 Figure 06 page 6

<sup>29</sup> CD 8.06 Figure 11 page 9, Figure 14 page 13

scheme, but instead two east-west streets both ending in the palisade fence to the railway. The result would be very poor in connectivity and layout terms and would harm the experience of Chesterton Square.

- 6.29 The creation of wider gaps between S06 and S07 would lose all purpose as soon as one were about 30 degrees off the axis of the grid or gaps – the effect would be a poorly articulated mass of oblique views, rather than a properly designed set of facades addressing the east. There would in fact only be a limited set of clear views of the appeal scheme from the east. Even if there were wider gaps between S06 and S07, as Ms de Boom’s image 3 shows, even with wider gaps one would be able to capture few of the views.<sup>30</sup> The appellant considers this to be a further example of the Council’s case not grappling with the challenges of masterplanning with anything like the necessary rigour.
- 6.30 The eastern elevation is designed as a principal elevation rather than a side or back. Buildings S06 and S07 were the subject of detailed iteration and assessment involving the testing of differing heights and articulation, as well as materiality options. The buildings are not set hard against the railway edge but are set back 16-18m from it. The planting scheme would filter the buildings with groups of trees of differing heights, rising to London Planes which would soften the views of the built form in longer distance views.
- 6.31 The buildings are articulated in section. Whilst distance will inevitably mean that not all of the details of the eastern elevation would be seen, a significant proportion would be effective at articulating the building even from the towpath/PROW by the River Cam. Views will also show the shadowing of the inset areas and the roads through into the scheme, and the bronze tone of the flank elevations may also be perceptible in the handful of relevant views.
- 6.32 It is therefore inaccurate to say that the perception, from the limited viewpoints to the east, would be of a “wall”, or to allege that the transition to the distant countryside would be “abrupt”. The site is too far away from those views, with too much existing and proposed intervening vegetation (and built form in some cases) to be abrupt. In some views the eastern elevations of buildings S06 and S07 will be visible, and in very few indeed could it properly be described as “prominent” – probably only Node viewpoint 21, but prominence is not the same as harm.
- 6.33 As Mr Ludewig’s evidence states “... a significant new urban quarter of Cambridge should not ‘blend into’ the neighbouring caravan park, allotments or Network Rail maintenance yard. It should stand as the beginning of a proud new city quarter. An extension for Cambridge through a whole new city quarter as envisaged in the AAP should be done with careful consideration but also with confidence, in the spirit of the traditional Cambridge townscape, which never sought to disappear, but created a varied set of facades defining a clear edge to the city.”<sup>31</sup>
- 6.34 In some views, parts of buildings S04 and S09 will be visible over the top of S06-S07. The eye is able to discern that the layered effect is comprised of

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<sup>30</sup> CD 9.04 page 21

<sup>31</sup> CD 8.04e Paragraph 6.6.5, page 79.

separate buildings. This is normal in an urban setting. More distant elements are different (S04) or can be different (the outline buildings) in materials from S06-S07, which would help the articulation of the overall urban form, and the effect would vary the skyline seen in some limited views from the east. This would be positive.

- 6.35 The northern part of the scheme includes the Wild Park that would provide recreation and play opportunities. Mr Myers, on behalf of the appellant, described the concept, which enables the space, and the open mosaic habitat (which is a valuable transitory habitat which is created and sustained by disturbance) to be incorporated into the scheme to aid the creation of a unique sense of place.
- 6.36 Building S09 would be designed to encourage ground floor connections with the Wild Park and would be close enough to provide a degree of surveillance of the southern areas of the Wild Park and it would be an attractive resource to those working in the building as well as others.
- 6.37 The main criticism was the distance (or perceived separation) of the Wild Park from Chesterton Gardens. The Wild Park is close to the residential use and does not involve crossing any busy roads or doing so without proper infrastructure (the crossing of Milton Avenue designed in a straight line to the Wild Park will be signal controlled). It would therefore be perceived as close by and readily accessible.
- 6.38 The Council made a number of other design criticisms that it described as "*non-fundamental*". It no longer objects to the cycle connectivity, or double height cycle racks.
- 6.39 There is ample flexibility to ensure a low proportion of single aspect apartments. The appellant's rebuttal evidence gave examples of how this can be done within the parameters, recognising that the final detailed scheme might well contain fewer units than the "*up to 425*" in the application as these details are worked out.<sup>32</sup>
- 6.40 The Council was critical of the character of Chesterton Way and the design/landscaping of that side of building S04. Chesterton Way is a major high speed cycle route and the route of the CGB. It has a very strong landscaped side to the west which will be improved. It does not have to be activated along its length and it is not poor design for there to be some service uses (the substation, the car lift, fire egress, etc) at the ground floor of S04 on this façade or for there not to be formal planting. The large windows into the "*end of trip*" cycle area at the ground floor of S04 would be quite active as one passes.
- 6.41 Whilst users, including future residents, may use Chesterton Way to get to the station by the quickest route, the main desire line for residents of Chesterton Gardens will be across Milton Walk and through the cut-through in building S04, designed to pick up on that route.

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<sup>32</sup> CD 8.41 Appendix 3

- 6.42 Mr Wakefield, on behalf of the Council, suggested that the landscape design was “generic”. The landscape design has been carefully considered. Mr Myers has sought to combine the layout of the spaces, the planting, the reuse of what little railway track lengths there are left on the site, the abstract reflection of tracks in paving to suggest the connections with the past. There is also a creative tension between the formality of the new urban quarter buildings and the rough planting that in places mimics the existing open mosaic habitat.
- 6.43 In conclusion, the scheme would be high quality design in line with HQ1 and the design part of SS/4 of the Local Plan and the guidance in both the NPPF and the National Design Guide. Given the aspirations for the creation of the area, the proposals would deliver a high quality new urban area. Great weight should be given to this benefit in the planning balance.

#### *Landscape and Visual Effects*

- 6.44 The relevant landscape character areas to consider for landscape impact are the River Cam Valley (Area 9A), area 6A (which includes Fen Ditton), and the residential area. The ‘Cambridge skyline’ is not an identifiable character area. Mr Smith, on behalf of the appellant, found the most recent Landscape Character Assessment by Chris Blandford Associates as the most useful and up to date character study, but regard should also be had to a limited degree to the NCA 88.<sup>33</sup>
- 6.45 The differences between SCDC and Mr Smith are agreed to be accurately summarised in Mr Smith’s tables JSR2 and JSR3.<sup>34</sup> Mr Wakefield, on behalf of the Council, took no issue with the accuracy of the visualisations prepared, including the wire lines produced by Mr Smith. One difference between the parties is that Mr Wakefield focused on the worst case. This is not a true reflection of the guidance in GLVIA3 and tended to overstate the degree of landscape impact.
- 6.46 Views were agreed and tested as part of the iterative development of the scheme. These used accurate modelling of mass and height in Vu City and led to changes to built-form, landscaping and materials.
- 6.47 Mr Wakefield wished there to be a landscape buffer on the eastern edge. He criticised the scheme on the basis that it was not screened.
- 6.48 Mr Wakefield’s methodology uses the “high” category of susceptibility to mean a landscape with a strong structure, a high degree of enclosure or intimacy, few detracting features, and of which typical examples might be of national, regional or local importance. The “high” category of magnitude in Mr Wakefield’s methodology is said to mean “total loss of key landscape characteristics” and “medium” to mean “moderate alteration to key landscape characteristics”.<sup>35</sup> He accepted that the scheme would cause no direct landscape impact, but just

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<sup>33</sup> CD 5.28A & 5.28B

<sup>34</sup> CD 8.38A pages 18-22

<sup>35</sup> CD 9.10 Appendix 10

indirect effects on visual aspects of character caused by development outside the character areas.

- 6.49 The River Cam Valley is a valued landscape due to the river, and its social and recreational characteristics. Mr Smith gives it a sensitivity of high/medium, whereas Mr Wakefield gives it a "high" sensitivity rating. Mr Wakefield's judgement is based on a "high" susceptibility rating but does not reflect the characteristics of such a landscape within Mr Wakefield's appendices.<sup>36</sup>
- 6.50 It is a landscape characterised by the River Cam and surrounding floodplain meadows, all of which are heavily used by the residents of the urban area because the Cam corridor lies within and next to the City. The built form is a "key characteristic" of the character area, and a "distinctive feature" within it.
- 6.51 Mr Wakefield accepted that the Novotel and One Cambridge Square are incidents within the general key characteristic of visible urban edge. His position appeared to be that they increased, rather than decreased, the sensitivity of the landscape receptor. However, they are simply the first phase of the new urban quarter and are consistent with a key characteristic of this transitional landscape area. His reaction to the presence of science buildings in areas around the fringes of Cambridge was similar.
- 6.52 In the appellant's view, Mr Wakefield has pitched the sensitivity too high. He has also reached the wrong conclusion on magnitude of effect – "medium/high". By his definition, "high" means "total loss of key landscape characteristics", and to label the indirect effects of the scheme, visible in relatively few distant views in any sense as "high" is an overstatement.
- 6.53 There also needs to be a judgement of the geographical extent of visual effects, and as to whether the views of the appeal proposals would change the relationship between the River Cam Corridor and the City. There would only be clusters of glimpsed distant views available from the character area, which already has, as a key characteristic, views of the urban edge since the site is within the rural/urban fringe. The geographical extent of the views would be limited because, even in winter, they would form a small part of the overall visual experience in the character area, and there would be no change in the relationship between City and landscape, just a relatively small change in degree to which one of the key characteristics would be visually present.
- 6.54 There would be no effect on the historic skyline of Cambridge. No important view would be harmed and there would be no breach of the City Council's Policy 60. The skyline in the vicinity of the site is variously made up of residential and commercial buildings, including the hotel and earlier offices on the Science Park. Mr Wakefield places too much weight on the views of St George's Church, Chesterton, nearly 2 kilometres from views on the east of the Cam. It is very hard to see it in the agreed or Node views, and if glimpsed, it plays an incidental role rather than being the focus for a more grandiose skyline. St Mary's Fen Ditton is barely visible even in winter and is not a view of Cambridge anyway.

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<sup>36</sup> CD 9.10 page 43

- 6.55 There would be a change to the skyline where the appeal scheme would appear, but this would be “*moderate/neutral*” as assessed by Mr Smith.
- 6.56 Mr Wakefield says the effect on the residential area is “*moderate/major adverse*”, but he focused on what he considered to be the worst case effect from the bungalow at the end of Discovery Way. Even that is an urban landscape characterised in the baseline condition by middle distance views of One Cambridge Square.
- 6.57 For much of the area, the appeal scheme would be invisible due to intervening built form. For streets like Fairham Road and Bourne Road, the appeal scheme would be visible next to One Cambridge Square which is prominent in those views. Much of Discovery Way features 3 storey townhouses which occlude the view of the site or feature much more prominently in the immediate views. Therefore Mr Smith’s evidence as to a reasonably low level of landscape harm to the relevant receptors should clearly be preferred.
- 6.58 Turning to visual effects there is a large overlap with the landscape points.
- 6.59 Mr Wakefield’s Node Viewpoint 19 (Fen Rivers PROW72) which lies some 1000-1100m from the site, is said to be of high sensitivity and to experience a high magnitude of change. The agreed wireline (CN-068) shows the view to be a glimpsed view through a gap in the hedge, not a continuous stretch of open view.<sup>37</sup> Even then, the size and scale of the appeal scheme as it appears in the view would be small. One is already aware of built forms in this view through the hedge and there is no defensible basis for a finding of a high magnitude of change, or a “significant deterioration”.
- 6.60 Mr Wakefield’s Node viewpoints 1-3 have a foreground dominated by the River Cam. In the middle distance one can see the development on Fen Road. In the distance, large urban structures can be made out. Mr Smith’s wirelines show how limited the additional urbanisation would be.<sup>38</sup>
- 6.61 Mr Wakefield’s viewpoint 21 would experience a significant change due to the clarity of the view and to be major/moderate adverse. However, it is a view which clearly features existing urban forms and would not change the fundamental relationship between the area next to the river enjoyed from the right of way, and the city edge on the horizon in the middle/long distance.
- 6.62 Mr Wakefield’s viewpoints 22-23 are from a private viewpoint, at the Plough PH. The Council did not judge that this was a view that should be included in the LVIA for the application. Given that this is a private viewpoint the sensitivity is less than a properly public one. There would be a noticeable increase in degree of perception of the built form on the site from the pub garden, but there is already a clear perception of modern urban city buildings. In addition, the primary relationship, between the pub viewpoints and the Cam (including its recreational activities, and the towpath/fringe vegetation) would not be affected and would remain a dominant visual relationship. The “*high*” magnitude of change and “*major adverse*” impact suggested by Mr Wakefield equates on his

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<sup>37</sup> CD 8.38a

<sup>38</sup> CD 8.38a CN056 & CN058

methodology to the highest possible magnitude of change to a view, and a “*significant deterioration*” in the view. Both are overstatements.

- 6.63 From Bidwells’ viewpoint 6 and Node view 20 (above Green End in Fen Ditton), the Bidwells’ LVIA finds a major adverse effect on this view. Mr Smith finds it to be medium adverse, due to the relatively small proportion of the view that would be affected.
- 6.64 It is of some note that where there are views, they all lie in the Green Belt, and yet the Council does not suggest that the visual openness of the Green Belt is affected at all. The overall level of landscape and visual harm due to the proposal is low. There would be a minor level of non-compliance with paragraph 174 of the NPPF in relation to the valued landscape, and a minor degree of non-compliance with local policies dealing with landscape and visual issues.

### *Heritage*

- 6.65 The impacts on the Fen Ditton Conservation Area and the Riverside and Stourbridge Common Conservation Area are indirect visual effects arising from changes to their settings. Setting is not itself a heritage asset.
- 6.66 The Riverside and Stourbridge Conservation Area lies almost entirely in urban Cambridge. Only in its north easterly section (part of Ditton Meadows) does it contain some more rural elements, although there is no connection physically or visually with open countryside. There is an almost constant visual presence of the city edge throughout.
- 6.67 The significance of the Conservation Area lies partly in the history of Stourbridge Common and its medieval fairs, partly due to its relationship with Cambridge and the River Cam. The Conservation Area Appraisal notes the backcloth of trees through which the city can be seen.<sup>39</sup> There is some rurality, and it does contribute to significance, but it is attenuated by the use of the area for urban fringe recreation, almost municipal footpaths and bridges, and views of buildings.
- 6.68 The Council does not suggest any changes in views from Stourbridge Common. From the Ditton Meadows, there would be no prominent change in the views from near the river (Node views 1-3).<sup>40</sup> Dr Burgess, on behalf of the appellant ascribes the lowest level of less than substantial harm, to recognise that degree of change.
- 6.69 The Fen Ditton Conservation Area Appraisal sets out the significance of this Conservation Area, and this is largely agreed by the parties.<sup>41</sup>

(1) There is a clear focal point in the village: the group comprised of the Church, old Rectory, War Memorial and mature trees.

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<sup>39</sup> CD 5.08

<sup>40</sup> CD 9.10

<sup>41</sup> CD 5.07

(2) The good buildings and fine townscape of the village, which are of exceptional quality.

(3) The relationship with the Cam – both visual across the meadow to the river, cultural (the Bumps course) and historic, bearing in mind the wharves and trade in the past.

(4) Some identified views through the built form to the river and the meadows on the east side of the river.

(5) The views of the urban fringe of Cambridge.

6.70 Mr Brady, on behalf of the Council, considered the Conservation Area as rural, rather than having a mix of characteristics, including a clear relationship with the City. It is neither wild nor particularly tranquil as suggested by Mr Brady. Mr Brady explained that his assessment of moderate less than substantial harm meant half-way between no harm and significant harm to the significance of the Conservation Area. Given that there would be no direct impact and most of what makes Fen Ditton special would not be affected at all, that seems to be an overstatement.

6.71 As agreed by Mr Brady, the effects on the Conservation Area would be limited to a clustered set of glimpsed distant views. He fairly accepted that where the urban edge appears clearly now, the change “*could be small*” in terms of the balance of city views and rurality.

6.72 The impact would be indirect and would preserve the distinction between the urban edge and the Conservation Area and would have very little impact on one’s ability to understand and appreciate the significance of the Conservation Area. The very low level of harm stems from the fact that there would be a small change in degree of urbanisation in the views, rather than anything fundamental.

6.73 The appellant considers that the view expressed by Historic England is to be given limited weight. It is obviously not the case that the additional degree of urbanisation in a few views would “*profoundly change the character*” of the Conservation Area in Fen Ditton.<sup>42</sup>

6.74 Dr Burgess’ overall view of degree of harm is to be preferred as much more aligned with the degree of change and the role of the rural/urban balance in Fen Ditton. His approach to the future of the NECAAP area is also right – it does not feature in his assessment of the particular harm that this scheme would cause, but it is reasonable to bear in mind as a material consideration that the site and wider area is intended to be a dense new city quarter, and there will be additional urbanisation to some degree come what may.

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<sup>42</sup> ID 1.11



### *Comprehensiveness*

- 6.75 The supporting text to Local Plan Policy SS4 indicates that schemes may come forward in advance of the AAP if they are acceptable on their merits and do not harm the wider comprehensive development of the NECAAP area. The Council (supported by the County Council) now agrees that the appeal scheme is acceptable in this regard due to the agreement over strategic transport contributions.
- 6.76 Mr Bodkin, for the owners of the core site (CWWTP and neighbouring land) expresses concern over what he sees as the undersupply of homes on the site, the amount of proposed BtR in the scheme and transport.
- 6.77 The appellant disagrees with Mr Bodkin's position for the following reasons:
- (1) There is no policy stipulation about the number of homes to be built on the appeal site, or their tenure.
  - (2) Mr Bodkin refers to the numbers found in the AAP evidence base Typology documents, but no weight can be given to them, since they are not based on policy decisions about the disposition of uses and quanta across the NECAAP area and have not been the subject of testing.<sup>43</sup>
  - (3) The Core Site is years away from making its application(s) and perhaps 5 years away from producing a single house, on Mr Bodkin's evidence. He acknowledged the difficulty of attaching weight to a viability argument in circumstances where there is no scheme in existence, and no viability appraisal on which to form any such judgement.
  - (4) The agreed position is that the appeal scheme will be a catalyst for the rest of the AAP. It will physically join them up to the station, and provide a first-class mixed-use neighbourhood, packed with life (and Life Sciences).

### *Water Supply and Water Quality*

- 6.78 It is agreed (between the appellant, the Council and the EA) that the appeal proposals comply with Policy CC/4 of the Local Plan. This sets a requirement for maximum water consumption per person of 110 litres per day, the proposals will comfortably exceed that target, at 89 litres per day for the residential units.<sup>44</sup> The WMS refers to, encourages local planning authorities to work with the EA and delivery partners to agree standards tighter than the 110 litres per day that is set out in current guidance. The agreed conditions require the submission of a Water Conservation Strategy demonstrating a typical design standard of water use of no more than 89 litres/person/day as far as reasonably practicable.
- 6.79 The Council also confirms that the proposals would comply with Local Plan Policy CC/7. That policy relates to water quality and provides that "all development proposals must demonstrate" three things: (a) that there are adequate water

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<sup>43</sup> CD 5.33

<sup>44</sup> CD 8.21B Appendix C quantitative assessment

and sewerage systems to service the development; (b) that “the quality of ground, surface or water bodies will not be harmed”, and (c) that appropriate consideration is given to pollution.

6.80 There are no issues with either the first or third criteria. The Council is satisfied that the second criterion would be met since the policy applies to the effects of the development, rather than requiring any wider cumulative or strategic assessment. The EA’s representation was that the policy encompassed much wider cumulative assessments of harm, but that is not how the Council reads it and must be incorrect as it would require developments to demonstrate no harm to water quality regardless of any causative link or indeed regardless of what actually might cause harm.

6.81 The EA’s objection comprises the following two main points:

- The current situation in the Cambridge Water area is an exception to the general principle that water supply issues are not matters for the determination of individual planning applications because there has been a material change in circumstances since the 2018 Local Plan.
- Based on its assessment of the evidence, the EA is not confident that Cambridge Water will be able (through its WRMP) to deliver a supply of water sufficient to meet the needs of Greater Cambridge without affecting the environmental quality of groundwater and therefore environmental quality of waterbodies.

6.82 Both the NPPF and the Planning Practice Guidance (PPG) state that supply of water and water quality are not normally matters for individual planning applications because they are of a strategic nature.<sup>45</sup> The PPG gives examples of exceptions to this principle, but none of these exceptions support the EA case.

6.83 The appeal proposals are for an allocated site and there is nothing exceptionally large about its water needs. There is no issue about physical works needed to connect to the water system. The EA’s argument is that the last of these examples within PPG, equates to a much wider point about the EA’s concerns in relation to Cambridge Water’s draft WRMP 2024.

6.84 The EA has a statutory duty to consider and approve WRMPs in some form, possibly pursuant to a public inquiry. This represents the water regulatory system working as it should. The appellant contends that the EA’s basic point is that it is not yet satisfied with the draft WRMP and this demonstrates that the issue is one for the water regulation system and not for the determination of planning applications or appeals.

6.85 The EA objection is not founded on sound evidence to indicate that the appeal proposals would give rise to a risk of harm to water bodies or their environments, or that there is a link between falling water quality and abstraction by Cambridge Water.

6.86 The EA data to support either of these propositions comprises the summary tables described as “*Outcomes from WFD Hydrological Regime Investigations*”

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<sup>45</sup> NPPF paragraph 20: PPG Paragraph ID 34-016-20140306.

and the modelling outputs aimed at estimating the ecological status of waterbodies in three scenarios (historical, naturalised and fully licensed).<sup>46</sup>

- 6.87 The summary tables are incomplete in relation to various element classifications. Much more significantly though, there is no specific observed pattern of decline in the hydrological regime. The only published assessment based on empirical data does not show a downward decline in hydrological regime, let alone one which is observably tied to the effects of groundwater abstraction by water companies.
- 6.88 Mr Page, on behalf of the EA, said that the key indicator for detrimental effects caused by water abstraction was the effect on invertebrates. But in the three waterbodies where it is claimed abstraction is causing hydrological regime harm, there is no pattern showing a decline in invertebrates. The Granta has invertebrate criterion results from "Good" rising to "High". Mr Page said that an update for 2022 showed "Good" again, but that is not a pattern of decline. The River Cam (Audley End to Stapleford) records the uniform result "High" from 2013 to 2019. The Cam (Stapleford to Hauxton Junction) is the same. None of these three, which are the main waterbodies "*where abstraction (including that from CW) is currently a contributing factor to ecological pressure*" shows any overall downward trend beyond the key invertebrate indicator.
- 6.89 The results rely on a model which cannot have been validated against trends of downward hydrological indicators, because there are no such trends. The invertebrate (and other indicators) in the summary data tables for those waterbodies show no downward trends (in relation to invertebrates or in general biological quality elements) at all. There are no data on declining flows (no gauge data is provided), and no evidence on monitored levels of groundwater declining.
- 6.90 There is no evidence presented by the EA which shows direct impact from any abstraction points, or evidence that shows that stopping or reducing abstraction would increase surface water flows and mitigate deterioration of ecology. Indeed, if there were evidence of a decline, it may be due to other factors such as effluent discharge, agricultural run-off, or climate change.
- 6.91 The evidence currently available is not able to support the proposition that Cambridge Water abstraction is causing, or will cause, material harm to the ecology of the waterbodies concerned. It would be disproportionate on the basis of this evidence to effectively call a halt to much needed development around Cambridge whilst the relevant statutory bodies analyse whether there is actually an issue specifically related to water abstraction.
- 6.92 Statutory processes are already in place and will continue to work over the coming years. This is a principle long recognised by the Courts.<sup>47</sup> A challenge was made to the DCO consenting process for Hinkley Point C new nuclear power station. Upholding the consenting process, the Court of Appeal concluded that the Secretary of State was entitled to have regard to the statutory regime which dealt with design and safety issues. On the facts of that case, it was observed

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<sup>46</sup> CD13.1

<sup>47</sup> ID *R(An Taisce) v SSECC[2014]* EWCA Civ1111 paragraphs 46-51

that it was almost the paradigm case where such regard would be appropriate, but the instant case is equally clear. The EA and Cambridge Water are required to undertake a statutory process which ends with the adoption of a WRMP in 2024. That is how Parliament has decided that strategic water supply and quality issues are to be dealt with, and the WRMP feeds into the production of strategic plans for the area in the form of the forthcoming Greater Cambridge Plan and the NECAAP.

- 6.93 The EA has already made 12 recommendations and 7 improvements to the February versions of the draft WRMP 2024, and the water company is due to make a formal response to these by the end of August 2023.
- 6.94 CW currently operate a complex network which balances abstraction across the entirety of the network. As such, it is not possible to determine the exact nature and/or extent of deterioration of a specific water body as a result of a specific development. As an allocated site within SCLP, the associated supply and demand of the development proposals have been allowed for within CW's WRMP19 and recently published dWRMP24. The WRMP 19 assumes that dwellings are built to a standard of 125 l/p/d.
- 6.95 There is no evidence that the very small effect that the appeal proposals would have on increasing the need for water will affect either supply or quality or that the point has not been treated properly in the ES. The scheme would, with its water efficiency measures in place, amount to just 0.22% of the total Cambridge Water demand. Without any measures in an adopted WRMP, the residential part of the scheme would represent just 1.6% of the total residential demand – but it is unrealistic to assume that there would be no measures in place.
- 6.96 The Water Industry Strategic Environmental Requirements (WISER) are written by the EA and NE. They set out expectations on the water companies for overall environmental performance, and that influences the content of the Water Industry National Environmental Programme ("WINEP"), a programme on a 5 yearly cycle synchronised with the production of WRMPs. We have not been provided with the WINEP contents for Cambridge Water but we do know from the EA that WINEP measures have been implemented for 2025 on the Cam, Rhee and Granta, and there will be more WINEP measures in the next cycle.
- 6.97 This is a further element of the statutory process in action at the strategic level. Whilst the EA may put pressure on Cambridge Water and other public bodies by objecting to large planning applications (though not, one notes, to small ones), to give those objections anything more than limited weight would be to run counter to the structure of the water industry regulation and the clear guidance in the PPG.
- 6.98 There is no evidence to suggest that the scheme would be supplied from just one abstraction point; indeed the reverse seems to be the case, ie that one cannot tell the source or sources of the scheme's water supply.
- 6.99 There has been no objection to the adequacy of the submitted ES, from the Council or from the EA. The EA's suggestion that the scheme needs to be tested against the cumulative scenario including an unspecified amount of development which is neither "existing or approved" (or even identified in a

draft plan), is contrary to the requirements of the EIA Regulations. That kind of strategic cumulative scenario testing is for the WRMP process and is under way.

6.100 For these reasons, the Inspector and Secretary of State should not give more than limited weight to the EA's objection.

6.101 NE rely on the evidence from the EA to found concerns about possible risk to Sites of Special Scientific Interest (SSSIs) in the area. The defects in that evidence remove any force from the NE points as well. There is no evidence that any SSSI would be harmed by the scheme on its own; indeed, there is no evidence that the SSSIs would be harmed by water abstraction either.

6.102 As explained, there is also no issue arising in relation to any Natura 2000 designated European sites. Although the AAP process scoped Wicken Fen into the Habitats Regulations Assessment on a purely precautionary basis and despite the empirical evidence, the conclusion was that the AAP would not have an effect on the Wicken Fen, since the competent authority can rely on the WRMP in relation to groundwater supply, and Local Plan water efficiency measures.

6.103 As discussed at the conditions session, there is no need in these circumstances for a condition which restricts residential development until the WRMP is agreed, but if the Inspector or Secretary of State judge differently, wording for such a condition has been suggested.

6.104 In relation to the additional modelling the appellant notes that the results have not been shared with the appellant, and the only information is at Table 1 of the EA letter.<sup>48</sup>

6.105 No new material evidence has been put forward in the EA's representation and the appellant stands by its case on the water supply and quality issue as summarised in the closing submissions.<sup>49</sup> The EA acknowledges the limitations in its work. Its comments are "without prejudice" to a detailed assessment, and not "conclusive". For this reason alone, little weight can be given to the EA letter.

6.106 The EA references future growth but fails to attribute a meaning to this. Irrespective of whether this is referencing all potential growth during the period of the next WRMP, over the next 25 years, all future growth identified in the existing Local Plan or all future growth proposed in the emerging combined Greater Cambridge Local Plan, this is simply not the correct assessment criteria for this s.78 Appeal. Again, this simply highlights that the discussions between CW and EA are much wider than the appeal scheme and the assessments are based on the separate regulatory processes.

6.107 The LPA maintains its position of not raising an objection in relation to water resources; is of the view that the issue of water stress has been appropriately considered in respect of this development proposal by applying the relevant

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<sup>48</sup> ID 1.36

<sup>49</sup> ID 1.29 paragraphs 97-120

Local Plan policies; and considers that an appropriate package of mitigation has been secured.<sup>50</sup>

6.108 The appellant does not consider the additional mitigation items listed on page 4 of the LPA's Response (delaying occupation or linking the development to strategic water supply intervention) to be necessary or justified.

*Weight to be given to the benefits*

6.109 There is agreement with SCDC on seven (or eight) of the twelve benefits of the scheme.<sup>51</sup> SCDC agrees that great weight should be given to the sustainable location and the scheme's response to the climate emergency. Considerable weight to the contribution to the cluster effect that the scheme would make, the very considerable new employment (over 4,300 jobs), to housing need (up to 425 units), to affordable housing needs (40% in general and 20% of the BtR), and response to biodiversity given the Biodiversity Net Gain (BNG) improvement it would bring is also agreed, as well as moderate weight to the amenity and meanwhile uses.

6.110 Ms Bradley, on behalf of the Council conceded that the scheme would reuse previously developed land, something which paragraph 120 of the NPPF suggests carries substantial weight.

6.111 Ms Bradley affords the public realm and open space uses limited weight in her proof of evidence, but she acknowledged that she ought to have reached a positive view about Chesterton Square and the Piazza as well as Chesterton Gardens. That simply leaves the point about the perceived separation of the Wild Park from the residential units.

6.112 Wellbeing and social inclusion: Ms Bradley's reasons for giving limited weight to the facilities available that might encourage well-being and cohesion are very limited – the lack of outdoor space for collaboration and recreation. The labs and offices are replete with design aimed at wellbeing and social/business collaboration (balconies, terraces, activation spaces, restaurant and café spaces); the scheme has at least four well designed external spaces for sitting, talking and recreation.

6.113 Major companies like Samsung and Microsoft have moved from campuses on the edge of Cambridge to the appellant's successful CB1 development adjacent to the main city railway station. This is not just for the benefits to staff of being near the centre, but also for being in a centre with a cluster of different potential employers. There is simply no comparison between the way this development would facilitate that kind of beneficial interaction and any of the edge-of-Cambridge parks, even Cambridge Biomed. Mr Derbyshire is right to give wellbeing and social inclusion moderate weight.

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<sup>50</sup> ID1.35

<sup>51</sup> CD 6.11 page 45 Table 4

6.114 Mr Derbyshire gives the proposed architecture in the scheme great weight, whereas the Council give it moderate weight.<sup>52</sup> Ms Bradley's ascription of moderate weight (even taking into account Ms de Boom's design criticism) is inconsistent with her giving considerable negative weight to design as well. The alleged harm comprises a wholly separate harm to which a lot of weight is then given. That is to double count the harm and is also inconsistent in terms of overall weight to be given.

6.115 Mr Derbyshire considers that great weight should be given to meeting the need for office, Labs and R&D space. He rightly questioned the basis on which the Council refuse to recognise it, despite the Local Plan and the recognition by a "*pro-growth authority*" of the huge importance of such space and the enormous shortfall. On behalf of the Council, Ms Bradley stated that the site "*is not critical*" to meeting the need for this kind of space and therefore should be accorded only "*considerable weight*".

6.116 It makes little sense to say that the site or scheme is of less weight because it is "*not critical*" when:

(1) There is no local or national policy cap on the amount of weight to be given to this kind of commercial science and office space. Paragraphs 81 and 83 of the NPPF strongly support meeting the demands of the market.

(2) The need is not just a Cambridge or regional need, it is genuinely of national importance to the economic prosperity of the UK.

(3) The Council's witness, Mr Kinghan, agreed that the labs and office space proposed here will let when it is available. That concession is of considerable importance, because it goes to the heart of whether the site and scheme will be needed when they are delivered, between 2026 and 2028.

(4) Mr Bryan is absolutely clear that the space will all be let, indeed it will be highly sought after by the kind of tenants who have space at CB1 (as Mr Derbyshire said, they include Apple, Amazon and Microsoft, three of the world's four trillion-dollar companies).

(5) In any event, as Ms Bradley accepted, if the appeal site is not critical, then in principle no site in Cambridge is. It is better to acknowledge that there is a huge demand for these facilities, and they should all be supported in principle with the maximum weight to this benefit.

(6) The site is in the Council's own opinion, the best site for such uses to go in sustainability terms; it is top of the notional pecking order that Mr Derbyshire spoke about. It makes little sense to declare that this site should be given less weight than sites which are not as sustainable, nor as desirable by the market due to the level of connection and connectivity that they would provide.

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<sup>52</sup> The reference to high quality infrastructure in table 4 should read 'high quality architecture.'

6.117 Great weight should be afforded to the way the scheme would meet some of the needs of the knowledge economy in Cambridge. There is currently a huge shortfall and high need that will not have evaporated by the time the appeal scheme is delivered.

(1) The average demand of new NIA floorspace each year between now and 2028/29 is between 461,000 sq ft per annum to 2041 and 536,000 sq ft per annum.

(2) There is no dispute that as at 2023, there is almost no commercial lab space available, and therefore a huge and tremendously pressing need for supply. Office space is also in deficit.

(3) Over the period to 2028, some lab floorspace and office floorspace will come on stream, and there will in addition be some movement between premises and therefore some recycling of existing space. However, Mr Bryan, on behalf of the appellant, does not believe that sufficient space will become available to meet the benchmarked demand figure per year or overall. His view is based on a fine grain of knowledge of the sites in the market. His view is that in the short term (by 2024) there is insufficient floorspace to meet even the lower notional 461,000 sq ft a year target.

(4) The demand slate is not wiped clean at the end of every year regardless of how much floorspace has been delivered – it compounds as unmet need.

(5) In the medium term, (2025-2028), Mr Bryan does not think that sufficient floorspace against the notional benchmarks will be available. He thinks that without this site, only 374,000 sq ft per year will be available to the market, considerably less than the lower annual benchmark figure put forward by Mr Kinghan of 461,000 sq ft.

(6) Mr Kinghan thinks that 398,000 sq ft will be available each year in the medium-term period, again, less than the lower notional annual need on Mr Kinghan's basis.

(7) Mr Kinghan's 398,000 sq ft is based on an assessment which includes 270,400 sq ft of floorspace which should not be counted:

- (a) Wellcome One which is not for the market but for the Institute,
- (b) AZ at CBC which is an owner occupier not on the market, and
- (c) ARM at Peterhouse Technology Park, which is double counted, as Mr Bryan's note of 23 June 2023 makes clear. Taking those sites out, there would be a further deficit against the notional 461,000 sq ft pa need figure.

6.118 Mr Kinghan argues that there are sites with outline permission which ought to be included.<sup>53</sup> Mr Bryan does not consider that one can rely through to 2028 on these sites because:

- (a) Space at St John's Innovation Park has the impediment that it requires the demolition of a building which currently has two tenants.

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<sup>53</sup> ID 1.24



- (b) Wellcome Genome Campus has no detailed consent and is a greenfield site
- (c) CITP has the same owner as Granta Park and Mr Bryan considers it extremely unlikely that the space would be promoted at the same time
- (d) Eddington has no detailed consent.
- (e) West Cambridge has no consent at all at the moment, and the University is focused on its own needs.
- (f) Cambridge Biomed has no detailed consents.
- (g) Plot 9 CBC has no detailed consents.

6.119 These sites should be discounted from the supply in quantitative terms. There is no reliable, market-facing evidence that more supply for labs and offices will come on stream by 2028/29 than even the notional ideas of annual need. In addition, that figure itself, needs to be very carefully weighed up, given the evidence that Mr Bryan gives about the amount of pent-up demand, the cumulation of unmet need over the short term, and the sense in the market that Cambridge is on the cusp of another major upswing in market demand.

6.120 In qualitative terms, the market has shown a clear preference for highly connected, urban sites rather than the traditional business park or campus. That places further emphasis on the North Cambridge site and is why the parties agree that when the lab and office floorspace proposed comes forward, it will find tenants in those sectors.

6.121 In conclusion, there is no persuasive basis to give the delivery on this site of nationally important labs and office space anything less than the highest level of positive weight. The cumulation of the weight to be given to the scheme's various benefits would be, as Mr Derbyshire says, very great indeed.

#### *Balancing exercises and conclusion*

6.122 The heritage balance under NPPF paragraph 202 is met by the scheme, as the enormous public benefits of the scheme outweigh the heritage harm given due weight pursuant to the NPPF.

6.123 The scheme accords with the development plan overall because of the extensive compliance and the relatively small degree of non-compliance with landscape and visual policy (the heritage harm is outweighed for the purposes of NH/14 by the benefits), and material considerations add further very great weight to the argument for the grant of permission.

6.124 The nub of the dispute here is the scale of built form perceptible from the eastern edge and much stress is laid on it all being a matter of judgement. The Council acknowledges that the site must bring forward a high-quality example of urbanism which meets the operational needs of the market, in buildings which can be prominent, and should be urban and seen to be urban. The setting is views and assets for which the relative proximity of the urban edge is already a key characteristic.

6.125 If permission is granted, this will be a fine example of modern sustainable development in one of the UK's most important places and will achieve the aspirations of national and local policy. For these reasons, and subject to the

conditions as discussed and the s.106 obligations, the appellant respectfully asks that the appeal be allowed, and permission granted.

## **7 The case for South Cambridgeshire District Council**

- 7.1 This summary contains all material points in relation to the Council's case and it is substantially based upon the closing submissions of SCDC. It is also taken from the evidence given on behalf of the Council and from other documents submitted to the Inquiry and the Council's response to the EA additional comments in relation to the EA review of the Cambridge Water Company scenario modelling.
- 7.2 The Council is a pro-active and pro-growth local planning authority. It has been successful in planning for growth within its vibrant and thriving administrative area. This is seen in its delivery of housing and its constructive, plan-led approach to office and lab space. South Cambridgeshire's successful economy is important locally, regionally and nationally. The Council supports the principle of development on this site and the mix of uses proposed in the application. The site is previously developed land in a highly sustainable location and forms part of a major allocation within the adopted local plan.
- 7.3 Whilst the scheme would give rise to significant social, economic and environmental benefits, the proposed development will also give rise to a range of social and environmental harms, including harm to heritage assets and landscape and visual impacts. Fundamentally, the scale, height and massing of the proposed development is not an appropriate response to the site and its context and for these reasons the proposed development does not achieve high quality design.
- 7.4 The appellant and the Council largely agree on the weight to be attached to the emerging NECAAP and the emerging Greater Cambridge Local Plan. As to the evidence base, Mrs Bradley, on behalf of the Council noted that whilst the evidence-based assessments had not been formally tested, in some instances – such as the NEC Landscape Character and Visual Impact Appraisal (LCVIA) – both parties' experts had agreed these were "robust" in the methodology they used. Mrs Bradley took the common-sense view that the evidence base was material to the decision-maker's judgement in this appeal.

### *Design and Context*

- 7.5 The Council submits that the proposed development does not achieve the high-quality design sought by the NPPF. Choices made in the design process contribute to achieving the ten characteristics of place set out in the National Design Guidance. The appeal scheme fails to respond appropriately to its context.
- 7.6 The context of the site is mixed. To the south is the station, the hotel building, and office building One Cambridge Square. To the east, train tracks, residential areas and the sensitive River Cam corridor. To the north and west, areas likely to undergo further transformation. Ms de Boom's evidence, on behalf of the Council, contends that the cumulative impact of the design proposals relating to land use distribution, block structure and urban grain, height, massing, scale and design of buildings results in a development that lacks variety and does not positively contribute to local context.

- 7.7 The Council's case is that the masterplanning over-prioritises the delivery of employment floorspace at the expense of responding appropriately to the sensitivities of the site's context. This is reflected in the significant landscape, visual and heritage impacts which would be caused by the proposed development.
- 7.8 The Architectural Design Principles within the appellant's masterplan identify some of the central challenges relating to the design of the commercial buildings. These include ADPC1, breaking down massing and avoiding long monotonous facades. The need for particular care to be taken with the application of design principles in relation to the eastern edge to ensure that visual mitigation impacts were maximised, given the low-lying context along the edge.<sup>54</sup> The Council disagrees that the type, amount and siting of commercial buildings, and the proposed arrangement successfully respond to the specific challenges of this particular site.

*Land Use, Distribution and Block Structure*

- 7.9 Ms de Boom, noted that the area east of Milton Avenue is primarily commercial, and considered that activity generated by people coming and going to these buildings would be relatively limited outside weekday AM and PM peaks and lunchtimes. The commercial development in the appeal scheme, with the exception of building S04, is located east of Milton Avenue. She contended that the quality of spaces was compromised by concentrating uses in particular areas and that the scheme would not help to build a thriving community by offering the right distribution of offices, commercial, residential and open space.
- 7.10 Whilst acknowledging that a large floor plate design with a single central core was commercially attractive and allowed for sub-division, she nevertheless considered that this created significant challenges. In particular it provided limited opportunity for stepping, which restricted any capacity to manipulate the building form to soften impacts. This was especially problematic given that the commercial buildings were distributed along the sensitive eastern edge of the site. She found that long elevations would make buildings appear boring and overbearing.
- 7.11 The NEC Townscape Strategy recommended a finer-grained approach to development, with street blocks broken into smaller independent plots.<sup>55</sup> Ms de Boom observed that because of choices made as to layout, height, quantum, scale and massing of the proposed development, the masterplan is overly reliant on elevational and architectural design to overcome fundamental and, inherent issues that relate to land use type, distribution and block structure.
- 7.12 The appellant's design response seeks to animate the ground floor level through the introduction of class E and F uses along the main streets. Ms de Boom doubts that this would provide a vibrant and animated streetscape. Her view was that the urban character of the place and the vibrant public realm envisaged in the masterplan is not compatible with the extensive large floor

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<sup>54</sup> CD 8.04d pages 60-61

<sup>55</sup> CD 5.15 Paragraph 5.2.8

plate lab-office uses and the relatively segregated nature of the residential uses proposed.

- 7.13 Buildings S05, S06 and S07, which align with the railway. would create a long, continuous and monotonous building line that would provide an abrupt transition between development and the countryside beyond. The gaps between the buildings along the eastern edge would be relatively narrow and would not be perceived. Larger gaps would create more significant green breaks, creating greater permeability between the structures to break up what was otherwise perceived as a long, uniform street, inconsistent with the LCVIA and Townscape Strategy.<sup>56</sup>

#### *Building S04*

- 7.14 One Milton Avenue (building S04) is a proposed seven storey office building with basement parking for cycles and vehicles and ground floor retail. It would have a maximum height of 30.85 metres, with terraces stepping down on the eastern, southern and northern elevations. Ms de Boom contends that the design is not a successful juxtaposition. The design is contrary to the Townscape Strategy which indicated that no further taller buildings were needed in this part of the site. The LCVIA modelled development of 21m on this part of the site. In consequence of its height, building S04 is seen rising behind the buildings on the eastern edge in views from the east.<sup>57</sup> It also adds to the bulk of development seen from Discovery Way.
- 7.15 The height and massing of Building S04 has an adverse impact in views from the east and from residential areas closer to the site.<sup>58</sup> Ms de Boom also considered that the cumulative impact of building S04 and One Cambridge Square on the residential development on Discovery Way would be overbearing as the structures would appear as a tall and continuous wall of development rising above the existing homes.
- 7.16 There is no good design reason for a building to fulfil a mediator role to match the height of an adjoining building. Buildings of different heights can sit comfortably next to each other. The most dominant feature of One Cambridge Square's elevation is the height of the brickwork. The brick top floor of S04 extends a full storey above that brickwork (to 27.91m). Moreover, the top of the plant screen is more visually dominant and taller than that of One Cambridge Square. Ms de Boom did not feel that the elevational design was successful in breaking down the massing of the building. Although the building appeared as two separate volumes on the eastern side (Milton Avenue), the result was unbalanced. Whilst the front volume would appear large and robust, the second volume would appear feeble in comparison.
- 7.17 Building S04 turns its back onto Chesterton Way and would be dominated by a service and access function. The lack of landscaping proposed on Chesterton Way compounds this issue. It fails to align with the NEC Townscape Guidance

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<sup>56</sup> CD 5.13a & CD 5.15

<sup>57</sup> CD 9.04 Figure 7 page 25

<sup>58</sup> CD 9.04 Figures 7, 8, 9 and 10

which seeks frontages towards the CGB. This would contrast with the proposed residential blocks and create an incoherent streetscape.

#### *Buildings S06 and S07*

- 7.18 Buildings S06 and S07 are designed to relatively specialised requirements, including increased floor to ceiling heights. There is common ground that the design approach proposed is successful in breaking down the massing of the buildings when viewed from nearby.
- 7.19 Buildings S06 and S07 are taller and more continuous than the recommended heights set out in the Townscape Strategy and the LCVIA. The lack of variation in building height means that there is little articulation would be visible in the roofline, and in any event is lost by the presence of other buildings in the masterplan rising above it.
- 7.20 The architectural design of buildings S06 and S07 is nearly identical and the continuous repetition of the design across a very long development complex means that there is a loss of distinctive architectural style. This part of Station Row would lack variety and human scale, and the buildings would feel boring and overbearing.
- 7.21 Ms de Boom considers that the articulation within the buildings would not be perceptible at a distance and that the landscape terrace would not be effective in reducing scale and massing or read as part of the landscape. The proposed trees would not mitigate the impacts of the proposed development. Overall, the 150m long, 4-storey form would dominate on the skyline and be overbearing on the eastern edge.

#### *Buildings S08 -S21*

- 7.22 Although buildings S08-S21 are outline proposals, the appellant has produced relatively detailed illustrative designs, which are followed closely in the parameter plans. The LPA has identified several issues with these proposals.
- 7.23 Building S09 and the residential quarter would be viewed rising above S06 and S07, compounding impacts on the sensitive eastern edge, resulting in landscape, visual and heritage harms. The height and massing of Blocks S13-S16 would also have a negative impact on views from Discovery Way. The parameter plans would indicate that the northern elevation of S09 (overlooking the Wild Park) is considered the back of the building and any attempt to activate that side of the building is likely to struggle until development to the north comes forward as part of the wider masterplan area.
- 7.24 The appellant recognises that, ideally, single aspect units should be avoided. The use of perimeter blocks which is done to keep residential heights lower, is welcomed. The proposed illustrative design includes approximately 25% single aspect and 75% dual aspect dwellings.
- 7.25 Ms de Boom considers that in a large proportion of what the appellant considers to be "dual aspect" homes, the second aspect is created by the stepping of the building to create a second external wall. The benefits of dual aspect dwellings include allowing cross ventilation, more daylight for longer periods, more

extensive views and access to cooler or quieter sides of a building. A single window or door would not deliver many of these benefits. Accordingly, many of these dwellings as designed are “*enhanced single aspect*”.

- 7.26 The stepping of the building form to create the second elevation may not be acceptable at reserved matters stage because such stepping could cause issues with overlooking and overshadowing of adjoining buildings. The detailed parameter plans would impose restrictive constraints on future design solutions particularly when the height parameters are considered. The appellant has recognised that this may lead to a reduction in the number of units which can be delivered.

### *Landscape Design*

- 7.27 There are also a number of issues with the landscape design.

- a. The lack of planting at the street level of 1 Milton Avenue (S04) is not a deliberate design decision, but rather a consequence of a lack of space for it
- b. The Wild Park is in the northern part of the proposed development. The 2009 SPD sets out quantitative and qualitative guidance for the provision of open space.<sup>59</sup> In qualitative terms it provides that open spaces should be fully integrated into the design and children's play areas should be very accessible and visible rather than utilising areas left over after planning. The Wild Park feels like an afterthought. It is away from the main movement network of the development and is not overlooked by residential properties. Instead, it is overlooked by the rear of an office building which is unlikely to provide any natural surveillance outside of office hours.
- c. The landscape mitigation does not sufficiently address the central concerns associated with the sensitive eastern edge. The trees proposed would reach 12m after 15 years and continue to grow taller over time. However, the filtering effect does not sufficiently soften the edge.

### *Landscape Character and Visual Effects*

- 7.28 Landscape judgements are informed by national and local policy, as well as by guidelines for landscape and visual assessment provided by the Landscape Institute (“GLVIA 3”).
- 7.29 Both Mr Smith and Mr Wakefield have at times reached a different judgement from that set out in the Bidwells LVIA, and from each other. Experienced and knowledgeable experts have formed their own views of the scheme. All three landscape experts – Mr Wakefield, Mr Smith, and the authors of the Bidwells LVIA – consider that harm of varying degrees arises from the height and scale of the buildings proposed on the appeal site. The central dispute between the appellant and the Council is over the professional judgements reached as to significance and extent of the effects of the proposed development in landscape character and visual terms.

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<sup>59</sup> CD 5.31

*The NECAAP LVIA Evidence Base*

- 7.30 The North East Landscape Character and Visual Impact Appraisal – Development Scenarios document (the TEP Report) considered three development scenarios on land including the appeal site (as parcel 4 of that study).<sup>60</sup> Mr Smith, on behalf of the appellant considered that the TEP Report bases its conclusions upon a robust, methodical approach to landscape and visual matters.
- 7.31 The TEP Report provides an appraisal of existing landscape character and visual amenity and an appraisal of potential effects of high, medium and low development height scenarios. This modelled development of variable heights of 12m along the eastern edge and between 18m and 21m on other parts of the appeal site.<sup>61</sup> On no sensible analysis does it envisage buildings ranging between 27 meters and 36 meters high on the appeal site as Mr Smith contends.
- 7.32 The Council considers that the heights of the proposed development does not accord with those modelled in the TEP Report. Amongst other matters it sets out that the height and massing of buildings should avoid dominating views of the skyline from the east and should avoid creating an abrupt transition from development to the rural edge.
- 7.33 The LVIA aspects of the AAP evidence base, including the TEP Report are robust, and the guidance on height and massing underlines the relative sensitivity of the surrounding landscape to development on the appeal site. The proposed development does not avoid extending development across the skyline and insufficient thought has been given to variable setbacks or the creation of a variable roofline. There is also an absence of permeable built form. Accordingly, the proposed development is not an appropriate response to the sensitive eastern edge because it does not avoid an abrupt transition between the development and the countryside.

*The Townscape Strategy*<sup>62</sup>

- 7.34 The Townscape Strategy is built on the evidence base provided in the Townscape Assessment, the HIA and the LCVIA. <sup>63</sup>It sets out a series of townscape principles including the need to respond sensitively to and preserve the special character of the River Cam Corridor, meadows and Fen Ditton and respond appropriately to the adjacent residential context by stepping heights and densities towards its interface with existing settlements and avoiding stark contrasts with existing neighbouring buildings.
- 7.35 It sets out that heights on the appeal site should be up to 15m with a local landmark building of up to 21m. It provides that the hotel and office building which provide prominence and legibility to the gateway and further taller buildings are not necessary in this area.

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<sup>60</sup> CD5.13a & 5.13b

<sup>61</sup> Block 4 in the TEP Report

<sup>62</sup> CD5.15

<sup>63</sup> CD 5.15



### *The River Cam Valley*

- 7.36 The appellant agrees that the River Cam corridor is a valued landscape. The character of the site is influenced greatly by its surrounding townscape and landscape features. The site lies adjacent to the River Cam corridor which as Mr Wakefield emphasised forms an important strategic green sinuous space through Cambridge from the northeast through the City to the southwest. This green corridor contributes to the distinctive landscape of the setting of the City, and pressure for recreation and housing, were two specific landscape sensitivities identified by Mr Wakefield.
- 7.37 Landscape Character Area (LCA) 9a has a rural and pastoral character and forms a distinctive approach to the city. LCA 9a is an aesthetically pleasing area that is well-used by people on and off the water. The proposal fails to protect views from and the character of LCA 9a due to impacts on skyline and the rural nature of this character area.
- 7.38 In the LVIA process, landscape value is combined with an assessment of the susceptibility of the landscape to form a view on landscape sensitivity. Sensitivity and magnitude are considered together to reach a view on significance. It follows that these professional judgements at each stage of the LVIA process impact the overall assessment of significance of effects.
- 7.39 Mr Wakefield, on behalf of the Council, agrees with the assessment of landscape sensitivity, magnitude and significance of effects for three of the character areas considered in the Bidwells LVIA, namely the Railway Corridor; the landscape setting of Fen Ditton CA; and the townscape setting of Riverside and Stourbridge Common Conservation Area.
- 7.40 Mr Wakefield considers that LCA 9a, the River Cam Corridor has a high sensitivity, In relation to sensitivity, whereas the Bidwells LVIA and Mr Smith two identify high/medium sensitivity. The reason for this difference is that Mr Wakefield disagreed with the Bidwells LVIA's treatment of susceptibility, considering it should be high and not medium because the landscape has a strong landscape structure and a low capacity to accept change. By contrast, Mr Smith sought to classify sensitivity as "medium" based on his assessment that the area has "some capacity" to accommodate the proposed development.
- 7.41 The test for high susceptibility in the Bidwells methodology is that the receptor "*cannot accommodate the proposed development without notable consequences for the maintenance of the baseline*".<sup>64</sup> Mr Wakefield contended that the landscape is a strong defining characteristic of Cambridge and of regional importance. He identifies the notable consequences are an increase in urbanisation and impacts on pastoral and rural qualities of the landscape. It would follow that taking a high landscape value and a high susceptibility would elevate the overall sensitivity to high rather than medium-high, as contended by Bidwells and by Mr Smith.
- 7.42 Mr Wakefield concluded that the landscape effects would be of a medium magnitude rather than a low magnitude (the latter position being adopted in the

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<sup>64</sup> CD 1.40, p.4

Bidwells LVIA and by Mr Smith). The proposals would result in a moderate alteration to key landscape characteristics including the rural and open character of the LCA. Mr Smith's analysis is that the proposed development would only "*cause a small increase in built form*" (in support of a finding of "*low magnitude*"). However, there would be inter-visibility between the appeal site and the LCA. The scale, mass and horizontal nature of the development would create an elevated impact, beyond the conclusion drawn by Mr Smith and in the Bidwells LVIA.

- 7.43 When considering magnitude, it is relevant to consider several factors such as duration, geographical extent and scale. The effects on the receptor would be long term in relation to increased urbanisation and impact on pastoral qualities. The geographical extent would be discernible across a moderate proportion of the character area. The size and scale of effects are also material. In particular Mr Wakefield emphasised the moderate alteration to key landscape characteristics including to a key perceptual quality, namely the rural and open character of the area, via the introduction of a significant quantum of built form extending a horizontal urban edge. Accordingly, Mr Wakefield's assessment of "medium" magnitude is eminently reasonable.
- 7.44 Mr Wakefield considered that the LVIA's approach (and in turn Mr Smith's assessment) underestimated the significance of effects in ascribing only a moderate-minor adverse impact rather than a moderate-major adverse impact to LCA 9a.
- 7.45 The skyline of Cambridge is highly valued, and the character area is of high/medium sensitivity. However, the appreciation of the skyline of Cambridge is not confined to the city centre but starts on the rural/urban fringe. The parties differ on the magnitude of effects. Mr Wakefield considers that the magnitude of effects is medium/high, whereas the Bidwells LVIA reaches a judgement of medium, and Mr Smith reaches a judgement of medium/low. Mr Wakefield emphasised that the urban fringe context was important in considering the appeal site. Whilst development on the A14 had been referenced as introducing horizontal features around Cambridge's northern fringe, these features tended to be modern and detrimental introductions to the existing and historic landscape context of the City and its surroundings.
- 7.46 Due to his judgement on magnitude, Mr Wakefield concluded that the significance of effects had been underplayed and was more pronounced than identified in the Bidwells LVIA (moderate/major adverse rather than moderate/neutral). Even Mr Smith's assessment concluded that the increased visibility of built form on the skyline in this location is judged to be negative in character, in concluding that the proposed development would cause moderate adverse effects to the Cambridge skyline receptor.
- 7.47 Overall, Mr Wakefield considered that significant moderate/major adverse effects on several receptors would be felt. The landscape sensitivity of LCA 9a River Cam Valley Cambridge is high; the magnitude on impacts is medium/high and the significance of effects are moderate/major adverse which is significant and impacts on a valued landscape. The impact on the Cambridge skyline is more pronounced than stated in the Bidwells LVIA (which refers to moderate neutral effects). In summary, the approach adopted in the Bidwells LVIA (and

amplified in Mr Smith's evidence) results in a series of judgement calls which effectively downplay the landscape impacts of the proposed development. Mr Wakefield concludes that the effects would be moderate/major adverse. The landscape effect is thus significant.

### *Visual Effects*

- 7.48 Mr Wakefield noted that existing development has given rise to adverse visual impacts to the east of the site, and emphasised that the proposed development would not mitigate those impacts but would significantly increase landscape visual impacts, particularly to the east. He contends that in a rural-urban context, a more sensitive transition might be expected from the context of the appeal site. Mr Wakefield's view was that a lack of visual permeability had serious implications for visual effects, and that there were viewpoints where greater visual breaks would provide much more significant visual mitigation in terms of landscape and visual impacts, in particular along the sensitive eastern edge and the associated visual arc to the east of the site along the River Cam Valley.
- 7.49 Mr Wakefield described how the height of the buildings adjacent to the railway line, whilst lower than the highest buildings on the appeal site, remain "*substantial*". The NEC Landscape Character Appraisal was plainly concerned with the potential landscape visual effects on the sensitive eastern edge, hence the refined approach to the relevant block. The proposals include a decrease in height of buildings adjacent to the railway line to respond to the NEC LVIA, but the proposed heights are nevertheless in discrepancy with that assessment and harmful on an objective assessment. Mr Wakefield considered the appellants' approach to be ineffectual in overcoming visual impacts to the east, given that buildings are seen not individually but as an overall mass.
- 7.50 In considering the impact of the development on the Cambridge skyline and landmark buildings, Mr Wakefield's evidence invites consideration of local landmarks and views and the transition of the skyline from rural to urban on the edge of Cambridge.
- 7.51 Mr Wakefield emphasises the transition of the skyline from rural to urban on the edge of Cambridge. The rural/urban interface demands careful consideration of mass and height of buildings. His view is that the only real way to reduce or mitigate impacts on skyline is to reduce the height of buildings, reduce the mass, or improve the permeability of views through the site. Mitigation planting would do little to overcome the impact of this height in the longer term and would make no difference at the 15 year assessment point as noted in the Bidwells' LVIA.
- 7.52 The largest landscape visual impacts are from sensitive landscape receptors to the east of the site: the River Cam Valley; Fen Ditton Conservation Area; Fen Rivers Way Long Distance Footpath; Harcamlow Way Long Distance Footpath; Ditton Meadows; Fen Ditton Village/The Plough Inn; Fen Road. All are important with high levels of sensitivity made greater by widespread recreational activity. Consideration should also be given to the sequence of kinetic views as one travels from north to south along the River Cam, to understand the scale of landscape and visual impacts from these sensitive receptors.

### *Specific Viewpoints*

- 7.53 *Bidwells viewpoint 5*: Bidwells and Mr Wakefield agree that the sensitivity of the view is high, whereas Mr Smith takes the view that the sensitivity is high/medium. The issue comes down to value. It is agreed that the area is a well-used public footpath within the Fen Ditton Conservation Area and in the River Cam Valley; and that it is part of a valued landscape with views over the River Cam and high scenic quality. The Bidwells methodology summarises qualities associated with high-value visual receptors in table 3.<sup>65</sup> Mr Wakefield and Bidwells both considered that the viewpoint met these qualities. In contrast, Mr Smith sought to contend that the value was not high because whilst the landscape is protected in a paragraph 174 sense, it is not within a national landscape designation. This exchange demonstrated that Mr Smith has undervalued certain viewpoints based on too high a threshold for a finding of a high value.
- 7.54 *Node viewpoints 1, 2 and 3*: Mr Wakefield identified additional Node viewpoints 1, 2 and 3. Mr Smith addressed these in his rebuttal and accorded a high/medium sensitivity, which, for the reasons set out in relation to Bidwells viewpoint 5, Mr Wakefield considers to be too low. In relation to magnitude, Mr Smith ascribes a low magnitude of effects for these views, whereas Mr Wakefield considers medium change. The Bidwells methodology gives a description of low magnitude.<sup>66</sup> In the light of that description, it is submitted that moderate is a fairer assessment of the magnitude of effects particularly from viewpoint 1. The increase in built form would be readily apparent in this view, resulting in an increased sense of urbanisation and extending the built form across the skyline. This gives rise to moderate / major adverse effects from this viewpoint.
- 7.55 *On Bidwells / VuCity model viewpoint 8*, despite all mitigation and architectural responses, Mr Wakefield and Bidwells both considered there would be major adverse impacts. Even Mr Smith agrees that impacts would be significant but assesses these as major/moderate adverse. Mr Smith identified high/medium sensitivity, whereas both Bidwells and Mr Wakefield assessed sensitivity and magnitude as high. The architectural features employed have not successfully mitigated the impacts from this view. A landscape-led response should have included reducing the overall height of the buildings (especially Buildings S06 and S07) and taking a more sensitive approach to the colour of the upper parts of the buildings and plant storage.
- 7.56 Along the eastern edge, Mr Wakefield considered the landscaping to be ineffective at disguising the skyline or reducing the overall visual impact. The horizontal mass would rise above the planting, and due to the limited gaps between Buildings S06 and S07 would read as one block. The proposed development would result in significant change to the view, with the proposed development a dominant and prominent feature.
- 7.57 *Node viewpoints 22 and 23 (the Plough, Fen Ditton)* The pub gardens are generally accessible to the public for many hours throughout the day and there

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<sup>65</sup> CD 1.40, Table 3

<sup>66</sup> CD 1.40, Table B`

is nothing in GLIVA which restricts consideration of such views. Mr Wakefield assessed a major adverse impact, whereas Mr Smith assessed a moderate adverse. Given the evident accessibility of the pub garden, Mr Wakefield was right to ascribe a high level of sensitivity, and he was also right to say that the proposed development would lead to a high magnitude of change.

- 7.58 *Node viewpoint 21 (River Cam Fen Rivers Way)*: Mr Smith accepts major/moderate adverse impacts. His rebuttal identifies high/medium sensitivity, whereas Mr Wakefield reasonably ascribes a high sensitivity to this well-used public right of way. Mr Smith identifies a medium magnitude of effect. Again, for reasons similar to those in Bidwells viewpoint 8, it is submitted that high magnitude is the appropriate assessment leading to a major adverse impact.
- 7.59 *Views from residential areas* Mr Wakefield considered that Bidwells viewpoint E5 would give rise to a moderate/major adverse visual effect, based on an assessment of medium sensitivity and a high magnitude of change. Although there is an existing visual link between the residential area and existing development, the addition of prominent built form would be overbearing. Mr Smith suggested overbearing was something so dominated by built form that it was almost unliveable. Plainly, this sets an unnecessarily high test. The development would be dominant and prominent and in that sense it is reasonable to conclude that it would be overbearing.
- 7.60 In conclusion, the proposed development introduces a new and significant urban edge which extends prominent built development across the skyline. In addition to the eastern edge, the bulk of S09 and some of the residential development behind buildings S06 and S07 would be visible as well as the top of building S04 above Building S06. This would be a visually prominent and intrusive proposal that detracts from the pastoral landscape qualities of the surrounding landscape character area, in both landscape and visual terms. When viewed from parts of the nearby residential areas, the proposals would be unacceptably overbearing.

### *Heritage*

- 7.61 The Fen Ditton Conservation Area (FDCA) and the Riverside and Stourbridge Common Conservation Area (RSCCA) are the closest heritage assets to the site. It is agreed that the development proposals would cause harm to the significance of these two heritage assets.<sup>67</sup> There is common ground on the lack of impact on Anglesey Abbey, and whilst Bait Bite Lock was raised by Historic England, the impact on that area is not pursued by the Council.
- 7.62 It is agreed that the level of harm would be less than substantial for the purposes of the NPPF. The Council considers that the proposed development would cause a moderate level of harm within the "less than substantial harm" scale to both conservation areas. The appellant considers the level of harm would be at the very lowest end in each case.

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<sup>67</sup> CD 6.09, paragraph 6

- 7.63 An overview of FDCA is provided at paragraphs 3.1 and 3.2 of the FDCA appraisal.<sup>68</sup> In particular, the village has an unmistakably rural feel with its grass verges, large trees and its *"bucolic riverside setting."* The historic connection with the river is also highlighted in the appraisal. The riverside setting is a distinctive feature of the village. Views across the meadows are highlighted as positive features in the FDCA heritage appraisal.
- 7.64 The RSCCA is a large conservation area embracing the River Cam corridor from almost the Centre of Cambridge north-east until the city boundary and then adjoins the FDCA. It is accordingly, based along the green wedge of the city, and the character of the RSCCA has a more rural feel as one reaches Fen Ditton.
- 7.65 The North East Cambridgeshire Heritage Impact Assessment makes clear that whilst the NEC site makes no contribution to the significance of RSCCA, *"new development within the NEC site could become visible and form a backdrop and so changes to these views and the significance of the RSCCA should be assessed"*. On the FDCA, the North East Cambridgeshire Heritage Impact Assessment notes that *"Fen Ditton has a very rural feel to it, surrounded by open space with a tranquil riverside setting"*. Noting the two parts of Fen Ditton, the North East Cambridgeshire Heritage Impact Assessment goes on to consider that *"The NEC Site area is not visible from these areas, but its low-lying nature for the most part enables it to disappear into the backdrop of the fens from locations on the western edges of Fen Ditton. The NEC Site contributes to [FDCA]"* The North East Cambridgeshire Heritage Impact Assessment identifies clear potential sensitivities in respect of both conservation areas resulting from development on the appeal site.
- 7.66 For the appellant, Dr Burgess's evidence recognises that views to the river are important contributions of setting to the heritage significance of the FDCA, although he goes on to assert that views of development and urbanising elements have been a feature for more than a century and has not previously been considered to undermine the heritage significance of the area. Dr Burgess considers that the setting of the RSCCA contributes very little to its heritage significance.
- 7.67 For the Council, Mr Brady's assessment of significance of heritage assets placed both FDCA and RSCCA in a wider context of a *"continuous chain"* running along the River Cam. The contextual significance of the designated heritage assets relevant to this appeal is similarly acknowledged in the Local Plan: *"the interface between the urban edge and the countryside is a key component of how the city is appreciated in the landscape and contributes to the quality of life and place"*.
- 7.68 Mr Brady emphasised the important relationship between the river corridor, open space and views of meadows and fenland and views across these as components of the significance of the conservation areas and their settings. He emphasised that the conservation areas provide a transition between

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<sup>68</sup> CD5.07

countryside and the city. In particular, the river, its landscape setting and its use are central to the significance of the conservation areas.

#### *The North East Cambridgeshire Heritage Impact Assessment*

- 7.69 The North East Cambridgeshire Heritage Impact Assessment was for the whole AAP area but based on the heights in the Townscape Strategy. For the appeal site, the proposed heights in the Townscape Strategy were significantly lower than what is proposed. At 2.1.3 of heritage sensitivities, the Townscape Strategy sets out that "*The principal heritage impact concerns would be from tall buildings that rise above the context and the tree line and become dominant or detracting features on the skyline that may affect the setting of heritage assets or impact on views.*" The Townscape Strategy goes on to address particular aspects in relation to FDCA and RSCCA.
- 7.70 The Council considers that there is a fundamental difference between the proposal assessed in the North East Cambridgeshire Heritage Impact Assessment and the current appeal scheme, and that accordingly the decisionmaker cannot read across the conclusions in respect of that scheme to the scheme under consideration at this appeal.

#### *Harm and Impact*

- 7.71 In the case of both conservation areas, it is the increased sense of urbanisation which results in harm. Dr Burgess summarises the issue as "... *the feeling of intensified, more urban development in occasional views out from the [RSCCA] and [FDCA]*". Mr Brady and Dr Burgess differed in their view as to the extent of harm.
- 7.72 The proposed development would add to existing commercial development on the northern fringe of Cambridge, increasing the sense of development, and would alter the relationship between the village of Fen Ditton and the river. One aspect of heritage harm arising is the increased sense of urbanisation on the FDCA and the consequential negative effect on the significance of the FDCA. In relation to the RSCCA, one aspect of heritage harm arising is the impact of further development on one's appreciation of gradually moving into a more rural landscape.
- 7.73 Dr Burgess took the approach that the proposed development would add to existing commercial development but would not fundamentally change the relationship between the river setting and the conservation areas. He accepted that increased urbanisation would cause limited harm to the significance of the FDCA. In relation to the RSCCA, he considered that the visibility of buildings, in principle "*does not... harm its character if anything it defines it*". Nevertheless, Dr Burgess accepted that "*the feeling of increased development*" would cause "*slight*" harm to one's appreciation of gradually moving into a more rural landscape.
- 7.74 Mr Brady considered the implications of the eastern side of the appeal site being more openly apparent from distances. His view was that the proposed development would form a further urbanising element expanding and intensifying the urban backdrop. He also considered that a concentration of built form at scale would make a "*much greater*" intrusion into the skyline and

existing tree and hedge backdrops to the conservation areas. By way of example, the potential negative presence is clearly illustrated from several viewpoints in the Vu-City Technical Visualisations (such as viewpoints 6, 8 and 15).<sup>69</sup> He considered the components affected to be of fundamental importance to the designated assets character.

- 7.75 Mr Brady considered that the proposals would constitute a permanent change to the visual quality of the heritage assets' setting and would have a negative effect on the way in which those assets are experienced and appreciated. In particular, in relation to FDCA, the intensification of urban development detracts from the bucolic riverside setting of the village. In relation to RSCCA, the feeling of increased development of more than 2-3 storeys which one might associate with the suburbs would cause harm to one's appreciation of moving into a more rural landscape, especially given that the proposed development would be a substantial increase on the existing hotel and office which are intended to frame the station.
- 7.76 The proposed development fails to meet the policy imperatives of the NPPF and the Local Plan (namely Policies HQ/1 and NH/14). In particular, the appeal scheme fails to conserve or enhance the conservation areas (contrary to Policy HQ/1); and the appeal scheme does not sustain and enhance, or respond to, local heritage character (contrary to Policy NH/14 of the Local Plan).
- 7.77 The proposed development would constitute a permanent change to the visual quality of the heritage assets' setting and would have a negative effect on the way in which they are experienced and appreciated. Accordingly, Mr Brady's professional view, which is shared by the statutory consultee Historic England, is that in respect of both RSCCA and the FDCA, there would be a moderate level of less than substantial harm. The Council invites the decisionmaker, in exercising their own judgement, to reach the same conclusion.

### *Planning*

- 7.78 The appeal falls to be assessed in accordance with the extant development plan. Policy SS/4 makes it clear that applications are to be assessed on their own merits.
- 7.79 On reason for refusal 1 (landscape), Mr Wakefield's evidence informs Mrs Bradley's planning evidence, and in particular her analysis of policy, in the following ways:
- (i) Bidwells' LVIA underestimated views from the east of the appeal proposal informed Mrs Bradley's conclusion the appeal proposal did not fully take into account the environmental constraints of the site contrary to Policy SS/4(4a).
  - (ii) The height, massing and scale of the building design does not positively contribute to local context and informed Mrs Bradley's view that the proposal does not accord with Policy HQ/1 of the Local Plan.

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<sup>69</sup> CD 9.06 paragraph 8.9



(iii) The proposed development does not respect, retain or enhance the landscape, and results in a significant level of harm or adverse effect in landscape or visual terms. As such the proposed development does not accord with policies NH/2 and NH/8 of the Local Plan and paragraph 130(c) and (d) of the NPPF.

7.80 Development along the A14, at Eddington, Cambridge Biomedical Campus and at Cambridge West demonstrate the Council's willingness to grant permission for large scale commercial development including on sensitive visible edges of the city. However, the developments discussed are generally lower in height than the appeal proposal, and do not justify the heights proposed here.

7.81 On reason for refusal 2 (heritage), as a matter of national policy, any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The evidence of Mrs Bradley is that applying the balance in paragraph 202 of the NPPF, the public benefits arising from the proposed development do not outweigh the great weight she has afforded to the less than substantial harm resulting from the proposal. Mrs Bradley noted Mr Brady's conclusion that in relation to the two conservation areas, the impact of urbanisation resulting from the proposed development impacts on the sense of a transition between rural and urban areas. A finding of less than substantial harm identified by both parties does not support the conclusion that the proposals sustain, enhance or respond to local heritage character. She accepted Mr Brady's judgement that the proposed development would result in a moderate level of harm to FDCA and RSCCA, within the less than substantial harm scale.

7.82 On reason for refusal 3 (design), Mrs Bradley acknowledged that the Council agreed with the proposed nature of the use of the site, and adopted Ms de Boom's conclusions that whilst there were some high-quality design aspects of the site, the proposal as a whole was not high quality. In particular, the cumulative impact of the design proposals relating to land use distribution, block structure and urban grain, and the height, massing and scale of design of buildings results in a development that lacks variety and a comfortable human scale and does not positively contribute to local context.

7.83 Strategic objective S/2 sets out the vision for the Local Plan to be secured through the achievement of six key objectives, which is about achieving a balance between supporting the economy, providing for housing needs and protecting the environment. The proposals do not meet two of the key objectives in Policy S/2 in that the proposal fails to protect the character of South Cambridgeshire, including its built and natural heritage; and it fails to deliver high-quality, well-designed developments. Further, the proposals do not achieve sustainable development due to the landscape and visual harm, heritage harm, and failure to provide a well-designed overall scheme, contrary to Policy S/3.

7.84 The proposal does not strike the right balance in relation to delivering all the objectives of the Local Plan. Mrs Bradley emphasised that such balance is important to ensure Cambridge continues to grow in a way that retains Cambridge's defining and distinctive characteristics.

- 7.85 The appeal site forms part of the major development site allocation within the Local Plan as referenced in Policy SS/4. Mrs Bradley considered that the proposal conflicted with part 2 of the policy by not being high quality. She considered that the proposal conflicted with part 4 by failing to take into account existing site conditions and environmental and safety constraints (principally relating to the effects of the proposal in the landscape and visual terms).
- 7.86 Policy HQ/1 does not preclude prominent development, but as Mrs Bradley noted the policy clearly sought to preserve or enhance the urban and rural character, respond to context, and respect local distinctiveness. Her view was that the proposed development fails to adhere to Policy HQ/1.
- 7.87 The proposal does not respect, retain or enhance the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located, contrary to Policy NH/2.
- 7.88 Whilst there is no allegation of harm to the openness of the Green Belt or the purposes of including land within the Green Belt, Policy NH/8 provides that development on the edges of settlements which are surrounded by the Green Belt must include careful landscaping and design measures of a high quality. It was agreed by Mr Derbyshire in cross-examination that this policy applies to the appeal site but Mrs Bradley considers it to be breached because the design of the scheme overall is not high quality.
- 7.89 In terms of an overall planning balance, Mrs Bradley noted that there was relatively wide-ranging agreement between the appellant and the Council, and that the areas of disagreement are clearly delineated, as set out in the updated Statement of Common Ground.

#### *Economic benefits*

- 7.90 The appellant and the Council both produced detailed evidence on the economic need for offices, labs and research and development space. The wider context is one of relatively limited disagreement between the parties on the issue. There is an acknowledged need in Cambridge for offices and laboratories in sustainable locations given the role of the area as an internationally leading Life Sciences and technology cluster. There is no dispute that the proposed development would be likely to let. No one site or building is critical to meeting the employment needs of the area nor is delivery of a particular quantum of floorspace on this site critical to meeting anticipated employment needs over the plan period or to the success of the local economy.
- 7.91 Mrs Bradley maintained her assessment that affords the need for employment land and employment benefit "*considerable weight*". Mr Derbyshire similarly retained his view that the need should be afforded "*great weight*."
- 7.92 The Council is a pro-growth, pro-business authority who actively seek to assess development needs and plan for them where it is sustainable to do so. The Council maintains the need for a quality and place driven approach to sustainable growth in order to support what is special about Cambridge and the Cambridge economy. This reflects the Council's ambition not only to support the

delivery of employment floorspace but also to ensure that what is permitted is high quality, sustainable development.

- 7.93 Policy S/5 in the South Cambridgeshire Local Plan 2018 includes that “*Development will meet the objectively assessed needs in the district over the period 2011- 2031 for 22,000 additional jobs*”. The Local Plan identified a supply of land that was sufficient to provide the predicted 22,000 additional jobs plus sufficient surplus that would also ensure that if the economy performed better than expected, the plan would not constrain economic potential. The adopted local plan also includes allocations at the Cambridge Science Park, Fulbourn Road, Cambridge Biomedical Campus as well as employment opportunities at planned new settlements. The wider strategy also includes developments within Cambridge City at West Cambridge and CB1. The Council has also granted planning permission for substantial further development, at the Wellcome Genome Campus, for example.
- 7.94 The proactive approach of the Council on this issue is also seen in the emerging Joint Local Plan (currently at Reg. 18 Preferred Options stage). Of course, the emerging Local Plan has not yet been adopted. Whilst the evidence base has not yet been tested through examination, it has not been substantially challenged at this Inquiry.
- 7.95 Mr Kinghan, the author of the Greater Cambridge Employment and Housing Evidence Update, stressed the overall thrust of that evidence base in general plan making terms. The context of the evidence base is to look across the next 20-year period and think about how the Council should provide a flexible and sufficient supply to meet demand. He noted that there may be periods where demand exceeds supply as the market works to respond to demand. Mr Kinghan acknowledged that we are in such a period, but the pipeline of supply is significant and the overall picture is of positive, plan-led growth.
- 7.96 In general terms, the evidence base indicated a need to double the provision of office and commercial laboratory space over the proposed plan period with 10 million sqft for the area, on top of the existing approximately 10 million sqft that exists.
- 7.97 The evidence base shows that the projected supply of employment floorspace in the plan period would essentially produce a balance (with a limited surplus) in office / R&D combined. In addition, the emerging Local Plan (first proposals) allocations would provide additional office and R&D floorspace providing for significant proposed allocations at North East Cambridge, Cambridge East, Cambridge Biomedical Campus and Babraham Research Campus.
- 7.98 This further supply is considered beneficial in encouraging growth and given the inevitable sensitivities and uncertainties in modelling outcomes and the benefits of ensuring a post plan pipeline. Whilst the exact floorspace to be delivered within the Plan period is not yet known, the pipeline of supply is significant and the overall picture is of positive plan led growth. It should also be recorded that in response to the Inspector’s questions, Mr Kinghan confirmed that his assessment of employment needs is not constrained by housing numbers but rather the housing need recommendations are derived from the employment growth forecast.

7.99 On demand, for the appellant, Mr Bryan's approach is to look at existing market demand and extrapolate from there. Mr Kinghan acknowledged that Bidwells have a high quality of local data on demand profiles and accepted the appellant's demand figure as reasonable, albeit noting the inherent uncertainty in future projections. Furthermore, the appellant's use of gross take-up figures does not account for existing space being released back into the market.

7.100 Mr Kinghan acknowledged that existing demand is high and would exceed supply in the near-term (to 2025), but he noted there is supply that is forthcoming that would alleviate the imbalance between demand and supply. Accordingly, in the medium (to 2030) and longer term (to 2041, Plan period), the picture is much brighter. Of course, the appeal proposal would not be delivered in the short term but would come forward in the medium term when a number of other schemes are also likely to be delivered and contributing to meeting demands.

7.101 The appellant's approach is market-led. In summing up during the round table, Mr Bryan was clear that there is a need for the site according to the demand seen today, and in qualitative terms, considered that it is important for Cambridge – as an internationally competitive destination for the Life Sciences and associated industries – to offer offices and laboratories in a highly sustainable location.

7.102 The Council takes a broader, plan-led approach. The adopted local plans enable development at the Science Park and identify wider development opportunities at North East Cambridge. Cambridge Biomedical Campus, West Cambridge, and Fulbourn Road on the east of the City are also identified. These complement city centre developments at CB1 near Cambridge central station. Outside Cambridge the southern employment parks which focus on life sciences continue to develop, with a major expansion granted planning consent at the Wellcome site. There are also employment development opportunities at the new settlements. The emerging Greater Cambridge Local Plan proposes further development, including a mixed-use development on the Airport site and potential for further development at the Biomedical Campus.

7.103 There is an acknowledged need for further office and laboratory space, and a demand for further space. The Council is working to address this issue in a sustainable way. This includes granting permissions for the right schemes, allocating sites and working with developers on numerous pre-applications to ensure a robust pipeline of supply.

7.104 Any imbalance between short term demand and supply does not justify the over-development of this site. The quality of place should remain a guiding principle when considering the proposed development. Mrs Bradley agreed with the appellant's view that considerable weight be given to the 'cluster' effect and additional employment.

#### *Social benefits*

7.105 *Housing*: The appellant and the Council agree that considerable weight is attached to housing need. South Cambridge District Council and Cambridge City Council together have 6.1 years of housing land supply for the 2022-2027 five-year period. Mrs Bradley noted that from the adoption of the relevant local

plans, the Councils have together demonstrated a 5-year housing land supply. For the period 2011-2031, the housing trajectory predicts delivery of 23,475 dwellings in South Cambridgeshire District Council's area – some 3,975 dwellings above the housing requirement. ID20 sets out that it is anticipated that the Council would continue to have a rolling five-year housing land supply when calculated using the standard method.

- 7.106 *Public realm and open spaces*: In relation to public realm and open spaces, Mrs Bradley identified the difference between the appellant and the Council's weighting (considerable versus limited positive weight). As she explained, the reason for this difference was based on a view that whilst parts of the public realm were high quality, the Wild Park could not be said to be fully integrated into the design, and whilst it is near the movement network, the siting is relatively poor, resulting in residential users having to cross two roads including the main access road in the site.
- 7.107 *Wellbeing and inclusion*: There is limited dispute as to the weighting for wellbeing and social inclusion, but as Mrs Bradley noted this dispute is not determinative of the application.
- 7.108 *High quality architecture*: Mrs Bradley attached moderate weight to this benefit rather than the great weight ascribed by the appellant in recognition that despite her acceptance of Ms de Boom's judgement that overall the scheme did not achieve high-quality design, some elements are high quality. The suggestion that there was some double counting by Mrs Bradley is an unfair criticism of what was an effort to be fair and recognise some positive elements of the scheme.
- 7.109 *Other social benefits*: There is agreement that amenity and meanwhile uses are afforded moderate weight, and that the s.106 includes provision for on-site community use within the residential quarter, a benefit which should be given moderate weight.

#### *Environmental benefit*

- 7.110 *Making effective use of land*: Mrs Bradley accepted that substantial weight should be given to the use of brownfield land in accordance with paragraph 120(c) of the NPPF. However, she explained that paragraph 119 of the NPPF requires a balance to be struck between meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. That balance has not been appropriately struck in this case.
- 7.111 Mrs Bradley affords great weight to the sustainable and accessible location of the appeal site and the response to the climate emergency and BNG.
- 7.112 *Landscape and visual impact*: Overall, the significant and permanent adverse effect identified by Mr Wakefield is afforded great weight by Mrs Bradley.
- 7.113 *Heritage harm*: Given the importance the NPPF places on conserving heritage assets and the impacts identified by Mr Brady, Mrs Bradley affords great weight to the harmful impact of the appeal proposal on the designated heritage assets.

- 7.114 *Quality of design*: Mrs Bradley attaches considerable weight to this harm recognising that some elements of the scheme are high quality but that overall the scheme does not achieve a high quality design.
- 7.115 *Water resources*: The Council's original position in relation to water resources was set out within a Water Resources Position Statement.<sup>70</sup> This confirmed that the proposal exceeds the requirements of Local Plan Policy CC/4; Water Efficiency and meets the requirements of Local Plan Policy CC/7: Water Quality.
- 7.116 During the Inquiry, prior to the roundtable sessions in respect of water resources, the Council submitted an Updated Position Statement in respect of water resources.<sup>71</sup> This advised that the Council was seeking to resolve the EA's broad objection to further development in the Greater Cambridge Area based upon the likely deterioration of water quality. The Council, together with Cambridge City Council and the Mayor of the Cambridgeshire and Peterborough Combined Authority wrote to Ministers seeking commitments from the government to the urgent resolution of the EA's position. This included a number of supply interventions that would significantly increase the water supply, the need for further modelling, and a need to identify a robust, effective and deliverable local 'policy' response for the short and longer term.
- 7.117 The Council explained that it is taking a cautious approach in respect of this strategic issue, noting the high level of concern. It hopes that in the coming months, the EA's objection to further development in the Greater Cambridge area would be resolved through continued work with all parties, including Cambridge Water and DEFRA. The Council has sought the Government's commitment to secure resolution of the current uncertain environmental risks by way of several workstreams, including the completion of further modelling to understand the cumulative effects of new planned development. The EA indicated that the strategic modelling work being undertaken by Cambridge Water is now underway. The Council considers that this work would enable the confident assessment of the impact of relevant planning proposals on water resources. The Council will continue to take a precautionary approach on the assessment of significant planning applications for residential and commercial developments and their impacts upon the environment in Greater Cambridge.
- 7.118 For the avoidance of doubt, the Council does not raise an objection in relation to water resources and Mrs Bradley did not take any issue with the appellant's interpretation of the relevant policies. Nevertheless, Mrs Bradley attached moderate weight to the Environment Agency's intervention.
- 7.119 The Council submitted further comments following the results of the modelling from the EA.<sup>72</sup> This states that the normal approach to planning for necessary water supply at a strategic level does not apply in this instance, and that a plan-led approach should be applied. The Council considers that applying Policy CC/4 and Policy CC/7 requires regard to be had to water stress and the

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<sup>70</sup> CD9.12

<sup>71</sup> ID 1.04

<sup>72</sup> ID 1.34

related WRMP and the Regional Water Resources Plan produced by Water Resources East (WRE).

7.120 The Council maintains its position that moderate weight should be attached to the EA's representation. It also maintains its position of not raising an objection in relation to water resources. In considering the environmental, social and economic impacts of new development proposals, the decision-maker will need to be satisfied that all reasonable steps have been taken to ensure the impact on water resources has been minimised. This includes whether it would be appropriate, alongside the water efficiency measures to be secured through final draft planning conditions to:

1. Manage the additional demand on water resources arising from the development proposals, by delaying the occupation of development until 2032.

2. Link the development to the delivery and operation of the specific strategic water supply intervention measures necessary to deliver water supplies to the region, as identified in an approved Regional WRMP and/or CW WRMP.

7.121 The Council is currently exploring a range of other options to respond to the supply challenges and the associated risk of environmental deterioration of water bodies identified by the EA in their objection. These include consideration of wider demand management measures alongside options for mitigating the risks of deterioration of water courses caused by water abstraction.

7.122 It is noted that the appellant has proposed a condition in relation to water. It is a matter for the decision-maker to determine what conditions it is appropriate to impose on any grant of permission having regard to the relevant tests. However, the Council does not consider the distinction between the residential parts of the scheme and the commercial part of the scheme to be justified. Nor is the condition consistent with the approach the Council is taking to other applications where similar issues have been raised by the Environment Agency.

#### *Overall planning balance*

7.123 Mrs Bradley considered that the appellant had over-emphasised various benefits, including economic need, high quality architecture and the efficient use of land. In her view, the appeal proposal does not represent sustainable development, and fails to address social and environmental objectives to support strong, vibrant and healthy communities or to protect the natural and historic environment. In her view, landscape and visual impacts and harm to heritage assets, taken together with the judgement that the scheme does not result in a well-designed sense of place, weigh heavily against the appeal proposal. In Mrs Bradley's view, the appeal scheme is in conflict with the development plan, taken as a whole.

7.124 In summary, Mrs Bradley firmly acknowledged the importance of the life sciences sector in Cambridge. She noted that she had led on similar strategic sites including the Wellcome Genome Campus, West Cambridge University Campus and the Fulbourn Road extension, all of which make significant provision for life sciences. However, her view was that the quantum of development, as designed, was not right.

- 7.125 Overall, the weight of material planning considerations must be assessed, and the numerous economic, social and environmental benefits are outweighed by the identified social and environmental harms. The proposal should be determined in accordance with the development plan, material considerations do not indicate otherwise.
- 7.126 Mr Brady considers that the level of harm to the designated heritage assets would be less than substantial – moderate. The public benefits of the proposal, when weighed against the less than substantial harm to the designated heritage assets, do not outweigh the resultant harm.
- 7.127 The Council acknowledges the recent WMS but advises that it is still waiting for clarity around how the Government proposes to deliver the quantum of new homes referred to in the WMS, and the governance arrangements for delivering the Cambridge 2040 vision. In the absence of this detail, the Council considers that limited weight should be given to the WMS.
- 7.128 For the reasons given, the Inspector is invited to recommend that the appeal is dismissed.



## **8 The case for Cambridge Past Present and Future**

- 8.1 This summary contains all material points in relation to the CPPF's case and it is substantially based upon the closing submissions of CPPF. It is also taken from the evidence given on behalf of the CPPF.
- 8.2 CPPF's case against this development has centred, not on the principle, but on design and specifically the design of the buildings on the eastern edge. The development of this site would create a new edge to the city and that it is vital that it is designed to make a positive contribution to the special visual characteristics of Cambridge. Furthermore, it is important to recognise that the development would not only to be enjoyed by the residents and employees of the development, but also the tens of thousands of people who use the River Cam and the meadows.
- 8.3 The new urban edge needs to include a variety of architecture and of building heights and a screen of mature trees. CPPF consider that Cambridge's distinctive skyline is characterised by variety, including towers, turrets, chimneys and spires set amongst large trees. They disagree that it is characterised by long horizontal buildings as set out by Mr Ludewig.
- 8.4 The appeal site differs from other new developments on the edge of Cambridge because it overlooks two Conservation Areas and a significant public open space whose character is defined by the landscape.
- 8.5 The massing and design of the proposed development creates large square blocks of uniform height. That the articulation of the roof and elevations, and the gaps between buildings are not discernible from a distance, would create the appearance of a wall of development when viewed from the meadows. CPPF disagree that using materials, light and shade to break up the bulk of the buildings is successful. Mr Smith's proof of evidence *Drawing CN-041* clearly shows that it is not successful.
- 8.6 To enhance the soft green edge to the city, a screen of mature trees is needed. CPPF consider that sufficient space needs to be given to allow the trees to grow to full maturity. Mr Myers, in his evidence, confirmed that there was insufficient space to do this, that the trees would be pruned to keep them at medium size and that the purpose of the trees was not to screen the buildings.
- 8.7 The NPPF 2023 has placed the delivery of beautiful places at the centre of national policy. As well as being well designed, healthy and safe, places have also to be beautiful. CPPF do not consider that the proposed development is beautiful. The national requirement is therefore to deliver buildings and places which not only function well but are also aesthetically pleasing. They contend that the bulk, lack of architectural variety and the continuous built frontage along the eastern elevation will not be aesthetically pleasing. We contend that this is already evidenced by the Novotel Building and One Cambridge Square.
- 8.8 In conclusion, given the large numbers of people who benefit from their enjoyment of the river corridor and meadows, CPPF do not believe that the harm to the landscape, views and the setting of the Conservation Areas would be outweighed by the benefits of the development, and it should be refused. Instead, CPPF would very much welcome a new development to come forward

on this site that is design-led, respects the meadows and conservation areas, and which would create a new city edge that the city can be proud of for generations to come.

## **9 The case for the Environment Agency**

- 9.1 The EA made representations before and during the Inquiry, and further comments following the modelling carried out by CW.<sup>73</sup> Following the representations dated 6 October, I sought further clarification on a number of points. This section summarises those comments, including the EA's final position.<sup>74</sup>
- 9.2 The EA objects to the proposed development, as it may, through the additional demand for potable water use, increase abstraction and risk deterioration to water bodies in the Greater Cambridge area.
- 9.3 The EA submits that the planning application does not demonstrate that the potential impact on water resources and Water Framework Directive environmental objectives has been assessed and appropriate mitigation considered.
- 9.4 Some water bodies in East Anglia are at risk of ecological deterioration if abstraction increases within the licensed headroom. The upper River Cam and River Granta are examples of surface water catchments where river flows are failing to support Good Ecological Status/Potential and there is a risk of deterioration should abstraction increase above historic levels.
- 9.5 The Environment Agency issued abstraction licence capping to CW to manage the risk of ecological deterioration. This means that there is less licensed water available than that reflected in the Water Resource Management Plan 2019 (WRMP19) for CW. Consequently, some of the growth included in local plans based on WRMP19 may be reliant on unsustainable sources of water, because the water abstracted and used for growth risks causing environmental harm.
- 9.6 Both the EA and the local planning authority must have regard to the risk of deterioration when exercising their functions under Regulation 33 of the WFD Regulations. Currently the application does not demonstrate the risk posed by the development has been sufficiently assessed or mitigated accounting for the impact of the licence capping on water supply.
- 9.7 The EA recognises the efforts made by the appellant to propose a much-improved water efficiency and reuse scheme than that proposed in the original planning application submission. It acknowledges that when the water efficiency measures and greywater recycling are combined, they propose a water use standard that exceeds the requirements of Local Plan Policy CC/4.
- 9.8 The water that was thought to be available at the time the South Cambridgeshire Local Plan and Cambridgeshire City Local Plan were adopted in 2018 (based on the current WRMP19), is now not something that can be relied upon. Neither the EA, nor the Local Planning Authority can ignore or postpone, consideration of this matter that is, to consider only as part of the emerging Local Plan, especially given the potential risk of harm to the ecology of water bodies. Local Planning Authorities and the Agency have a legal duty to have

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<sup>73</sup> CD 3.03B, CD 3.03C, CD 13

<sup>74</sup> ID 1.33 & ID1.34

regard to RBMPs in exercising their public duties under Regulation 33 of the Water Environment (WFD) Regulations (2017).

- 9.9 The PPG reinforces the premise that planning for the necessary water supply would normally be addressed through strategic policies, which can be reflected in water companies' WRMPs. It goes on to state 'water supply is therefore unlikely to be a consideration for most planning applications' and lists some exceptions. One of those exceptions is "where a plan requires enhanced water efficiency in new developments as part of a strategy to manage water demand locally and help deliver new development." The EA's view is that this exception applies to the situation in Greater Cambridge.
- 9.10 The EA created a draft external briefing note for applicants with proposals accompanied by Environmental Impact Assessments entitled '*Greater Cambridge external guidance note for planning applications - Drafted by Environment Agency, March 2023*' (see Appendix 2). Greater Cambridge Shared Planning (GCP) suggested we create such a guidance note so that consistent advice could be shared on how water resources is to be assessed as part of the Environmental Statement and advice on mitigation.
- 9.11 There are 27 surface waterbodies identified as being affected by CW abstraction. The hydrological regime in 12 of these water bodies does not support good ecological status. Measures have been established to address both the deficits in flows and the risk of deterioration through the Water Industry National Environment Programme (WINEP) and through the process of abstraction licence renewal.
- 9.12 Good quantitative groundwater status requires that the level of groundwater should not lead to any reduction in the ecological status of connected surface waters or in groundwater-dependent terrestrial ecosystems. Where there is a flow deficit, the EA looks at which abstractions are potentially causing that deficit to occur and also for additional evidence that there is an impact or, there is potential for impact to the ecology. Macroinvertebrates are commonly used as bio-indicators of flow pressure, due to a good understanding of the ecological requirements of different families / species and available metrics that summarise the sensitivity of taxa to such impacts.
- 9.13 A number of SSSIs were investigated under the Restoring Sustainable Abstraction (RSA) programme which make up the Groundwater Dependant Terrestrial Habitats (GWTE) assessment of the WFD Groundwater quantitative status. In the case of Alder Carr SSSI, it was found that any increase to historic abstraction has the potential to worsen impact at this site.
- 9.14 In the case of Dernford Fen and Sawston Hall Meadows SSSIs, CW provided reassurances in its draft drought plan 2017 that it did not plan to increase abstraction from the licences near the SSSI above the historical quantities and would use other licences preferentially during periods of drought. The EA consider that there is a risk to the SSSI should this no longer be followed, and abstraction increased to fully licensed rates.
- 9.15 Thriplow Peat Holes; Thriplow Meadows; Ashwell Springs; Fowlmere Watercress Beds; and Fulbourn Fen SSSIs all depend on augmentation from Agency run groundwater support schemes to mitigate against the impact that CW's

abstractions have on the groundwater levels and corresponding spring flows that feed the SSSIs. There is a deterioration risk that increasing licensed abstraction rates will reduce the capacity of the EA's groundwater schemes to provide adequate mitigation to the SSSIs, particularly considering the possible additional impacts of climate change.

- 9.16 At Wilbraham Fen SSSI, mitigation measures have been identified to better retain water on site but have to date not been implemented. There is a risk of deterioration to the water levels on site should abstraction levels increase above historic rates, especially considering mitigation measures are yet to be implemented.
- 9.17 The outputs from CW scenario modelling conclude that there are surface water bodies where there is a 'medium' or 'high' risk of deterioration associated with the level of abstraction CW is required to make to meet the demands of existing customers and projected growth, including the appellant's development, until the Grafham transfer option is available.
- 9.18 CW demand management measures include the rollout of universal smart metering (2025-2030), 50% reduction in leakage by 2050, achieving a per capita consumption rate of 110 litres per person per day by 2050, and reductions in non-household consumption of 9% by 2037. However, the EA currently does not have clarity as to how water savings that are made from these measures will offset the demand from the appellant's scheme or other developments.
- 9.19 Further, the EA has concerns that the draft WRMP24 proposed supply options are not developed sufficiently to have confidence in their deliverability. Nor is there an alternative solution should the bulk transfer from Anglian Water and/or the Fens Reservoir scheme be unfeasible or delayed.
- 9.20 *The Greater Cambridge Integrated Water Management Study (Outline Water Cycle Study)* dated August 2021 paragraph 9.1.3 states:
- "For water supply, currently permitted abstraction of the Chalk aquifer is having a detrimental impact on environmental conditions, particularly during dry years. Even without any further growth, significant environmental improvements are unlikely to be achievable until major new water supply infrastructure is operational, which is unlikely to occur before the mid-2030s. To prevent any increase in abstraction and its associated detrimental environmental impact before the 2030s, short term mitigation measures will be necessary. All stakeholders agree this should include ambitious targets for water efficiency in new development but there are also options to deliver new water locally which will be set out in the detailed study."*
- 9.21 Whilst the individual demand forecast required for this development represents a small percentage of CW's overall demand, the Agency's position remains that it has not been demonstrated that the water demands aren't significant locally at the point of abstraction from where that demand is serviced.
- 9.22 Specific water bodies where abstraction is contributing to ecological pressure and/or is predicted to cause a risk of deterioration have been identified. *"Water Resources and Ecological Evidence Summary"* sets out the Agency's evidence

regarding the risk of deterioration under the WFD and its relevance to this appeal.<sup>75</sup> Waterbodies on the Rivers Cam and Granta are already impacted by abstraction. On the basis of the evidence, it is predicted that any increase in abstraction (including servicing this development) will result in an increase on the existing pressure and an extension of its impact to include abstraction from other water bodies utilised by CW.

- 9.23 The modelling concludes that even with no new development, the associated increased demands for abstraction (above the licence cap level) result in a 'medium' deterioration risk for one surface water body (SWB) - the River Granta, which is a material consideration in this case. With planned growth projections introduced, the risk increases significantly concluding that there is a 'medium' to 'high' risk of deterioration for six SWBs until 2032 when the Grafham Reservoir transfer is due to be operational.
- 9.24 Waterbody deterioration is measured relative to the starting conditions, which for some SWBs means that the flows do not presently meet the hydrological flow targets that support Good Ecological Status. Therefore 'low' or 'no' deterioration risk does not automatically mean that there are no current flow/abstraction related pressures on the SWBs, just that there is forecast to be no/low risk of these getting worse (deteriorating).
- 9.25 The deterioration risk assessment is separate to the consideration of CW's ability to supply existing and future customers without going into deficit within its WRMP. The work has highlighted the potential deficits in the balance of supplies and demands until new strategic resources are available.
- 9.26 The EA's review of the CW's scenario modelling is found at ID 1.33. The original scope of the modelling was to help inform GCP's cumulative assessment of growth in its emerging local plan.
- 9.27 The EA's assessment is based on a high-level review of the outputs in the time available, attributed to CW's delayed and piecemeal provision of modelled outputs. As a result, the views presented in this representation are without prejudice to alternative or revised opinions being formed subsequently, further to a more comprehensive assessment of this evidence and may change further following the review of CW's revised draft WRMP2024.
- 9.28 The EA contends that the growth scenario work evidences that CW will not be in a position to reduce abstraction to the licence cap level until after the Grafham transfer supply option is delivered. CW are wholly reliant on demand management measures to increase water available to supply growth until the Grafham Reservoir transfer, due in 2032.
- 9.29 The modelling considered a number of scenarios. The EA focused their assessment on the 'WRMP2030 (S27)' scenario. This assumes 100% delivery and success of its planned demand measures. The EA states that the results could be over or underestimating the likely level of abstraction.

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<sup>75</sup> CD13.01

- 9.30 It is considered that this scenario is the best available representation of forecast levels of abstraction by CW and assumes 100% delivery and success of its planned demand management measures. It also makes assumptions about other water companies and other sectors' abstraction at the 2030 timestep.
- 9.31 CW presently has obligations to deliver licence caps to most of its licences by 31 March 2030. While the licence caps do not come into force until 2030, abstraction levels would exceed the capped levels before this date, and in some cases, they are being exceeded already. This means the deterioration risk is immediate.
- 9.32 The scenario modelling has identified those SWBs with the greatest risk of deterioration. 'Medium' and 'High' levels of risk indicate an unacceptable level of risk of deterioration under the WFD, and where there is also growth in abstraction planned, trigger the setting of licence caps to restrict annual average abstraction to its recent actual average level.
- 9.33 To reduce the risk, the amount of overall growth in Cambridgeshire would need to be reduced, or the amount of water it needs would need to be reduced. This can be achieved through later delivery of phases of developments (pushing more phases to post 2032 occupation) as far as possible. It can also be achieved through greater water efficiency of developments.
- 9.34 The forecast level of abstraction until 2032 (scenario 'WRMP 2030 (S27)') poses a significant (high or medium) risk of deterioration. Growth will add to this risk unless new supply is found. CW relies on demand management to free up supply for growth until 2032. However, their performance in delivering demand management in recent years is poor.
- 9.35 Both of the underlying chalk groundwater bodies from which CW abstract water, currently have a WFD status of Poor. This indicates that the groundwater is not providing enough water to the surface water bodies and features that depend on them for baseflow at historical levels of abstraction.

## 10 The case for others at the Inquiry

### *Cambridgeshire County Council Transport*<sup>76</sup>

- 10.1 Cambridgeshire County Council is the local Highway Authority for the area. As set out in the SoCG there are no matters in dispute between the parties.<sup>77</sup>
- 10.2 Cambridge County Council supports development as long as the transport infrastructure that supports it is in place to enable the very low car drive mode share. It therefore seeks the contribution to strategic and local transport, that is made by the appellant, in order to ensure that strategic transport infrastructure is implemented. This is in order to mitigate the impact of the development related trips on the surrounding transport network.
- 10.3 It is recognised that if sufficient funding is not secured, then it would compromise the wider comprehensive development of the area as sought through the Local Plan. The failure to secure sufficient funding through developer contributions will not allow sufficient transport intervention to be implemented such that the traffic impact for the area as a whole can be mitigated.

### *Mike Bodkin on behalf of Hartree, Anglian Water and Cambridge City Council.* <sup>78</sup>

- 10.4 Mr Bodkin represented the developers for the landowners of the Core Site within the NECAAP, namely Hartree, Anglian Water and Cambridge City Council.
- 10.5 The Core Site includes land currently occupied by the existing CWWTP and is proposed to deliver 5,500 out of 8,350 residential units. Redevelopment of the Core Site is predicated upon the relocation of the existing CWWTP to a proposed new site at Honey Hill on the outskirts of Cambridge. A DCO seeking to enable the relocation was submitted in April 2023 and the Examination opened on 17 October 2023.
- 10.6 As set out at Policy SS/4, developments that come forward in advance of the adoption of the NECAAP should “...*not compromise opportunities for the redevelopment of the wider area*”. Such considerations are not confined to infrastructure contributions.
- 10.7 Mr Bodkin contends that the Typologies Study and Development Capacity Assessment, (December 2021) indicates that the plots forming part of the appeal site should deliver a total of 730 homes, rather than the 425 proposed.<sup>79</sup>
- 10.8 The emerging NECAAP seeks to cap the level of BtR across NECAAP at 10% of development. If the higher proportion of BtR is allowed, there is concern that the level of BtR on the Core Site would be reduced in order to maintain the level of BtR at 10% across the NECAAP. Should this happen, it would further hamper

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<sup>76</sup> CD 3.09

<sup>77</sup> CD 6.13

<sup>78</sup> Mr Bodkin’s speaking notes are at ID1.11

<sup>79</sup> CD 5.33



the ability of the Chesterton Partnership to deliver a balanced and equitable housing market on the Core Site.

- 10.9 A reduction in the number of market homes overall would also mean fewer affordable units being delivered. Similarly, the proportion of affordable units delivered via BtR would be lower. This would exacerbate the housing crisis currently experienced in the City.
- 10.10 The Chesterton Partnership therefore considers that the appeal proposals do not demonstrate that they would "... *not compromise opportunities for the redevelopment of the wider area.*"
- 10.11 The emerging NEC Infrastructure Delivery Plan should be the vehicle for identifying what is needed to support growth of the NECAAP as a whole. The Chesterton Partnership is concerned that those developments that come later in the process would have to pick up additional infrastructure costs such as utilities or highways. This would be unfair and disproportionate. It would also threaten the viability of later developments, such as the Core Site, and may compromise opportunities for the wider redevelopment of the area;
- 10.12 The emerging Heads of Terms for the s.106, as agreed between the appellants and the LPA, do not mirror the draft Infrastructure Delivery Plan (IDP) or the level of contributions that would be expected to be required from the appeal site if the NEC/IDP were adopted.
- Chesterton Partnership comments on Draft Heads of Terms S106<sup>80</sup>*
- 10.13 The draft IDP states "*On a per dwelling basis the full build-out contribution is £28,868, and for the commercial element £201/ sq m.*"<sup>81</sup> Applying those rates to the levels of development proposed would yield a total contribution of c£23.2m for the quanta of development in the appeal proposal.
- 10.14 The maximum level of contributions to be provided by the appellant is about £3.15m compared to £23.2m which would have been sought had the NECAAP and IDP been adopted. Of this £1.62m is only payable towards strategic transport infrastructure should the trip budget be exceeded.
- 10.15 This gives rise to concerns that later developments across the NECAAP area would have to contribute a greater sum proportionately, thereby threatening their viability, and the proposal would fail to make an adequate contribution to provide for infrastructure to support the growth proposed.
- 10.16 To take one issue in particular, no sum has been sought towards the upgrade of power supplies to NEC via the Milton Road Primary Substation. A sum of £3.5m is identified in the draft IDP. The lack of power supplies is an absolute constraint to development, which would fall disproportionately on developments which come later.

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<sup>80</sup> ID1.12

<sup>81</sup> CD 5.21

10.17 If the IDP costs are subsequently intended to be simply re-distributed in a 'post-AAP-adopted' world, this would be an inequitable, unviable, and flawed approach that would not deliver the comprehensive, residential-led mixed use district that the Local Planning Authorities and other stakeholders are envisaging. Very limited contributions have been sought towards the range of infrastructure items falling within the utilities theme in the draft IDP.

10.18 40% of the market sale units would be affordable, together with 20% of the BtR units. Therefore a total of 116 units out of 425 would be affordable, or 27%. Policy H/10 of the SCLP seeks 40% of the homes on site as affordable. The corollary of under provision of affordable housing on sites such as the appeal site would be that additional affordable housing would be sought on sites coming later, such as the Core Site.

*Kathryn Waldren of Sphere 25 on behalf of Trinity College Cambridge*

10.19 Trinity College made the following points of clarification in relation to transport matters and Cambridge Science Park.

- Cambridge Science Park (CSP) is subject to a S106 dated 20 December 2019. (Planning Reference: S/4629/18/FL)
- The S106 limits car parking on CSP to 7,498 car parking spaces.
- The S106 covenants Trinity College Cambridge as the owner to use 'reasonable endeavours' to reduce the car parking to 6,977 spaces by the 20 December 2029.
- The NECAAP is at an early stage of development and the Trip Budget and parking assumptions are yet to be tested through Examination in Public.
- Trinity College and CSP are continuing to engage with the NECAAP team that are developing the strategy.
- Trinity College and CSP are supportive of the approach that would see continued investment in sustainable travel for the area.
- There are outstanding concerns regarding the Trip Budget derivation and allocation and potential to reduce car parking across CSP below that are set out in the s106.

*Susan O'Connor*

10.20 Mrs O'Connor is concerned that she would be overlooked by the proposed development, including when in her bedroom.

*Councillor Hazel Smith Parish Councillor Milton Council*

10.21 Many of those resident on the traveller sites along Fen Road have lived there for many years. In some instances since the 1960's. They own the land and benefit from planning permission. They would like to see some benefits from the NECAAP.

10.22 There are about 500 properties/caravans and would like to see the crossing gates replaced with a bridge, as well as a connection to the sewage system.

10.23 Councillor Smith considered that the edge of the proposal was high and requested that it should be stepped down towards the boundary.

## 11 Written Representations

### *Cambridge Fire and Rescue Services*

11.1 The Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of a s106 agreement or a planning condition.

### *Natural England<sup>82</sup>*

11.2 The proposal is accompanied by a *Low Emission Strategy* (Brookgate Land Limited, April 2022).<sup>83</sup> NE is satisfied that subject to development in accordance with this strategy being secured through an appropriate planning mechanism, the proposed development is unlikely to give rise to significant traffic-related air quality impacts.

11.3 NE also accepts the proposed delivery of informal open space including the Wild Park, could provide an adequate level of accessible open space to meet the needs of new residents and minimise recreational pressure on existing sensitive sites. On this basis, NE has no objection to the proposed development with regard to air quality and green infrastructure.

11.4 Evidence gathered to inform the Integrated Water Management Study for the emerging Local Plan indicates that groundwater abstraction from the Cambridge aquifer, to meet current needs, is already damaging the natural environment including water dependent designated sites and supporting habitats. The emerging Local Plan (First Proposals) recognises the challenges in identifying long-term and interim solutions to the current water resource crisis to enable sustainable development without further detriment to the natural environment.

11.5 There needs to be consideration as to whether water resources to meet the needs of the proposed development alone, and in-combination with other proposed development, can currently be supplied sustainably and without adverse impact to statutorily designated sites and wider ecology, in accordance with the relevant policies of the adopted South Cambridgeshire Local Plan including Policy CC/7: Water Quality.

11.6 It is now widely accepted that East Anglia, and particularly Greater Cambridge, is facing a 'water crisis' due to over-abstraction of the groundwater resource that is the life-support of water dependent designated sites and other important habitats. There is significant uncertainty around the availability of water supply to meet growth needs without contributing to environmental deterioration until alternative supply options can be identified and implemented.

11.7 The water crisis has now reached a potential 'tipping point'. NE's view is that careful consideration is required as to whether any major new development can be delivered sustainably and without contributing further environmental degradation until alternative water supply sources and/or measures to reduce further groundwater abstraction become available.

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<sup>82</sup> ID 1.10

<sup>83</sup> CD 1.56

- 11.8 NE's detailed concerns are set out in its responses to the Greater Cambridge Local Plan Integrated Water Management Study, the Local Plan First Proposals consultation and the Cambridge Water draft WRMP2024.
- 11.9 NE is gathering information to evidence the ecological implications of existing abstractions (and potential future increases). This issue, and the seriousness of the matter in terms of its geographical extent and risks to the natural environment, has only recently come to the fore. The urgency of the situation cannot afford the timespan required to gather empirical evidence hence yje need to be guided by the evidence currently available through NE, the EA and others.
- 11.10 Further detailed investigation by the water companies is required to determine the impacts that are already occurring and the effects of any potential future increases in abstraction on the notified features of our nationally designated sites. The full suite of designated sites potentially affected is still not fully understood and requires investigation through the IWMS. The EA has evidence that water bodies across Greater Cambridge are being affected by the abstraction of groundwater. Its investigations have identified a number of water bodies where flows are failing to meet their ecological flow targets due to abstraction and that the ecology is sensitive to flow and abstraction in some water bodies, for example the River Granta and River Cam.
- 11.11 The EA also indicate that there is wider evidence of abstraction pressure on Chalk streams, river headwaters and spring flows, groundwater dependent wetlands and reduced resilience to dry weather and drought events, and that there is a risk of compounding these abstraction pressures and potential ecological deterioration if abstraction increases.
- 11.12 The health of these affected waterbodies is fundamental to the maintenance of the favourable condition of the designated groundwater-dependent SSSIs. The link between groundwater abstraction, reduced flows and impacts to designated sites is therefore quite clear. For this reason, we fully support the EA's view that action is needed to prevent environmental deterioration occurring by ensuring abstraction does not increase.
- 11.13 Reductions in the current level of abstraction from the Cambridge aquifer is the key mitigation needed to restore the natural functioning (both water flows and chemistry) of nationally designated groundwater dependent sites across Greater Cambridge, and elsewhere. Temporary measures, such as groundwater support or re-charge schemes, to introduce 'wetness' to these sites, offer some interim benefit. However, these are not long-term sustainable solutions and NE does not support them.

*Anglian Water*<sup>84</sup>

- 11.14 The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would

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<sup>84</sup> CD 3.05

therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

11.15 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to a sewer seen as the last option.

*Sport England*<sup>85</sup>

11.16 On the basis of a population increase of 732, a contribution of £299,762 can be justified in order to enhance existing sports facilities in the locality.

*National Highways*<sup>86</sup>

11.17 The network in the vicinity of the NECAAP area close to the A14 is extremely saturated on both the local highway network and the Strategic Road Network. A technical note provided by PJA sets out the principles of a monitor and manage approach to be applied to the proposal.<sup>87</sup> This is acceptable in principle.

11.18 The potential mitigation measures could reduce the number of vehicle trips to the application site. However, if there are persistent breaches, National Highways may require a mitigation plan outlining improvements to junction 33 of the A14 Milton interchange to accommodate the additional capacity related to the development and seeking a financial contribution towards the improvements. The contribution is to ensure that the risk of queuing traffic down the slip roads to the main line is mitigated as this risks a safety issue. This may require additional monitoring in relation to the impact of the proposal on the Strategic Road Network. A number of planning conditions were recommended by National Highways. These matters are addressed by the s106 agreement.

*Milton Parish Council* <sup>88</sup>

11.19 The proposal is an overdevelopment of the site. Milton Parish Council has concerns over the density and height of the development and lack of amenities such as recreational and informal space.

*Cambridge Airport*<sup>89</sup>

11.20 Cambridge Airport requested that the boundary to the balancing pond include 'Phragmites australis'. The appellant has complied with this request.

11.21 Cambridge Airport also requested conditions requiring the submission of a Bird Hazard Management Plan, a glint and glare assessment in relation to PV panels and a height limitation in respect of the outline consent. These matters are all included in the recommended conditions.

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<sup>85</sup> CD 3.06B

<sup>86</sup> CD 3.10

<sup>87</sup> CD 6.11 Appendix 1

<sup>88</sup> CD 3.11A

<sup>89</sup> CD 3.12

*Cambridgeshire Police*<sup>90</sup>

11.22 Various general comments in relation to crime prevention, including access and movement, security and surveillance.

*Cambridge City Council Environmental Health*<sup>91</sup>

11.23 Cambridge City Council has considered the impact on local air quality within the City Council boundary and in particular inside the Air Quality Management Area (AQMA). This impact is most likely to be in response to increased traffic movements.

11.24 The modelling within the ES confirms that pollutants remain below objective levels and air quality is not a constraint to development. Whilst this conclusion is supported, policy is seeing a shift away from limit values towards exposure reduction and limiting the impact of development.

11.25 The modelling predicts that the operational phase of the development would have an adverse impact on air quality within the Cambridge City Council AQMA. This is contrary to Policy 36 of the Cambridge City Local Plan (2018). The proposed mitigation, namely 4 Car Club spaces and a commitment to active electric vehicle charge points (EVCP's) in all commercial and residential car parking spaces, is acceptable and should be secured by condition. This condition has been included.

11.26 A condition requiring submission and approval of a detailed Construction Environmental Management Plan (CEMP) prior to the commencement of development to control, manage and mitigate construction noise, vibration and dust for the duration of the construction activities is necessary to safeguard residents. This condition has been included.

11.27 It is unlikely that there would be any significant operational noise impacts within the Cambridge City boundary. Given the proposed development on the western boundary of the site adjacent to existing receptor locations within the Cambridge City boundary, the impacts of artificial lighting may have an adverse impact at those locations, albeit possibly low risk when considering the separation distance.

*Mineral and Waste Planning Authority*<sup>92</sup>

11.28 The Mineral and Waste Planning Authority state that it is broadly content with the conclusions of the dust and odour reports. It nonetheless had outstanding concerns regarding the interaction between the proposed Use Class E uses and, the Aggregates Railhead.

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<sup>90</sup> CD 3.13A

<sup>91</sup> CD 3.15

<sup>92</sup> CD 3.18

*Historic England*<sup>93</sup>

- 11.29 Historic England contends that the proposed development would harm the significance of Biggin Abbey, the Stourbridge Common and Fen Ditton Conservation Areas and more generally, compromise the important relationship between Cambridge City and the surrounding countryside.
- 11.30 The RSSCA is a large conservation area. Its frontages and towpaths along with the characteristic green open spaces are a key element of how the conservation area is experienced and appreciated. It abuts FDCA with which it forms a linear “*green corridor*” which penetrates the city east to west, bringing the countryside into the heart of the busy city.
- 11.31 The FDCA includes the historic core of Fen Ditton village is set on rising ground to the east of the River Cam valley. The principal historic building is the parish church of St Mary the Virgin (Grade I listed) with a landmark west tower. The church stands at the junction of High Street and Church Street. To the west of the church is Fen Ditton Hall, the substantial relic of a once larger Jacobean House (Grade II\*). Fen Ditton is separated from Cambridge by Ditton Meadows and Stourbridge Common, which occupies the land to the east of the Cam. Although modern development can be seen on the edges of the common, it is small in scale, and the scale of open landscape survives. Ditton Fields along with the other sequence of common land and open spaces contributes to the distinctive relationship between town and country, which is an attractive part of Cambridge’s historic character.
- 11.32 Baits Bite Conservation Area abuts the north end of FDCA and is characterised by water meadows with drains and open fenland in agricultural use. It includes the river on its western side and the lock, which is listed at Grade II. The 14th century farmhouse known as Biggin Abbey lies on the eastern side of the conservation area. It was part of the Bishop of Ely’s residence and the site was originally moated. It sits on elevated ground allowing long views across to the west and south, and is Grade II\* listed.
- 11.33 These conservation areas adjoin to form a continuous chain, which reaches from just south of Milton to the City Centre. The river, towpaths and fields are very well used by runners, rowers, cyclists and walkers alike and the designation is recognition that the riverside meadowland spaces are an important component of the historic character of the city and its environs.
- 11.34 The proposal is broadly in conformity with the policy and that this lends a certain amount of weight in its favour. Notwithstanding this, there are concerns in terms of the impact that the proposed development would have upon the historic environment.
- 11.35 The proposed buildings range from 14 metres up to a maximum of 30 metres with an additional 3 to 4.5 metres in height for rooftop plant. The buildings would have a solid, block-like appearance, which would compound the visual impact.

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<sup>93</sup> CD 3.20

- 11.36 Building S04 would exceed the heights that are benchmarked in the NECAAP. Historic England is not convinced that this height increase is necessary or justified and should be revised.
- 11.37 The development would appear as more than mere brief glimpses through gaps and above treetops. It would be readily visible and feature prominently within some of the more rural views across the river, and meadowland. Consequently, the proposed buildings would bolster and consolidate the sense of a strident, urban sprawl within what has historically been a low-lying hinterland. The proposal would constitute a permanent change to the visual quality of the wider setting of these heritage assets and would have a negative effect upon the way in which they are experienced and appreciated.
- 11.38 Whilst landscaping may be successful in helping to soften the appearance of the development in local townscape terms, it would not be very effective in mitigating the visual effects of the development in terms of long-views, due to the scale of these buildings. It is also questioned whether there is in fact sufficient space for planting along the eastern boundary with the railway track.
- 11.39 The view from the termination of Coronation Avenue at Anglesey Abbey has not been fully assessed. The wider panoramic vista from the end of the Avenue may be interrupted by views of taller buildings.
- 11.40 In conclusion, the scale and massing of the proposed development would result in profound changes to the wider setting of designated heritage assets, most notably the riverside conservation areas which make a positive contribution to the visual quality and historic character of the city.
- 11.41 The proposed development would result in an overall moderate level of less than substantial harm to the significance of Fen Ditton, Baits Bite Lock and Riverside and Stourbridge Common Conservation Areas, and Historic England object to the development in its present form.

*Lead Local Flood Authority<sup>94</sup>*

- 11.42 Surface water from the proposed development can be managed through the use of green roofs on all flat roof areas and areas of permeable paving provided in some areas of pedestrian access. A swale is proposed within the eastern part of the site and a proposed attenuation basin to the north. A rainwater harvesting tank is proposed in the north to assist with water management. Water would be discharged at the agreed rates of 2 l/s/ha from the site into the overflow from the First Public Drain, which carries water to the east towards the River Cam.
- 11.43 In further submissions, in the form of the Technical Note, it has been demonstrated that the system can be designed to accommodate the full 40% uplift for climate change allowances in the 1% Annual Exceedance Probability storm. The increased attenuation areas can be accommodated within the constraints within the site.

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<sup>94</sup> CD 3.21



11.44 A number of conditions are suggested, including the submission of the detailed design of the drainage system, management of surface water during the construction phase and a verification report once the works are complete. Various drainage conditions have been included.

*Network Rail*<sup>95</sup>

11.45 The proposed development would form a vital part of the regeneration of the area to the north of the station, and east and west of Cowley Road.

11.46 Network Rail has worked closely with Brookgate and the Council throughout the design development process. It is committed to ensuring that this highly sustainable brownfield site is released for the delivery of a high-quality development on land currently under-utilised for employment and housing. The site offers the opportunity for a new, vibrant, sustainable, and highly connected mixed-use community and to deliver an integrated and convenient transport interchange that supports economic growth, highlighting Cambridge North as a city-wide public transport hub and destination. Therefore, Network Rail fully supports the proposals for redevelopment.

*Cambridgeshire County Council Infrastructure Contributions*<sup>96</sup>

11.47 The County Council seek financial contributions towards Early Years, Secondary Education, SEND, library services and household recycling. These matters are considered at Section 12 of this Report.

*NHS Cambridgeshire and Peterborough*<sup>97</sup>

11.48 The proposal would sit within the catchment area for Nuffield Road Medical Centre. As of August 2022, this practice list was 14,193 so would not have the estate capacity to support an additional 1,190 new residents as a result of this development without consideration of developer mitigation towards this potential new growth, which would be calculated as £298,003.

*East of England Ambulance Service*<sup>98</sup>

11.49 The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £108,554.

11.50 EEAST looks forward to receiving the s106 agreement in due course to support one or more of the following elements:

- Increasing the number of ambulances required to meet the expanded demand in order to maintain contractual response times to prevent the application of contractual fines
- Extending/refurbishment of existing ambulance station(s) within the locality to meet the increased demand or in certain instances support relocation to a more suitable location

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<sup>95</sup> CD 3.22

<sup>96</sup> CD 3.36 & CD 14.01B

<sup>97</sup> CD 2.38

<sup>98</sup> CD 3.29B

- Provision of additional medical equipment to manage the increased number of incidents from the growing population in order to maintain mandated ambulance response times and treatment outcomes
- Recruiting, training and providing new equipment for additional Community First Responders (CFRs) to support the proposed development and the community as a whole
- Use of digital solutions.

*Fen Ditton Parish Council*<sup>99</sup>

11.51 Fen Ditton Parish Council recognises that the proposed uses are in broad accordance with the Council's aspirations for this location and have no objection in principle to the proposed redevelopment. However, the proposals comprise over-development of the site and by virtue of their height, massing and poor quality of architecture would have an unacceptable impact upon their surrounds and particularly the parish of Fen Ditton, including the Conservation Area and a number of listed buildings including the setting of the Grade II\* St Mary the Virgin parish church.

11.52 Fen Ditton Parish Council previously raised objections to the Novotel at Cambridge North due to its height, massing, light pollution and poor quality design. This has been borne out by its construction with the hotel an oppressive, highly visual and unattractive element viewed from Fen Ditton with a further larger building under construction to the rear.

11.53 However, the appeal proposals would have a significantly greater unacceptable impact. As shown from the submitted application documentation, the proposals would exceed the height of the hotel and provide a significant massing across a far wider area. Fen Ditton Parish Council considered the height of the hotel to be unacceptable, but we are now faced with a development that takes that height as a benchmark to exceed.

11.54 The Parish Council also has concerns as to the lack of amenity space for occupants of the residential properties and those working within this location, providing an unacceptable level of residential amenity and also putting further pressure on Milton Country Park.

*Mr Williams* <sup>100</sup>

11.55 Concerned about the capacity of local infrastructure including doctors, dentists and schools. There is a need for decent bus routes to the area since the Council is going to introduce car charges. Concerns regarding the ability of the highway infrastructure to accommodate the traffic generated by the proposed development.

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<sup>99</sup> CD 3.35

<sup>100</sup> CD 14.07

## **12 Planning Obligations**

12.1 The draft s106 agreement was discussed at the Inquiry, together with the Heads of Terms and CIL Compliance Statement. Both are dated 23 May 2023.<sup>101</sup> The parties submitted an executed s106 agreement dated 13 July 2023.

12.2 Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms, directly related to the development; and fairly and reasonably related in scale and kind to the development. These tests are also stated in paragraph 57 of the NPPF.

### *Schedule 1 Affordable Housing*

12.3 The market and affordable housing would be delivered within Block B S13 - S16). 40% of it would be affordable housing in accordance with Policy H/10 of the Local Plan. The tenure mix is anticipated to be 70% rented and 30% intermediate with a mix of unit sizes.

### *Schedule 2 The Build to Rent Units*

12.4 The BtR units would be delivered in two blocks. Within each block, 20% of the dwellings would be for affordable private rent at no more than 80% of the market rent. There would be a mix of unit sizes and they would be managed by a Private Build to Rent operator. The level of affordable housing accords with the requirements of the Greater Cambridge Housing Strategy and National Guidance. The provision of affordable housing is therefore considered fair and reasonable as the proportion advocated under the development policy. Mr Bodkin's concerns regarding the proportion of Build to Rent housing and affordable housing are discussed below.

### *Schedule 3: District Council Contributions and Community Uses*

12.5 On-site community facilities, including a Community Room within the market and affordable housing block. The provision of on-site community facilities is directly related to the proposed development and would directly benefit the future residents of the development proposed.

12.6 A contributions to off-site sport provision, in line with Sports England and Local Plan requirements consisting of a Sports Hall contribution of £149,485 and a swimming Pool contribution of £150,277, are necessary to meet the needs of the new population in accordance with Policy SC/4.[11.16]

12.7 A meanwhile uses strategy would ensure temporary, on-site provision during construction phases to include public open space, growing areas and allotments in accordance with Policy SC/4. The provision of on-site meanwhile uses is directly related to the proposed development.

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<sup>101</sup> CD15.01 & CD15.02

12.8 There is provision for a financial contribution of £298,003 to enhance off-site primary healthcare provision at Nuffield Road Medical Centre in accordance with the request from the NHS Cambridgeshire and Peterborough Clinical Commissioning Group. As an alternative, the Developer can, subject to agreement with the Council, market a site for a primary healthcare facility in accordance with an approved scheme.[11.16]

12.9 The s106 also provides for a per dwelling contribution towards household waste receptacles.

12.10 The schedule includes the phased delivery of car club spaces for a minimum of three years, and a bike and/or scooter hire scheme.

#### *Schedule 4 Open Space and Biodiversity Net Gain*

12.11 For each phase, a scheme would need to be approved for the delivery of the Open Space and Biodiversity Gain, which is to include a programme for its delivery.<sup>102</sup> In addition, the play areas outside Chesterton Gardens and the allotments are to be delivered in tandem with the residential uses.

12.12 An OpenSpace Management and Maintenance Strategy in respect of the site-wide open space, including the children's play space and allotments is required. These are all necessary to meet the needs of the new population generated by the development in accordance with Policy SC/7.

#### *Schedule 5: Public Art*

12.13 This requires a site-wide public art delivery plan and phase specific public art delivery plans. The provision of public art is directly related to the proposed development given the extensive public realm and is in accordance with Policy HQ/2 and would benefit the future occupants and users of the development proposed.

#### *Schedule 6: Guided Busway Route Adoption*

12.14 An Adoption Agreement with the County Council as Highway Authority, is required to secure the dedication and adoption of the busway route (at no expense to the owner) to ensure, so far as possible, the busway route currently used by guided buses continues to access Cambridge North station across the Site in accordance with Policy TI/2.

#### *Schedule 7: County Council Contributions*

12.15 A library contribution of £37,642 would be provided towards Arbury Court library (within a 20 minute walk of the site). It would support the library facilities necessary to meet the needs of the new population generated by the development in accordance with Policy SC/4.[11.47]

12.16 A contribution of £13,698 towards additional capacity at Milton Household Recycling Centre is required. This is directly related to the proposed

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<sup>102</sup> ID 1.16

development and would directly benefit the future residents of the development proposed.

*Schedule 8: Education*

12.17 A contribution of up to £261,615 towards an off-site Early Years facility is required. Alternatively, the Developer may provide a place within the development for such use. A financial contribution of up to £118,864.35 towards secondary education is required. It would be used towards new school places at an extension to North Cambridge Academy. A financial contribution of £95,932 towards Special Education Needs and Disabilities, to be used at the Martin Bacon Academy, Northstowe is necessary. These contributions are necessary to mitigate the impact of the new population on the education system.

*Schedule 9: Highways*

12.18 There are a number of obligations in relation to highways, these include: delivery of the Mobility Hub and a Car Park Management Plan; delivery of an on-site wayfinding scheme; delivery of on-site crossing provision on Milton Avenue; a financial contribution towards the delivery of vehicle traps on the CGB; bus shelter extensions; the delivery of on-site provision of public transport information; and the delivery of on-site cycle routes and on-site crossing provision. These measures are all necessary in order to encourage sustainable transport and ensure that the trip budget for the site is not exceeded.

12.19 There is an obligation requiring the implementation of travel plans, including separate travel plans for each commercial building.

12.20 An obligation to monitor vehicles accessing car parking areas within the development associated with the commercial land uses and also to monitor traffic flows at Milton Interchange is necessary to ensure that vehicle trips generated by the development are within the agreed trip budget. It also allows the assessment of the impact of traffic generated by the scheme on the Milton Interchange and the establishment of a Transport Review group to consider the results of the monitoring. A contribution of up to £1.62m is to be made available to fund improvements to identified strategic transport infrastructure to remedy breaches of the trip budget in the event that the trip budget agreed in the Transport Assessment is exceeded.

12.21 A contribution of £100,000 is included for off-site works towards Cowley Road improvement and enhancement works to cycle and walking routes to and from the station. These include safety, lighting and amenity improvements. This contribution is necessary in order to encourage sustainable travel.

12.22 The location of this development and the low level of on-site car parking provision results in the need to monitor the surrounding areas in terms of local car parking to ensure the development does not result in additional on street parking in surrounding areas. A financial contribution of up to £75,000 is necessary to assist the County Council with implementing appropriate interventions, if required.

12.23 In each case I am satisfied that the planning obligations and financial contributions sought would meet the statutory tests above.

### **13 Recommended Planning Conditions**

- 13.1 I have considered the planning conditions, including a number of pre-commencement conditions, that were provided and discussed in draft at the Inquiry on a without prejudice basis. These were subsequently amended and agreed between the parties.<sup>103</sup>
- 13.2 I have considered the conditions against the relevant advice given in paragraphs 55 and 56 of the NPPF and the guidance contained in the section on 'Use of Planning Conditions' in PPG. Where necessary I have amended them in the interests of clarity, precision, and enforceability. Should the Secretary of State be minded to allow the appeal, I recommend that the conditions set out in Annex D of this Report be imposed.
- 13.3 The conditions considered below firstly address those that apply to the entire site, followed by those applicable to the detailed application, and finally those applicable to the outline application.
- 13.4 A site wide phasing plan (1) is necessary to ensure a coherent and comprehensive development of the site and a reasonable timescale for the benefit of future occupiers and surrounding residents. A Demolition and Construction Environmental Management Plan (CEMP) (2) is necessary for each phase in order to safeguard the amenity of adjoining properties and open spaces.
- 13.5 A Construction Ecological Management Plan (3) and an Ecological Design Strategy (4) are necessary to conserve and enhance ecological interests in accordance with Policies HQ/1 and NH/4. For the same reason details of the biodiverse roofs (6) are required. A lighting scheme (5) is required to minimise light pollution within the surrounding area, including the conservation areas and to protect biodiversity.
- 13.6 A land contamination and remediation strategy (7,8,9) is necessary to safeguard health and avoid harm to ecological systems and controlled waters.
- 13.7 Details of arrangements for the management and maintenance of streets within the proposed development (10) are required to ensure a suitable and safe standard. A car and cycle management plan for each phase (11) is necessary to avoid unacceptable impacts of highway safety and the safety of users.
- 13.8 Notwithstanding the details that have been submitted, details of hard and soft landscaping are required for each phase, together with details of irrigation and maintenance and planting details (12,13) in order that the proposal delivers the high-quality public realm sought and enhances biodiversity.
- 13.9 Compliance with BREEAM ratings (14,15) are necessary to reduce carbon dioxide emissions and promote principles of sustainable construction, including water efficiency and efficient use of buildings in accordance with Policy CC/1. Any gas boilers should be restricted to low Nitrogen Oxide (NOx) combustion boilers (16), to protect local air quality and human health by ensuring that the

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<sup>103</sup> ID 1.31

production of air pollutants such as nitrogen dioxide and particulate matter are kept to a minimum.

- 13.10 Details of the external materials to be used, together with sample panels and palettes (17,18) are necessary to ensure that the external surfaces are appropriate and that the quality and colour of the detailing of the facing materials are maintained throughout the development.
- 13.11 A detailed surface water drainage scheme, together with details of its management and maintenance (19) is necessary to ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development. For the same reason details of mitigation measures to address surface water run off during construction (20) are required.
- 13.12 A survey and report for the surface water drainage for each phase is required upon completion (21) to ensure the effective operation of the system. Details of the foul water drainage scheme, including its implementation (22) is necessary to reduce the risk of pollution.
- 13.13 A Bird Hazard Management Plan and a Glint and Glare assessment for PV panels (23,24) is necessary in the interests of air safety. For the same reason a limitation of height of buildings and permanent and temporary structures is necessary (27).
- 13.14 A noise assessment and a scheme for the insulation of buildings and/or plant (25) is necessary to protect residential amenity. Details of measures to address cooking odours from commercial kitchens (26) is also required in the interest of amenity.
- 13.15 The ES has been supplemented by a number of technical notes, therefore for the avoidance of doubt a condition requiring compliance with the ES and these notes is necessary. (28)
- 13.16 Details of electrical vehicle charging points and provision for passive provision to meet future demand is necessary (29) in the interests of air quality and to encourage sustainable travel.
- 13.17 Hours of work during construction should be restricted (30) in order to safeguard residential amenity. For the same reason collections and deliveries to non-residential premises (31) should be limited.

*Conditions applicable to the detailed planning application*

- 13.18 I have included the standard condition in relation to implementation (32) and compliance with the approved plans (33). A condition restricting the change of use of the upper floors of buildings S04, S06 and S07 from Use Class E(g)(i) and E(g)(ii) is necessary, since the appeal has been assessed based on the merits and demand for the proposed uses. For the same reason the change of use of the ground floor of these buildings, but including Class F, should be restricted (34,35).



*Conditions applicable to the outline application*

- 13.19 I have included the standard reserved matters condition for appearance, layout and scale, as well as the standard time limit for the submission of reserved matters and a condition requiring compliance with the approved plans, including the parameter plans (36,37,38).
- 13.20 A condition in relation to the quantum of development is necessary, since it is not included in the description of the proposal (39).
- 13.21 A noise assessment and noise attenuation/insulation scheme in respect of the residential accommodation is necessary in order to protect future occupants from road noise, including from the CGB.(40)
- 13.22 In order to ensure there is a mixed and balanced distribution of dwelling sizes and tenure types across the development in accordance with policies H/9 and H/10 details of the proposed housing mix is required (41).
- 13.23 To ensure a reasonable level of residential amenity and quality of life and the long-term sustainability and usability of the dwelling(s) in accordance with Policy H/12, the proposed dwellings should meet or exceed the Government's Technical Housing Standards - Nationally Described Space Standard (2015) (42). In order to create accessible and adaptable homes, in accordance with Policy H/9, 5% of dwellings shall be designed to meet the accessible and adaptable dwellings M4 (2) standard of the Building Regulations 2010 (as amended) or successor document, and details of any lifts proposed shall be submitted (43,44).
- 13.24 In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings in accordance with Local Plan Policies CC/1, CC/3 and CC/4, a sustainability statement of each phase of the development is necessary (45).
- 13.25 Having regard to the water neutrality issues within Greater Cambridge, a Water Conservation Strategy is required to show that the dwellings would not use more than 89 litres per person per day (46).
- 13.26 A condition requiring details of waste and recycling facilities for the residential development is proposed. Since the details of waste storage would come within the scope of reserved matters, I find such a condition to be unnecessary. The funding for refuse receptacles is secured by Schedule 3 of the s106. For the same reason, I also find that draft condition 48 (waste collection for outline commercial development) is not required.
- 13.27 To ensure the provision of high-capacity broadband as part of the development, in accordance with Policy TI/10, fibre optic broadband should be installed and be operative (47).
- 13.28 With the exception of the community room proposed in Building S13 -S18, the ground floor of the commercial and residential buildings should be restricted to Class C3, Class E (excluding Class E (g) (iii)) and/or Class F since the appeal has been assessed based on the merits and demand for the proposed uses. The community room should be used for Class F2(b) only. (48).

13.29 The EA is concerned that the proposal, together with other development, may have an unacceptable effect on water quality and supply prior to the Grafham Transfer becoming operational. I deal with this matter in my assessment below. Should the Secretary of State disagree with my view and consider that the existing processes for ensuring a sustainable water supply would be insufficient, he may wish to impose an additional condition to limit the occupation of the proposed development. At the Inquiry, the appellant submitted suggested wording to limit the occupation of the residential accommodation in this manner, although considered the condition to be unnecessary for reasons the explained below.<sup>104</sup>

13.30 I have considered the suggested wording and agree with the Council's position, namely that the distinction between the residential parts of the scheme and the commercial part of the scheme in so far as water resources are concerned is not justified and I have adjusted the suggested wording accordingly. My recommended wording is found at draft condition 49. It would delay the occupation of the proposed buildings until either the Grafham Transfer is complete, or the WRMP has been approved and any measures required to maintain and deliver water in advance of the Grafham transfer have been implemented.

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<sup>104</sup> ID 1.26

## 14 Conclusions

*The following conclusions are based on the oral and written representations to the Inquiry and on my inspection of the site and its surroundings. The numbers in parentheses thus [ ], refer to paragraphs in the preceding sections of this Report from which my conclusions are drawn.*

14.1 Having regard to the putative reasons for refusal pursued by the Council, together with the development plan context, statutory obligations in relation to heritage assets, the evidence from the Environment Agency and Natural England and the evidence of interested parties, I find that the main considerations that need to be addressed relate to:

- Whether the proposed development would deliver the high-quality sustainable design and sense of place sought by the NPPF and development plan policies.
- The effect of the proposal on the character and appearance of the surrounding landscape with particular regard to the height and massing of the proposed development and the setting of the City of Cambridge.
- The effect of the proposed development on heritage assets, including the Fen Ditton and Riverside and Stourbridge Conservation Areas.
- Whether the proposed development would provide suitable living conditions for future occupants with reference to the potential number of single aspect, north facing apartments.
- Whether the proposal would prejudice the comprehensive vision for the wider area.
- The effect of the proposal on water resources.
- The benefits of the proposal including the provision of employment space.
- The overall planning balance.

### Design

14.2 In this section I consider whether the appeal proposal would deliver a high-quality mixed-use development that would function well over its lifetime in accordance with Policy SS/4 and paragraph 126 of the NPPF. The Council's concerns with the design of the proposal also include the impact on the wider landscape and the historic environment. These are discussed separately below.

#### *Layout of the Site and Uses*

14.3 The Council is critical of the type of employment uses proposed and the segregation of the employment and residential uses. With the exception of building S04, the employment uses are located between the railway line and Milton Avenue, whilst the residential use is located on the western side of Milton Avenue. The Council considers that this arrangement would mean that activity

within the commercial area would be largely confined to the weekday morning and evening peaks and lunchtimes, since the footfall would be largely driven by the employment uses. It does not consider that the animation provided by the ground floor uses would address this issue. Ms de Boom suggested that the residential accommodation should be dispersed throughout the site. [7.7, 7.9, 7.10]

14.4 The Council contend that mixing the uses across the site would improve the levels of activity at street level and extend the activity throughout the day and into the evening to contribute to a thriving community. There is limited evidence to support this view. In terms of restaurants and bars, an additional 2- or 3-minute walk is unlikely to influence a resident's decision to use a bar or restaurant. Similarly visiting other shops and services is likely to be driven by need rather than distance.

14.5 In addition, the Novotel adjoins the site, and it is probable that hotel guests would make use of the facilities during the evening or weekend, as well as residents of the nearby Chesterton residential area. It is predicted that there would be about 750 residents at Chesterton Gardens and more than 4000 workers throughout the scheme. The number of residents and employees using this area are likely to increase should the proposals for the NECAAP go ahead. [6.16, 6.17]

14.6 The appellant set out the practical consequences of splitting the residential uses across the site. These include but are not limited to the quality of open space and play areas and rainwater harvesting. In terms of amenity, locating the residential uses close to the existing residential development at Chesterton, Bramblefield Nature Reserve and the allotments, and separating it from evening uses would provide a higher quality residential environment, particularly for those with children, by comparison with the eastern part of the site which adjoins the railway line and the railhead aggregates site.[6.14]

14.7 The submission draft of the NECAAP illustrates how residential uses could be incorporated into mixed use buildings, however, the buildings within the illustrations are generally 6 storeys or more in height by comparison with the 4 storeys generally proposed as part of this proposal.<sup>105</sup> Given the Council's opposition to the height of the proposed buildings throughout the site, I find that there is limited scope for mixed use buildings as part of the appeal proposal.

14.8 The proposal also includes some flexibility to accommodate other uses on the site in that the mobility hub (Building S05) is designed to allow the conversion of some or all of the floors to residential use should the parking provided not be required in the future.<sup>106</sup> Whilst this may provide acceptable residential accommodation in this location, it would be unlikely to add significantly to the vitality of the streets during evenings and weekends.

14.9 It may take some time for the evening and weekend economy to establish, as is the case in many new areas, but there is nothing intrinsic in the mix of

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<sup>105</sup> CD 5.32 Figure 32 (page 152)

<sup>106</sup> CD1.11A

proposed uses that should be an impediment to such establishment. Overall, I am satisfied that the separation of the residential and commercial uses would assist with providing the best quality of accommodation for each use and would not give rise to an inactive frontage.

- 14.10 The Council is critical of the large footplate buildings that it considers provide limited opportunity for stepping and result in overly long elevations at odds with the finer grained approach recommended by the NEC Townscape Strategy.<sup>107</sup> [6.18, 7.10, 7.11, 7.12]
- 14.11 The purpose of the Townscape Strategy is to provide an overall framework to ensure that the development of individual sites within NECAAP area is coordinated to create holistic, connected and high-quality places. The Townscape Strategy is built on the evidence provided in the NEC '*Townscape Assessment*', '*Heritage Impact Assessment*' and '*Landscape Character and Visual Impact Assessment*' reports prepared as a supporting evidence base to the NECAAP.<sup>108</sup> The Townscape Strategy is not part of the development plan, moreover, it suggests that the development of the appeal site and its surroundings should be residential led.<sup>109</sup> This is at odds with the adopted development plan, in particular Policy SS/4 and the agreed position of the parties, namely that the development of this area should be employment focussed. Therefore, I do not afford the Townscape Strategy any significant weight.
- 14.12 In architectural terms, the fine-grained approach sought by the Council is not limited to smaller block sizes and stepped frontages. Indeed, the Townscape Strategy acknowledges that the degree of differentiation permitted between neighbouring developments will vary according to the character and role of areas. Whilst some of the examples it provides involve vertical changes in materials others do not, and there would appear to be limited stepping in the front elevations.<sup>110</sup>
- 14.13 There are other effective means of achieving a fine-grained approach. This is evident in the arrangement and elevational treatment of Buildings S06 and S07. The articulation provided by the staggered fingers is carried through to both elevations and there is also a variation in the building line of each building. The balconies, overhangs and materials would provide variety and interest to the facades. I do not share the Council's view that Buildings S06 and S07 would appear boring and overbearing. [6.23, 6,24, 7.23, 7.24]
- 14.14 In terms of Building S04, the stepping of the façade in and out on three sides would break up the elevations and provide interest, particularly at the ground floor level, where there is a cut-out colonnade at the junction with Milton Walk. [6.25, 6.26]
- 14.15 I find that although the proposal includes a number of large floorplate buildings, some with long elevations, it is apparent from the design of the

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<sup>107</sup> CD 5.15

<sup>108</sup> 5.15 paragraph 1.1.4

<sup>109</sup> CD 5.15 Figure 4.1

<sup>110</sup> CD 5.15 pages 60-61

buildings within the full application that these are able to provide a significant level of articulation, both in terms of footprint and elevation.

- 14.16 The appellant drew attention to the number of large floorplate buildings within historic Cambridge as well as those close to the appeal site. Those within the historic centre are generally heavily articulated in terms of their footprint and elevations, whilst some of the more recent buildings within the science parks have long uniform frontages. However, the buildings proposed as part of the full application include significant articulation through changes in height, building lines and materials. In the case of buildings S06 and S07 the parties agree that these elements are successful in reducing the apparent massing and proportions of the buildings. There is no reason why the buildings proposed as part of the outline application cannot adopt a similar design approach. [6.18]
- 14.17 Ms de Boom, on behalf of the Council, suggested that the spaces between S06 and S07 should be wider in order to improve permeability. Wider gaps would link this part of the site with the railway line, rather than the remainder of the proposal. More significantly, since Milton Avenue is an existing route linking the station with Cowley Circus, if buildings S06 and S07 were re-oriented as suggested it would greatly limit pedestrian and cycle permeability within the site and would not allow for logical routes through the site to connect the rest of the NECAAP area with the Station. Wider gaps would also open up views of the railway line and associated overhead gantries, and fail to provide the enclosure to Chesterton Square which is the main public open space, and in doing so it would significantly detract from the overall masterplan. [7.13, 7.16, 6.19, 6.28]

#### *Street Hierarchy*

- 14.18 The Council considers that there is a lack of distinction between Milton Avenue and Station Row, such that there is not a legible street network with a strong sense of place. I disagree with this view. Milton Avenue would be a wider street and would be used by motorised vehicles and would be clearly distinguishable from Station Row, the use of which would be limited to pedestrians and cyclists. The two streets would also differ in terms of the landscape and type of planting, with a landscaped swale running along the length of Station Row.[7.15, 6.12]
- 14.19 The approach to both streets would also differ. Milton Avenue would lead from the Station to Cowley Circus where it would adjoin Cowley Road and Cowley Road North, both of which would also be used by motorised vehicles. Station Row would be a subsidiary pedestrian route leading from Milton Avenue, just north of the Novotel Hotel, and would continue to Cowley Road opposite the entrance to the Wild Park . There can be little doubt about the different functions and character of Milton Avenue and Station Row.[6.13]

#### *Building S04*

- 14.20 Guidance on height is provided by a number of documents, including the Regulation 18 NECAAP, The LCVIA, the North East Cambridge Impact assessment, Townscape Assessment, Townscape Strategy and the NECAAP

Regulation 19.<sup>111</sup> The suggested building heights vary significantly between these documents. In so far as it relates to the eastern part of the appeal site, the LCVIA suggests up to 9 storeys (27 m), the Townscape Strategy suggests up to 5 storeys (15m) and the NECAAP advising 4-6 storeys. Whilst all of these documents are material considerations, the NECAAP is intended to become part of the development plan and is informed by the other documents. For this reason, I afford greater weight to the guidance within it by comparison with the other documents. Notwithstanding this, the guidance within the NECAAP, including the suggested heights, have not yet been subject to consultation and can be afforded little weight. Consequently, the proposed buildings, including their height, falls to be assessed in terms of their contribution to the townscape of the proposal and any harm to the wider landscape.[7.14]

14.21 The heights within the Townscape Strategy and the NECAAP assume a storey height of 3 metres, typical of a residential development. Both the SCLP and the Cambridge City Local Plan allocate the NECAAP area for employment focussed development which would, of necessity, require greater floor to ceiling heights and the need to accommodate plant. In response to my questions, Mr Willis explained, on behalf of the appellant, that the British Council for Offices recently updated its guidance in relation to storey heights. These heights are used in respect of the proposed office and laboratory buildings.

14.22 Building S04 is 7 storeys in height at the southeast corner and is marginally higher than One Cambridge Square (0.85 m) despite having the same number of storeys. This is due to changes in Building Council for Offices guidance.<sup>112</sup> The building steps down in height by 2 storeys towards the north. In addition, the north-east corner of the building is set back at ground level via a double height colonnade. The colonnade continues around the north, addressing the pedestrian and landscaped Milton Walk, with the entrance to the cycle amenities, including changing facilities, adjacent to the new cycle route running east west. The proposed terraces to levels 5 and 6, would be set back with the metal and glass materiality forming a 'lighter' more 'pavilion' character. Taken together with the articulation and materials, the proposed building would provide a successful transition between One Cambridge Square and Chesterton Gardens. The marginal increase in height adjacent to One Cambridge Square would be imperceptible in views at street level. [6.24, 6.25]

14.23 I agree with the Council that there is no need for Building S04 to be the same (or similar) height as One Cambridge Square. The aim of building S04 is to provide a transition between One Cambridge Square and the four storey residential properties at Chesterton Gardens. Although building S04 would be a large and prominent building, unlike One Cambridge Square it would benefit from significant articulation to the elevations and variation in materials. The planted terraces would add to the visual interest. Having regard to the overall composition of building S04, including its height, I do not consider that it would be overbearing. I find that it would provide a successful transition between One Cambridge Square and the proposed residential use.[7.16]

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<sup>111</sup> CD 5.13, CD 5.15, CD 5.29, CD 5.32, CD 5.34, CD 5.36,

<sup>112</sup> CD 8.06 Figure 6 page 6

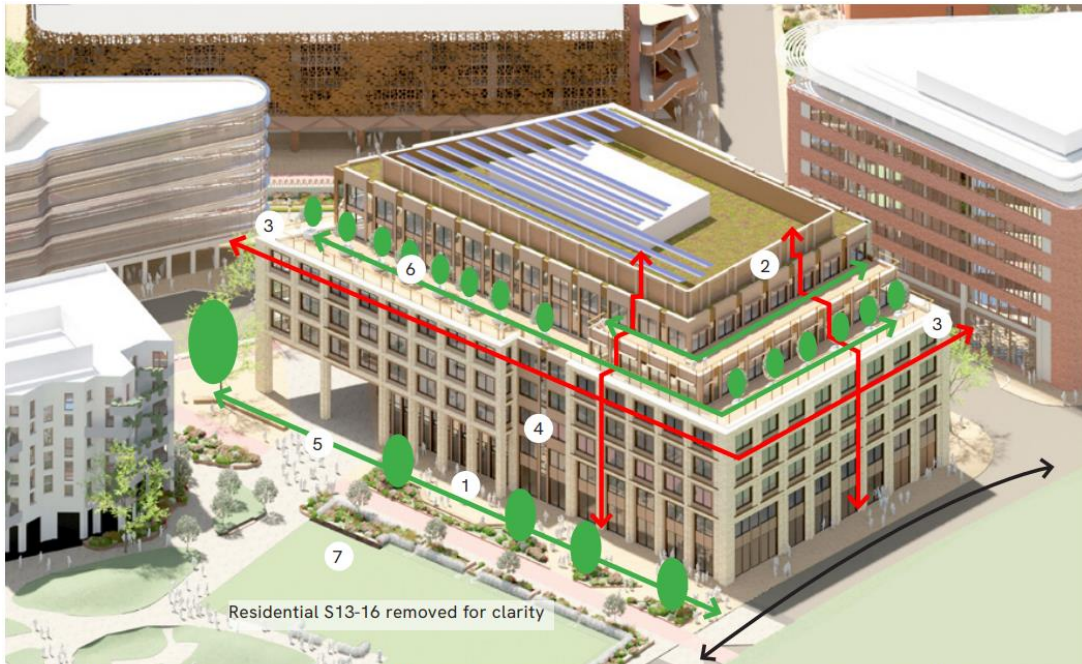


Fig. 11 Illustrative axonometric of One Milton Avenue, looking south-east, showing key design principles.

14.24 The Council is critical of the impact of Building S04 on the character of Chesterton Way. The Chesterton Way elevation of Building S04 would provide access to the basement parking and will include a substation. It would inevitably have a more utilitarian appearance at ground floor due to the need to provide access to the car park and the substation. However, it would include areas of glazing and an entrance at ground floor, and the upper storeys would be detailed to match the remainder of the building and would include the terraces to the upper storeys. [7.17]

14.25 Chesterton Way accommodates a cycle route and the CGB. There is a significant area of landscaping on the west side of Chesterton Way that will be retained and improved. It may be used by some pedestrians to access the Station, but for most, including those within the future NECAAP area, the more direct and pleasant route would be along Milton Avenue and/or Milton Walk.

14.26 I acknowledge that the ground floor Chesterton Way elevation would be less visually attractive by comparison with the other elevations, but it would not be without visual interest, and, given the functional requirements of the building, it would be acceptable in townscape terms. Additionally, it is unlikely to be a heavily used pedestrian route. [6.40, 6.41]

### *Buildings S06 and S07*

14.27 Buildings S06 and S07 are located between the railway line and Station Row. They would be separated by a pocket park. They would be 4 storeys tall with plant above. Levels 3 and 4 to the east and west elevations would be stepped back and would provide amenity space and opportunities for planting. The buildings would be well articulated with changes in heights, building line and materials, with each building creating four bays. The main entrance to the



buildings would be from Station Row. The eastern elevation would provide vehicular access to the basement car parking.

14.28 As acknowledged by the Committee Report at the time of the application, the bays are well proportioned and are successful in reducing the apparent massing and proportions of the buildings in views from street level or from a passing train. The elevational design introduces a sense of depth and rhythm, and a finer grain / human scale to the buildings.<sup>113</sup> There is also agreement in respect of the proposed materials and the manner in which rooftop plant has been integrated.

14.29 Notwithstanding this, Ms de Boom, on behalf of the Council contends that due to the repetition of the design across both blocks the benefit of the articulation is lost, resulting in a long boring elevation, lacking variety and human scale.<sup>114</sup> This would appear to be at odds with what has been agreed between the parties and it is also notable that whilst the putative reasons criticised the eastern edge of the site in terms of landscape and visual effects, there was no criticism of the design of these buildings.[5.9, 5.10, 6.23, 7.20]

14.30 Buildings S06 and S07 face towards the sensitive eastern edge of the site. The eastern elevation is designed as a principal elevation. It is set back from the railway edge by 16-18m with a band of trees differing in height. The impact of these buildings on the surrounding landscape is discussed below.[6.30, 6.31]

14.31 Overall, whilst there would be some uniformity between both buildings, the variations in building line, the proposed stepping, elevational treatment of the different bays and materials would avoid a monotonous appearance. They would also provide a sense of enclosure to Chesterton Square. In my view the footprint, articulation and proposed materials combine to provide high-quality, well-designed buildings.

#### *Buildings S08 and S09*

14.32 Outline planning permission is sought for buildings S08 and S09. These would sit between Milton Avenue and Station Row and provide enclosure to Chesterton Square. The parameter plans establish maximum building heights, the extent of the ground floor and basement building envelopes, the building heights, ground floor uses, and access points.<sup>115</sup>

14.33 The Council's concerns are that the height of the proposed buildings would compound the impacts of the eastern edge on the surrounding landscape. It is also concerned that it is the back of building S09 that overlooks the Wild Park. In the Council's view, any attempt to activate this frontage is unlikely to be successful until the development to the north of the appeal site comes forward. [7.27, 6.36, 6.37]

14.34 Building S09 is directly opposite the Wild Park. The ground floor parameter plan that shows much of the ground floor to the northern elevation would be

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<sup>113</sup> CD 4.0 paragraphs 12.86 – 12.92

<sup>114</sup> CD 9.04 paragraphs 5.52 & 5.53

<sup>115</sup> CD 2.22-28

activated, the exception being the entrance to the basement car park.<sup>116</sup> Moreover, the proposals for this building are in outline and the extent of the activation at ground floor level is a matter that could be addressed once detailed proposals are submitted.

14.35 The effect of the height of these buildings in the wider landscape is considered below.

### *Landscape*

14.36 The formal children's play space is located partly within Chesterton Gardens and partly within the Wild Park. Whilst the Council accepts that the quantum of play space is acceptable, it considers that the access to the Wild Park is unsuitable and that there is a conflict between the use of the Wild Park for play and its drainage and ecology role. The Wild Park would comprise a large space around a permanent water body and would provide recreation and play opportunities, as well as informal public open space. It would utilise the existing open mosaic habitat, which is created and sustained by disturbance, and therefore the use of this area for play would not harm this habitat or be inconsistent with it.

14.37 At the Inquiry, the appellant explained that the Wild Park was intended to provide facilities for slightly older children and would allow for more imaginative play. It would include seating areas for adults and access to it would involve crossing Milton Avenue and Cowley Road. It would however, be located close to the proposed dwellings and there would be a controlled crossing at Milton Avenue, whilst traffic using Cowley Road would be largely limited to vehicles using the basement parking for buildings S09 and S07 and these are likely to be travelling at low speeds.<sup>117</sup> The Highway Authority raised no concerns in relation to this matter and I agree that the access to the Wild Park is satisfactory. [7.31, 6.35, 6.39]

14.38 The pond within the Wild Park would be a permanent feature with sufficient capacity to accommodate surface water from the drainage system when required. This approach is entirely consistent with SuDS schemes and I do not see any conflict between the proposed pond and the use of this area by older children for play.

14.39 Chesterton Square is the most significant space within the public realm. It is framed by buildings S07, S08, S09 and Milton Avenue. It would include tree planting and an interactive water feature. Mr Wakefield on behalf of the Council suggested that Chesterton Square had no clear function and it was unclear as to the extent to which it would be overshadowed. The detailed arrangement of Chesterton Square is shown on CD 2.49. It includes a water feature a cluster of trees with seating, seating areas and public art as well as areas of planting. It would be enclosed on three sides by the proposed buildings, all with active frontages facing towards it.

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<sup>116</sup> CD 2.27

<sup>117</sup> CD 2.45



14.40 Due to its location and arrangement, Chesterton Square has the potential to be a successful public square serving both workers and residents. In warmer weather it would benefit from the shade provided by the trees. There would be a degree of overshadowing from building S08, but this would not significantly affect the functioning of the Square and may be welcome in hot weather. The detailed treatment of this area has been carefully considered by the appellant and includes paving designed to reference the former railway tracks. I consider that it would make a positive contribution to the public realm, encourage social

interaction and contribute to the functioning of the proposed Urban Quarter.  
[6.42]

14.41 The Council is particularly critical of the eastern edge due to the height and separation of the proposed buildings, the lack of variation in building heights and the landscaping to the eastern edge. These concerns primarily relate to the impact of the proposal on the wider area rather than the quality of the proposed development and are addressed below.

14.42 Overall, I conclude that the proposal would deliver a high quality design and a distinctive sense of place in accordance with Policies HQ/1 and SS/4 of the Local Plan.

### ***Landscape and visual effects***

14.43 Together Policies HQ/1 and NH/8 seek a high quality of design and, amongst other matters, expect proposals to respect and retain or enhance the character and distinctiveness of the local landscape and of the National Character Area in which it is located. NH/8 aims to mitigate adverse impacts of development adjoining the Green Belt.

14.44 The parties also reference the LCVIA and the NEC Townscape Assessment.<sup>118</sup> The purpose of the LCVIA is to provide an appraisal of existing landscape character and visual amenity at the Site and surrounding Fen Edge landscape as well as the potential effects of high, medium and low development height scenarios within the NECAAP area. Mr Smith, on behalf of the appellant acknowledged that this was the most useful and up to date character study.[6.44, 7.30]

14.45 The model for each scenario was amended to give alternative development height options within blocks in order to reduce the effects on the landscape character and views to the east and north of the Site and on the Fen Edge landscape. This included sub-dividing Block 4 (the appeal site) and adjusting building heights to allow a gradation from low in the east to higher in the west. Block 4 was modelled on the basis of up to 4 storeys at the eastern edge grading up to 6 storeys in the northern part of the Block and up to 7 storeys adjacent. These scenarios were then assessed in terms of their impact on landscape character and views.

14.46 The outcome of these assessments is summarised within the Design Guidance section.<sup>119</sup> This explains that the eastern and northern edges of the NECAAP are sensitive to high and medium height development. In the case of Block 4 it suggested that medium/high height buildings should be considered, whereas in the case of Blocks 2 and 3 (to the north of Block 4) it suggests a gradation in height rising from low buildings at the eastern edge, although these are refined from the original model.

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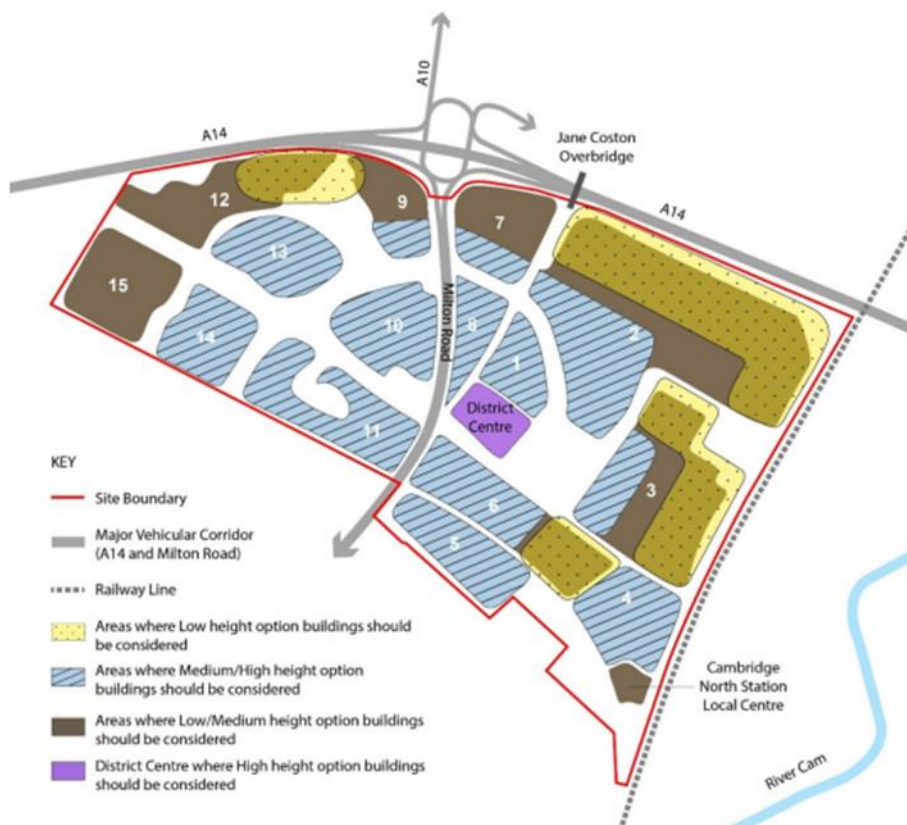
<sup>118</sup> CD 5.13 and CD 5.15. The LCVIA is sometimes referred to as the TEP Report by the parties.

<sup>119</sup> CD 5.13 paragraphs 5.10-5.12 and diagram 1

14.47 The Council suggest that the design guidance needs to be understood in the context of what was modelled for Block 4, (4 storeys across the eastern part).<sup>120</sup> However, the purpose of the modelling was to inform the landscape and visual assessments. Its purpose was not to dictate the acceptable height or scale of development. The design guidance, including Diagram 1 combined with the text at paragraph 5.10, is clear that medium/high height buildings may be appropriate within Block 4. The guidance includes the entire NECAAP site and states that:

*“the height and massing of buildings should avoid dominating views of the skyline from the east and should avoid creating an abrupt transition from development to rural edge as well as compromising the quality and character of views and landscape in the River Cam Corridor LCA”. [7.31, 7.32]*

**Diagram 1: Graphic showing potential areas of development heights**



14.48 The LCVIA is one of the documents that informed the Townscape Strategy. The most recent iteration of the Council’s approach to building heights is found within the NECAAP submission draft. This sets out a height of 4 – 6 storeys along the eastern edge of the appeal site, with a maximum height of 22 m. However, for the reasons given above, I afford little weight to the heights within

<sup>120</sup> CD 5.13B figures 5.1,5.2,5.3

the Townscape Strategy and the NECAAP and find that the proposal would accord with the design guidance in the LCVIA.

14.49 Buildings S06 and S07 would be 4 storeys plus plant above ground. They are designed to step down from 22.1m maximum to just over 20m, 17.4m and 13.4 m. For a site that is employment focussed by virtue of the development plan, limiting the overall height by reference to residential floor to ceiling heights would seem to be irrational. The issue is not whether the proposed height complies with, or exceeds, the height guidance within these various documents, but whether it would have an adverse impact on the character or appearance of the surrounding landscape.[6.22]

#### *Landscape character*

14.50 The landscape impacts were assessed by the Bidwells LVIA that formed part of the ES, Mr Wakefield on behalf of the Council, and Mr Smith on behalf of the appellant. The differences between the assessments are set out at Table JSR2.<sup>121</sup> There was no dispute between the parties in respect of the LVIA methodology or the accuracy of the visualisations.[6.45]

14.51 The proposal would change the character of the part of the Cambridge urban area in which it is located. This area is currently characterised by brownfield land but is clearly undergoing regeneration as evidenced by Cambridge North Station, One Cambridge Square and the Novotel. The site and the surrounding area come within the NECAAP area where the SCDC Local Plan and the Cambridge City Local Plan promote the establishment of a new Urban Quarter. Such a proposal would inevitably have an impact on the appeal site and the surrounding landscape in terms of its character and appearance.

14.52 There are number of relevant landscape character assessments for the area.<sup>122</sup> The most recent assessment is the Greater Cambridge Landscape Character Assessment, prepared on behalf of SCDC and Cambridge City Council. It draws on the earlier assessments.<sup>123</sup> This divides the area into 9 generic Landscape Character Types that share broadly similar patterns of physical and cultural attributes. These are subdivided into 33 Landscape Character Areas, which are unique, individual geographical areas.

14.53 The appeal site, together with the development on the west side of Fen Road (predominantly traveller sites and small-scale commercial uses), lie within the Cambridge Urban Area. This area is adjoined by the River Cam Valley (Character Area 9A) which the parties agree is the most sensitive area in terms of landscape and visual impact. I agree with the parties that the most sensitive areas in terms of landscape impact are the River Cam Valley (Area 9A), area 6A (which includes Fen Ditton), and the residential area. [6.44]

14.54 There is agreement between the parties as to the landscape sensitivity, magnitude, and significance of effects in respect of three areas. It is agreed that the significance of effects on the railway corridor would be moderately

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<sup>121</sup> CD 8.38B page 18

<sup>122</sup> CD 5.26, CD 5.28, CD 12.09

<sup>123</sup> CD 5.28

beneficial. They also agree that the significance of the landscape setting of the FDCA would be moderate/minor adverse since the proposed development would intensify the urban influence on the receptor and erode its rural quality. The significance of the townscape setting of RSCCA would be minor neutral in landscape terms due to the distance from the site and the intervening landscape and buildings which separate this area and the appeal site. [7.39]

14.55 The River Cam valley is characterised by the River Cam, the floodplain and the recreational use of both the river, the tow path and the green spaces along its length. It occupies two locations. One is to the southwest of Cambridge and the other is to the northeast, which is to the east of the appeal site. The key characteristics include:

- Distinctive green corridor within the Cambridge urban area.
- Scattered mature trees, hedgerows and hedgerow trees providing a strong sense of enclosure.
- Sparsely settled, with occasional vertical elements and views of built form on the urban edge visible in framed and filtered views between trees.
- Historic association between the City and its river enriches the setting of Cambridge.
- Well used landscape for recreation with strong historical and cultural associations.<sup>124</sup>

14.56 Overall, the Cam corridor has a semi-rural character, notwithstanding this, the river corridor is adjoined by urban development on one or both sides along much of its length. This is particularly noticeable, but not confined to, the southwestern part of the character area. In the vicinity of the appeal site, much of the corridor to the southern side of the river has a more open character due to Stourbridge Common and Fen Ditton Meadows. As acknowledged by the Council, built form along the edge of the Cambridge urban area is a distinctive feature. In addition, a number of vertical features such as chimneys, pylons, masts and church spires are visible within the landscape.[6.53]

14.57 The parties broadly agree that the River Cam Valley is a high value receptor. The appellant also acknowledges that it is a valued landscape for the purposes of NPPF 174 (a). Both Bidwells and the appellant assess the river corridor as having a medium susceptibility to change and a high/medium sensitivity overall. Bidwells and Mr Smith assessed the magnitude of effects to be low as the changes are indirect and with the presence of existing taller buildings close to the station and the sense of the settlement edge. In addition, both consider that the geographical extent of the change would be limited and views would be filtered by the trees. Both assessments find a moderate/minor adverse effect, since although there would be an increased visibility of the built form, this would be in the context of the proximity of the existing urban area and the site would remain separated from the River Cam Valley. [6.49, 7.40]

14.58 Mr Wakefield, on behalf of the Council, considered the susceptibility of the landscape to be high due to its strong landscape structure and low capacity to accept change. On this basis he contends that it has a high landscape

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<sup>124</sup> CD 5.28b page 177.

sensitivity, which, when taken together with a medium magnitude of effects, gives rise to moderate/major overall significance.

14.59 However, Mr Wakefield's classification sets out more detailed assessment criteria. The "high" susceptibility to change category includes landscapes with a high degree of enclosure or intimacy with few detracting features and a strong landscape character. I agree with the appellant that the landscape does not benefit from a high degree of enclosure or intimacy. It also exhibits detracting features and evidence of recent change. I therefore find that it fits more closely with Mr Wakefield's medium category of susceptibility to change. On this basis, using Mr Wakefield's table 10.4, the landscape would have a medium/high sensitivity to change. [6.48, 6.52, 7.41]

14.60 This would accord with the Bidwells assessment. This describes a medium susceptibility to change, described as:

*"The receptor has some ability to accommodate the Proposed Development. There would be some consequences for the maintenance of the baseline and/or relevant planning policy."*

I consider that the medium categorisation more accurately reflects the landscape character of the River Cam Valley, since it clearly has accepted change during in recent years, including not only the Novotel Hotel and One Cambridge Square, but also various dwellings along its length.

14.61 Turning to the magnitude of effects, Mr Wakefield on behalf of the Council, finds a medium magnitude, whereas the appellant and LVIA conclude a low magnitude. I acknowledge that there is a sense of the settlement edge, including light from existing buildings. The height of the proposed buildings would, in my view, make a moderate contribution to the baseline character since they would rise above the existing low-rise development at Fen Road and would add to the existing built development on allocation SS/4. Whilst the key characteristics of the River Cam corridor include a green corridor within the Cambridge urban area, I nevertheless consider that due to the scale and disposition of the proposed buildings that the magnitude of change from the proposal would be medium rather than low. When combined with a medium high sensitivity to change this would result in a moderate adverse landscape effect to the River Cam Corridor.

14.62 The local residential area comprises the Chesterton Character area and the mixed-use development at Fen Road. Mr Wakefield assessed the local residential character of both areas together and concluded that there would be a moderate/major adverse effect overall. The appellant concluded a moderate/minor negative effect to the north, becoming minor and neutral to the south at Chesterton, and minor and moderate negative effects to Fen Road.

14.63 The principal difference between the parties was the magnitude of effects. Using Mr Wakefield's categorisation, 'major adverse' involves the total loss of key landscape characteristics. This clearly exceeds the impact. On the basis of Mr Wakefield's table there would be a moderate adverse landscape effect. At the Inquiry Mr Wakefield acknowledged that he had had regard to the worst-case scenario, and for this reason had focussed on the bungalows at Discovery Way. I agree with the appellant that over much of this area the proposed



development would not be visible. The character of these areas is already influenced by One Cambridge Square and the Novotel, and with careful design these areas have some ability to accommodate change without transformational effects on character. [6.56, 6.57]

14.64 The proposed new buildings would be perceived in the context of the existing Novotel and One Cambridge Square and would therefore be adding buildings of a similar scale and character to those that exist already. They would extend over only the northern edge of the Chesterton residential area but would be visible over a greater proportion of the Fen Road development.<sup>125</sup>

14.65 The effects on the Chesterton residential area would be geographically limited, as well as mitigated to some extent by the proposed planted terraces. I therefore agree with the appellant that there would be moderate/minor adverse effects to the north, reducing to minor and neutral to the south. The effect on Fen Road would be moderate negative due to the distance and the intervening railway infrastructure.

#### *Visual effects*

14.66 In addition to the matters in relation to specific viewpoints, the Council had a number of other concerns in respect of the visual impact of the proposal. These relate to the height and permeability of the buildings on the eastern edge.

14.67 The permeability of the proposal in terms of the layout and design of the proposal is discussed above. Both Mr Wakefield and Ms de Boom, on behalf of the Council, contend that the gaps between the buildings on the eastern edge are insufficient to break up the mass of the buildings in views from the River Cam corridor, and should be increased in width. The appellant submits that increasing the width would not allow the buildings to be viewed as individual buildings due to the meander of the river. Figure 3 of Ms de Boom's proof of evidence illustrates the extent of the views through the gaps between Buildings S06 and S07.<sup>126</sup> The diagram takes no account of intervening structures, buildings or vegetation and therefore in practice, views would be less extensive than suggested. Even on this basis, views are limited to parts of the traveller sites along Fen Road and a small area of Fen Ditton. Increasing the separation between these buildings would therefore impact on only a very small number of receptors, and there is little evidence to indicate that the changes would be beneficial.

14.68 The buildings along the eastern edge are designed to step down from 22.1m at plant level to just over 20m, 17.4m and 13.4 m. They would be separated from the eastern boundary by a distance of between 16 and 18 metres, and the railway would provide a further degree of separation. The proposal includes a belt of trees along the eastern elevation of Buildings S06 and S07. It is proposed to plant two overlapping rows of trees with plane trees, alders and Amelanchier. The plane trees are anticipated to reach 12 metres after 15 years and possibly 30-40m during the lifespan of the development. It is intended that the proposed trees would filter, rather than screen views of the proposal. The

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<sup>125</sup> ZTV in drawing CN-003

<sup>126</sup> CD 9.04 page 21

Council does not consider that this would sufficiently soften the edge of the development. [6.22, 6.30]

- 14.69 The viewpoints used in the Bidwells LVIA (section 12 of the ES) were agreed with SCDC's Landscape Officer as suitable for assessing the visual effects of the development at the time the ES was prepared. However, the Council now believes additional viewpoints are required to assess the visual effects of the proposal.<sup>127</sup> These additional viewpoints were included in Mr Wakefield's proof of evidence and addressed by Mr Smith in his rebuttal evidence. The viewpoint numbers used by the Council do not correspond to those within the LVIA and in some instances there is no close comparative location in the Bidwells LVIA. My assessment below uses the numbering from the Bidwells LVIA and additional Node viewpoints.
- 14.70 Although the site visit took place during the summer, the photographs within the LVIA were taken during the winter months. At that time several of the trees along the tow path had been recently pollarded. Therefore the LVIA is likely to represent the worst-case scenario. Mr Smith's rebuttal evidence summarises the difference between the parties.<sup>128</sup> There are a number of viewpoints where the parties agree that there would either be no effect, or any effect would be negligible. The Council does not dispute any of the wirelines or modelled views submitted by the appellant.<sup>129</sup>
- 14.71 *Viewpoint 2 (Node viewpoints 8 & 9)* is located at Bramble Field Local Nature Reserve. The parties agree that the proposal would have a moderate adverse effect on the Bramblefields LNR and Fairham/Bourne Road. I agree with this assessment. The proposed development would be seen over the top of the existing dwellings and in the context of the existing development at One Cambridge Square.
- 14.72 *Viewpoint 5* is located at Ditton Meadows. The Council considered that a sequence of views was required from this location in order to understand the kinetic nature of the views from Ditton Meadows. These are Node viewpoints 1, 2, and 3 and extend along a 250m stretch of the Harcamlow Way. They were assessed by Mr Smith within the appellant's rebuttal evidence.<sup>130</sup> The Council consider that in these views the proposal would have a medium magnitude of change leading to a moderate/major adverse impact on these views at 15 years. [7.56]
- 14.73 At the time at which the photographs used in the LVIA were taken, the trees along the tow path had been heavily pollarded and whilst they provided a focal point, they provided limited screening. The footpath links the Cambridge North area with Fen Ditton and appears to be well-used by the public. I agree with the Council that the sensitivity of these views is high. It is an area used for recreation and people are likely to linger in the area. From Node viewpoint 1, Building S04 would be seen behind the Novotel and Building S06 and S07 would extend across the skyline at a lower level and would be viewed behind the

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<sup>127</sup> CD 6.06 paragraph 8.33 & CD 6.08 paragraph 32

<sup>128</sup> CD 38.B pages 18-22

<sup>129</sup> CD 6.08 paragraph 24

<sup>130</sup> CD CN-056 – CN-061 (Modelled views)

existing development. Due to the low-lying nature of the landscape it would not obscure any scenic views and would be seen against a backdrop of existing development. The existing trees, even in their pollarded condition, would break up views of the buildings. The proposed development would occupy a small proportion of Node viewpoint 2 and an even smaller proportion of viewpoint 3 even in winter months, with views limited to gaps in the vegetation. I therefore conclude that the proposal would have a minor adverse effect on views from Ditton Meadows.[6.62, 7.57]

14.74 *Viewpoint 8 (Node viewpoint 20)* is located on footpath 85/6. The Council and Bidwell assess the proposal as having a major adverse effect on this viewpoint at year 15. The appellant finds a moderate adverse effect. This viewpoint is separated from the appeal site by the river. The views are from a relatively short section of a narrow-fenced footpath and would be filtered by the existing trees and other vegetation. In addition to Buildings S06 and S07, the upper part of Building S04 would be seen to the rear of building S06. The proposal would be seen over the top of the hedge and in the context of the existing Novotel and One Cambridge Square. Therefore whilst the effect of the change in view would be considerable, it would be from a very short length of the footpath. I therefore agree with the appellant that the proposal would have a moderate adverse effect on this view. [6.65, 7.58]

14.75 *Viewpoint E5 (Node Viewpoint 11)*. Both parties agree that there would be a moderate adverse effect on Discovery Way and the CGB.

14.76 *Viewpoint E6 (Node viewpoints 16 and 17)*. Fen Road is occupied by a number of traveller sites, with the individual plots accessed from a spine road. It is separated from the appeal site by the railway line. In views of the proposal from Fen Road, the existing Novotel is noticeable, but as a distant/background feature. Other than from the access road, public views are limited by the proximity and height of development on Fen Road, the narrowness of Fen Road and the distance of the viewpoint from the proposal. In my view, the Council's assessment of moderate/major adverse over emphasises the harm and I prefer the appellant's assessment of minor neutral harm to public views.

14.77 The views from within individual Traveller pitches would be private views, whereas GLIVIA3 advises that public views are more representative and should generally be used for assessments. Moreover, in general, the potential impacts of a proposed development on private views is not a planning consideration. The exception to this approach is where by virtue of the proximity, size and scale of a given development, the impact would be so severe as to affect the residential amenity of a dwelling. In views within close proximity of the western boundary of the travellers' site, Buildings S06 and S07 would be visible. They would be separated from this site by the railway line and intervening gantries and would also be set back from the eastern boundary of the appeal site, with the proposed tree belt. Although the proposal would be prominent in private views, from this part of the site, the harm arising would not be of a magnitude to affect residential amenity.

14.78 *Node VP 19 & 21*. The Council assessed two additional views from the tow path on the west bank of the river. This forms part of the Fen Rivers Way long distance footpath. From VP 21 the buildings would be clearly visible through a

lower area of vegetation, albeit in the context of the existing Cambridge North development. The appellant concludes a minor adverse effect at VP 19 and a major/moderate adverse effect at VP 21, whereas the Council concluded a major adverse effect for both. [6.61].

- 14.79 There are several locations along the tow path, particularly gateways, from where the appeal site can be readily viewed. In many instances trees in the foreground and mid-ground break up such views. From VP 19 the proposal would be seen over the existing hedge and views would be significantly screened by the existing vegetation, and the proposed trees.
- 14.80 From VP 21, Buildings S06 and S07 would, together with the existing buildings on the site, be noticeable. This would remain the case even if they were reduced in height. This is a relatively narrow viewpoint and the views are filtered to some extent by the existing trees in the mid-ground, and the proposed tree belt would further filter views. Given the sporadic nature of these views from the tow path, views of the proposal are likely to be kinetic views, of limited duration. One would generally need to stop and turn towards the appeal site in order to view the proposal. For most people, views of the riverside are more likely to be attractive, and the seats along the tow path face toward the river rather than the NECAAP.
- 14.81 With regard to VP 19, I consider the effects to be limited, due to the distance, and the intervening vegetation. Whilst I agree that there would be a significant adverse effect from VP 21, this would be a narrow view and of limited duration for the majority of recreational users. I therefore prefer the appellant's assessment of harm. [6.63, 7.60]
- 14.82 *Node viewpoints 22 and 23, the garden of the Plough Inn, Fen Ditton.* The Council was critical of the appellant's failure to consider these views, since it was a location where people would go and sit and enjoy the views. The appellant contends that since it is not a public view point the sensitivity is reduced but acknowledges that the proposal would be seen from these viewpoints.
- 14.83 I agree that it is appropriate to assess the views from this location, since it is a location open to the public and used for recreational purposes. The Plough Inn is located opposite proposed Buildings S06 and S07 but separated by the river and the intervening development on both sides of Fen Road. Views from this location would change as a consequence of the proposal. The appellant identifies a moderate adverse effect, whilst the Council finds a major adverse effect.
- 14.84 In these views, Fen Road development occupies the foreground, but the Novotel, One Cambridge Square and the buildings at the Science Park are all noticeable. The proposal would infill the gap between these buildings, but at a distance. The garden to the public house has numerous tables and benches and I noted that most, if not all visitors were seated, with some facing towards the river and others facing away from it. When seated within this area views of the appeal site are much reduced. I therefore find the major adverse effect contended by the Council to be an overstatement of the harm. [6.64, 7.59]

- 14.85 The parties agree that the proposal would not significantly impact any of the Strategic Viewpoints identified within the Cambridge Local Plan.<sup>131</sup> The Council submits that there would nonetheless be a loss of views across the site towards St Mary's Church, Fen Ditton, and St Georges Church, Chesterton. Neither party assessed them as part of the LVIA, although these buildings are annotated in the Council's viewpoints 11 and 20. Both churches are a considerable distance from the site, and barely discernible in views, even on a clear day. I conclude that the proposal would not harm views of these local landmarks.
- 14.86 The Council submits that the appeal site occupies an urban/rural fringe location, and any development higher than the prevailing height of buildings within Cambridge will stand out on the skyline. There is agreement between the parties that the proposal would not harm the historic skyline of Cambridge. It would change the skyline in views from the River Cam Valley in particular, although this would be mitigated to some extent by distance, intervening vegetation and the proposed landscaping. I consider that it would avoid dominating the skyline in views from the east. The separation provided by the railway and the Fen Road development would avoid an abrupt transition from the development to the rural edge of Cambridge.
- 14.87 The change to the skyline needs to be considered in the context of the allocation of the site for a new Urban Quarter, which the emerging NECAAP suggests would accommodate 8,350 new homes and 15,000 new jobs. This would not be achievable without changes to the existing skyline. [6.54, 7.45]
- 14.88 I have identified moderate adverse harm to the landscape character of the River Cam corridor. Notwithstanding this, the key characteristics of this LCA would be maintained. There would also be visual harm to a number of viewpoints. For the most part this harm would occupy a limited part of the viewpoint or would be from a very specific vantage point and therefore would be localised. Consequently, the visual harm from these locations is not representative of the impact of the scheme on the River Cam corridor overall.
- 14.89 The site is part of an allocated site for an employment focussed new Urban Quarter. It is also the part of the allocated site closest to the station and other public transport facilities. Whilst the quantum of development is not specified within the development plan, it is clear from the emerging NECAAP that the Council envisages a significant scale of development. The Council's approach throughout the Inquiry appeared to be that anything other than very limited views of the development from the east would harm the character and appearance of the River Cam corridor. It suggested that lower buildings, screened by trees would be more suited to this location. This approach is at odds with the allocation of the site within the SCLP and the emerging NECAAP. Moreover, such an approach does not represent good design and is at odds with the aims of Section 12 of the NPPF. A new urban quarter should not blend into the predominantly single storey development on the opposite side of the railway line, or be largely screened from views. As explained by Mr Ludewig *"it should*

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<sup>131</sup> CD 6.08 paragraphs 29 and 30

*be done with careful consideration but also with confidence, in the spirit of the traditional Cambridge townscape.” [6.33]*

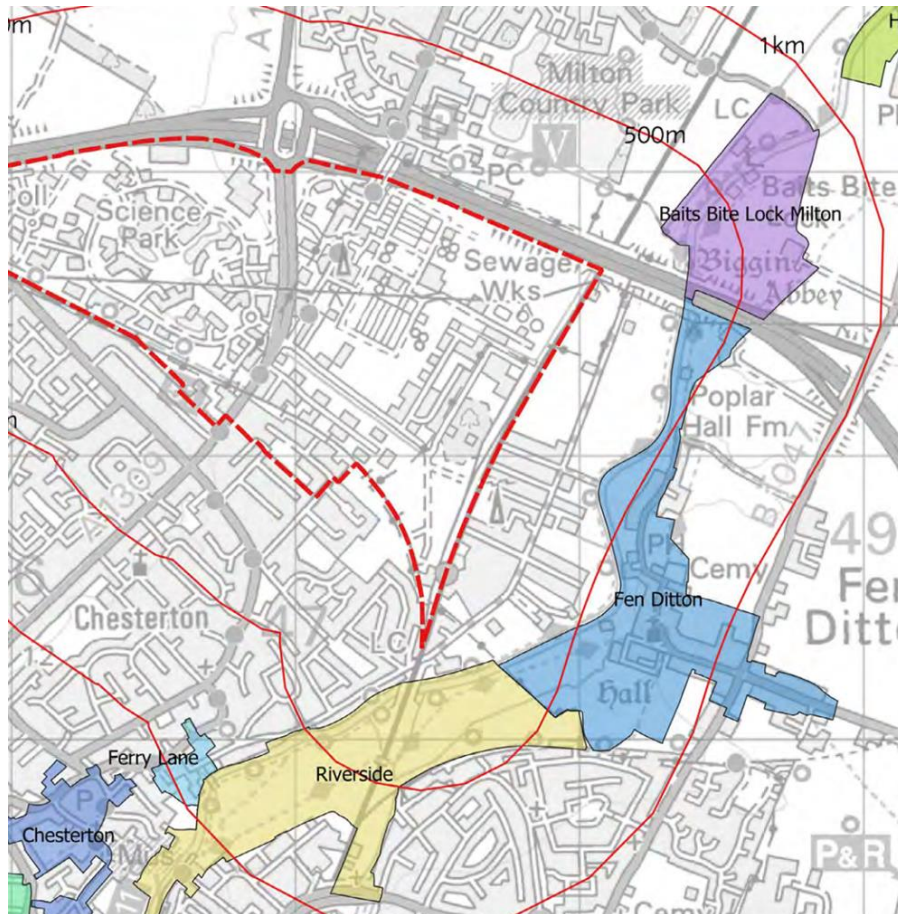
14.90 Overall, I conclude that the proposal would harm the character and appearance of the surrounding landscape, but such harm would be limited and generally localised and is mainly due to the change in the character of the site from a largely brownfield site to a new Urban Quarter. Considered in the context of the allocation of the site within the development plan, I find that the proposal as a whole would respect and retain the character and distinctiveness of the local landscape, including the River Cam corridor. It would therefore comply with Policies HQ/1 and NH/8.

### **Heritage**

14.91 FDCA and the RSCCA are the closest heritage assets, with parts of their boundaries lying approximately 500m from the Site. Baits Bite Lock Conservation Area adjoins the FDCA beyond the A14 and is located to the northeast of the Site. The Grade II\* Anglesey Abbey Registered Park and Garden lies approximately 5 kilometres north-east of the site. Following further assessment, the parties agree that there will be no impact on the heritage significance of the Anglesey Abbey RPG from the proposed development. Baits Bite Lock Conservation Area adjoins FDCA. Historic England suggest that the proposal would result in an overall moderate level of less than substantial harm to the significance this conservation area. However, neither the Council, nor the appellant submitted any evidence to support this view, or to suggest that the proposal would harm the significance of Baits Bite Lock Conservation Area. The appeal site is not noticeable from this conservation area, and on the basis of my own observations and the evidence submitted to the Inquiry, I conclude that the proposal would not harm the significance of the Baits Bite Lock Conservation Area. [7.61]

14.92 Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 does not apply as the Site is not within a Conservation Area. However, as the development affects the setting of two conservation areas, the heritage policies in the NPPF are relevant in assessing the impact of the proposed development on the setting and how that contributes to character and appearance of the Conservation Areas. [6.65]

14.93 The Council believes that the proposal would cause a moderate level of less than substantial harm to both conservation areas, whereas Dr Burgess, on behalf of the appellant considers the harm to be a very low level of less than substantial harm. [7.62]



*Riverside and Stourbridge Conservation Area*

14.94 The conservation area is dominated by three open spaces, Midsummer Common with Park Green, Stourbridge Common and Ditton Meadows. The conservation area forms part of a green wedge which extends from the city centre to the boundary of the city, where it adjoins FDCA. Part of the northern boundary is populated by mobile homes along Fen Road and modern housing.

14.95 The character of these open spaces varies. Stourbridge Common has an urban character, as reflected by the formal footpaths, play areas, street furniture and use by local schools and cyclists. The Conservation Area Appraisal notes that the river and conservation area are the landscape feature, and the setting is the backcloth of development which is sometimes softened by mature trees.<sup>132</sup> Ditton Meadows benefits from a semi-rural character.[7.64]

14.96 The significance of the conservation area is derived in part from the ancient town fair that grew up around the leper hospital on Barnwell Abbey. The Riverside area was mostly built from 1880 to 1910 and became an industrial area with brick pits, coprolite mining and the pumping station and gas works. Some of these industrial buildings remain immediately to the southwest of Stourbridge Common. The area’s association with medieval Cambridge, the development of Barnwell Priory and Stourbridge Fair and the enclosure of the

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<sup>132</sup> CD 5.08 paragraph 3.2

East (Barnwell) Field in the C19 are all important aspects of its historic character. [6.67]

14.97 The setting of the conservation area makes a limited contribution to its significance. The most noticeable change in views from the conservation area would be from Ditton Meadows (Node viewpoints 1-3). As I found above, the proposal would have a minor adverse effect on these views. I conclude that as a result of these minor visual effects the proposal would cause less than substantial harm to the significance of the RSCCA and the harm would be towards the lowest end of the scale. [6.68]

14.98 The Council suggest that new development should be suburban in scale (2-3 storeys). This scale of development is at odds with existing development towards the southwest of the conservation area, as well as the existing Novotel and One Cambridge Square. This view also fails to have regard to the Policy SS/4 that seeks to establish the new Urban Quarter.

#### *Fen Ditton Conservation Area*

14.99 Fen Ditton is a linear village along Church Street/Green End and the High Street. The conservation area is focussed on the Church of St Mary the Virgin and the war memorial, with the River Cam forming the western boundary. The parties agree the significance of the conservation area as set out in the Conservation Area Appraisal:<sup>133</sup>

(1) There is a clear focal point in the village: the group comprised of the Church, old Rectory, War Memorial and mature trees.

(2) The good buildings and fine townscape of the village, which are of exceptional quality.

(3) The relationship with the Cam – both visual across the meadow to the river, cultural (the Bumps course) and historic, bearing in mind the wharves and trade in the past.

(4) Some identified views through the built form to the river and the meadows on the east side of the river.

(5) The views of the urban fringe of Cambridge. [6.69]

14.100 The setting of the conservation area contributes to its heritage significance in that it ties the village to the agricultural land around it and recalls the former importance of the river to its early prosperity.

14.101 The historic buildings are concentrated within the High Street area that contrasts with the more suburban appearance of the Green End area. The village is contained within an agricultural setting with the river visible from the northern part of Green End.

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<sup>133</sup> CD 5.07



- 14.102 The river was important to the early history of the village which at that time encompassed a strip of land extending from the church to Biggin Abbey. The wharves on the river became redundant following the construction of the railway line. The river is now largely of historic interest since there are no buildings that relate to the former wharves and river port. The cultural association with the river is maintained by the Bumps course.<sup>134</sup>
- 14.103 The water meadows border the Cam, enclose the village's western side and form a linear open space separating Fen Ditton from the river. Views of the river are a feature of some parts of the FDCA. The Conservation Area Appraisal notes that the river separates the village from the City. From some locations within the conservation area, particularly from Green End, views of the edge of Cambridge are noticeable.
- 14.104 The proposal would not affect the setting of the historic buildings within the conservation area, and the views from the focal point of the village would remain unchanged. The historic relationship with the river would also be unaffected, since the buildings related to the previous use of the river are no longer evident. The cultural associations, including the Bumps would remain.
- 14.105 The agricultural setting of the conservation area relies on the fields within the conservation area itself and to a lesser extent some of the land on the eastern side of Fen Road. The appeal site makes no contribution in this regard.
- 14.106 Views across the river are primarily from the northern part of Green End, the garden of the Plough PH and the footpath to the north of Fen Ditton (Viewpoint 8). The northern part of Green End comprises primarily mid/late 20 century housing. From Green End, views of the area beyond the tow path are largely screened by the existing trees. Moreover, given the distance of the appeal site from this viewpoint and the intervening development the proposal would not impact on the agricultural setting of this part of the conservation area. The views from the garden of the Plough PH would change, but as explained above would largely involve the infilling between the Science Park and the existing buildings at Cambridge North. In addition, the views from the footpath to the north would also change. Consequently, the proposal would add to the extent of built development in the latter two views, but such views would be localised and the degree of change would not harm the significance of the conservation area. [6.72, 7.66]
- 14.107 Overall, the proposal would slightly impact the significance of the conservation area as more buildings would be noticeable in views out from the area to its wider setting., and in this regard there would be some very limited conflict with Policy NH/14 that seeks to sustain and enhance the significance of heritage assets. The proposal would have no impact on views towards the village. I agree with the appellant that it is in these views that the surviving rural character of the village is best appreciated and enjoyed.

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<sup>134</sup> 'Bumping' is an unusual form of racing which evolved on the Cam during the 1820s. It involves crews from competing Colleges, on a short stretch of river most of which is too narrow or not straight enough to permit more conventional side-by-side knock-out regattas.

14.108 I conclude that the proposal would cause less than substantial harm to the significance of the FDCA, and the harm would be towards the lowest end of the scale. In accordance with paragraph 202 of the NPPF this harm, to which I attribute great weight, must be weighed against the public benefits of the proposal.

14.109 In reaching this conclusion I have had regard to the view of Historic England. The conservation areas would continue to form a continuous chain adjacent to the river, and the recreational use described would not be directly impacted. I disagree with Historic England's view that the modern development adjacent to the river at Stourbridge Common is small in scale. There are number of examples of buildings 5 storeys or more on both sides of the river, although I acknowledge that they are for the most part domestic buildings with a smaller footprint by comparison with the proposal. On the basis of the landscape evidence submitted on behalf of both parties, and as acknowledged above, there would be locations within both conservation areas where the built development would be readily visible, but these would be limited, particularly from within the conservation areas. Consequently, the views of Historic England do not alter my conclusions above.

### ***Need for Employment Accommodation***

14.110 The principle of employment uses, including offices and life sciences laboratory space is supported by Local Plan objective S/2 and Policies E/9 and SS/4. Policy S/5 aims to meet the objectively assessed need for 22,000 additional jobs to support the Cambridge Cluster for the period 2011-2031. The Council accepts that this figure is not a ceiling. The proposal would provide about 43,347 sq m (approx. 466,587 sq ft) of office and laboratory floorspace.<sup>135</sup>

14.111 It is undisputed that Cambridge makes a significant contribution to the regional and national economy and is considered to be a world leader in the life sciences industry. The importance of Cambridge in this regard was identified in the HM Treasury Spring Budget 2023. This confirmed that the Government would support new rail infrastructure to support strategic economic growth around stations. It also identified the need to support the provision of laboratory space, including along the Oxford/Cambridge corridor.<sup>136</sup> Such an approach is consistent with Section 6 of the NPPF. The Department for Science, Innovation and Technology similarly notes the importance of this sector to the prosperity and security of the country.<sup>137</sup>

14.112 The appeal site is a suitable location for office and laboratory space as evidenced by Policy SS/4 and the emerging NECAAP. However, the Council consider that it is "*not critical*" to meeting the need for such spaces since there are other locations in addition to the appeal site and the NECAAP area.<sup>138</sup>

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<sup>135</sup> CD 6.06 page 37

<sup>136</sup> CD 8.36 paragraph 7.14

<sup>137</sup> CD 8.36 paragraphs 7.16-7.18.

<sup>138</sup> The latter includes Cambridge City Council area

- 14.113 Both parties submitted evidence in relation to the supply and demand for office and laboratory space within Cambridge. Updated evidence was submitted to the Inquiry to address inconsistencies in the manner in which the evidence was originally presented.<sup>139</sup> The parties, however, continue to define the medium term differently to each other. The appellant assessed the medium term as the period 2025 – 2028, whereas the Council used the period up to 2029.<sup>140</sup>
- 14.114 Based on the demand for floorspace within the Greater Cambridge Employment and Housing Evidence Update, allowing for the floorspace delivered up to the 2020/21 period the annualised demand for office and laboratory space for the period up to 2041 is 461,000 sqft.<sup>141</sup> [6.117]
- 14.115 For the three year period up to 2024 the parties agree that there would be a shortfall in both office and laboratory space. The Council's position is that 910,000 sqft would be delivered (303,000 sqft pa) whereas the appellant finds that 735,000 sqft (245,000 sqft pa) would be delivered.<sup>142</sup> This difference is due to the inclusion of two additional properties disputed by the appellant. [6.117, 7.100]
- 14.116 The Wellcome One building would be part of the University Campus and would not be available to the commercial market. I therefore agree that it should be excluded. The AstraZeneca site is being developed as an owner occupier property and would not be commercially available. Nonetheless, it would seem that the demand from AstraZeneca was taken into account in the assessment of demand. Therefore whilst it would not be commercially available it nonetheless contributes towards meeting the assessed demand. It should therefore remain as part of the supply. I therefore conclude that the supply for the period up to 2024 would be about 866,000 sqft (289,000 sqft pa) and this represents a significant shortfall. [6.117, 6.118, 6.119, 7.102]
- 14.117 The parties differ as to whether there would be a shortfall over the medium term. The Council accepts that the proposed floorspace would be delivered in the medium term (the period up to 2030) and if built it would be let. It nonetheless considers that there is a significant supply pipeline, including allocations at Cambridge East, CBC and Babraham Research Campus that is anticipated to deliver floorspace over this period. The Council therefore contends that the appeal site is not critical to the delivery of office and laboratory floorspace over this period.
- 14.118 The supply of floorspace over this period was modelled including and excluding the floorspace to be delivered by the appeal scheme. For the purposes of my assessment I have excluded the appeal scheme from the supply of floorspace.<sup>143</sup> When assessed against the annualised requirement for this

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<sup>139</sup> ID1.23 & ID1.24

<sup>140</sup> There is also an anomaly between ID1.23 Document 2 (the Council's assessment) and the tables within ID 1.24. Where differences arise I have relied upon the Council's figures within ID 1.24 since this was submitted by the Council.

<sup>141</sup> ID1.24 paragraph 4.4

<sup>142</sup> ID 1.24 paragraph 4.2

<sup>143</sup> The different scenarios can be found at ID1.23 and ID1.24

period the Council finds that 643,000 sqft of office and laboratory floorspace would be delivered each year, giving a surplus of 182,000 sqft per annum, whilst the appellant contends that 374,000 sq ft would be delivered with an annualised shortfall of 88,000 sqft pa.<sup>144</sup> There is broad agreement between the parties as to the amount of office space to be delivered during this period, but they differ as to the supply of laboratory floorspace.

14.119 In terms of laboratory floorspace the Council includes 95,954 sqft at the Peterhouse Technology Park. However, as submitted by the appellant this has also been included as office floorspace in the tables and therefore represents double counting and should be removed from the supply. The parties also disagree whether the floorspace at St John's Innovation Park should be included. Reserved matters in relation to this site have been approved, indicating that the owner intends to progress the scheme. Although one tenant remains, on the basis of the information submitted to the Inquiry I consider there to be a realistic prospect that the floorspace at this site would be delivered in the next 4 to 5 years. Therefore, it should remain part of the supply.

14.120 The Council has also included four sites with outline permission.<sup>145</sup> There is no substantive evidence to indicate that these sites would be delivered by 2028-2029. Reserved matters would need to be submitted and determined, and there is no certainty that they will be found to be acceptable, and it may be that either a further application or an appeal would be necessary. I therefore conclude that these four sites should be removed from the supply.

14.121 The Council also include 300,000 sqft at West Cambridge. There is a resolution to grant outline planning permission subject to a s106 agreement. However, at the present time there is no consent and this floorspace should also be removed from the supply. Taking these sites together I find that the supply of floorspace would be closer to the figure put forward by the appellant. I therefore conclude that in the absence of the office and laboratory space to be delivered by the appeal site there would remain a shortfall in the medium period.

14.122 As acknowledged by both parties, the demand for office and laboratory space within Cambridge is also driven by the cluster effect. Policy E/9 identifies the appeal site as being especially suited for cluster development. The parties agree that the development would make a significant contribution to the local economy, especially as a proposal to support the knowledge-based Research and Development cluster in North East Cambridge. [6.113, 6.120]

14.123 Key clusters have largely grown up around the Science and Business Parks surrounding the City. The arc to the south of the City has been a primary focus for a Life Science cluster, which has grown up around Hospital / Cambridge Biomedical Campus, Babraham Research Campus and Wellcome Genome Campus with several major commercial parks in the region. Whereas the northern parks' success has been based on a broader ecosystem with a greater

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<sup>144</sup> ID1.24 Table 4.4

<sup>145</sup> ID1.24 Table 3.1

mix of a Life Science, Engineering & Tech occupier base and has the benefit of being located closely together and being connected on the City edge.

14.124 I conclude that the proposal would assist with meeting the shortfall in laboratory and office floorspace in the short and medium term. It would also contribute to the continued growth of the Research and Development cluster in North East Cambridge area, in accordance with Policies E/9, SS/4 and S/5 as well as national planning policy.

***Whether the proposed development would provide suitable living conditions for future occupants***

14.125 The parties agree that the illustrative design includes approximately 25% single aspect and 75% dual aspect dwellings. Ms de Boom submits that for a large proportion of what the appellant considers to be “*dual aspect*” homes, the second aspect is created by the stepping of the building to create a second external wall. The Council considers such dwellings to be “*enhanced single aspect*” dwellings rather than dual aspect.[5.13, 7.25]

14.126 The design of a residential scheme needs to balance requirements to optimise densities, define and delineate attractive streets and create attractive, sustainable homes. The detailed layout of the proposed dwellings would be determined at the reserved matters stage. The rebuttal evidence submitted by the appellant demonstrates that the parameter plans would allow for flexibility in the layout and design of the proposed dwelling to limit the number of single aspect dwellings. It is acknowledged by the appellant that this may lead to a reduction in the overall number of dwellings. [6.39,7.26]

14.127 On the basis of the evidence submitted to the Inquiry I am satisfied that the proposed dwellings would provide suitable living conditions for future residents within the constraints of the parameter plans.

***Comprehensive Development***

14.128 The supporting text to Local Plan Policy SS4 indicates that schemes may come forward in advance of the AAP if they are acceptable on their merits and do not harm the wider comprehensive development of the NECAAP area. The Council (supported by the County Council) now agrees that the appeal scheme is acceptable in this regard due to the agreement over strategic transport contributions.

14.129 Mr Bodkin, for the owners of the Core Site (sewage works and neighbouring land) expresses concern over what is seen as the undersupply of homes on the site and the amount of proposed BtR and affordable housing in the scheme. It was argued that this would not accord with the Typologies Study and Development Capacity Assessment, part of the evidence base for the NECAAP.<sup>146</sup> It was suggested that the number and tenure of the dwellings proposed on the appeal site would hamper the ability of future clients to deliver a balanced and

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<sup>146</sup> CD5.33

equitable housing market on the Core Site and could compromise the opportunity for the redevelopment of the wider area.[6.76, 10.7, 10.8, 10.9]

14.130 The Development Capacity Assessment does not allocate sites for development. It identifies sites within the NECAAP area with development potential for housing and economic land uses and sets out an indicative trajectory for deliverable (0-5 years) and developable (6 to 20 years) sites, to be monitored through annual reports and managed and assessed through the development management process.

14.131 Whilst Appendix B provides potential capacity and indicative housing trajectories for housing sites, the purpose of this document is to inform the emerging NECAAP. It also highlights constraints on the various land parcels, such as the railway in respect of parcel A3 (the part of the site closest to the railway) and it does not represent an allocation. On the basis of the evidence submitted to the Inquiry, I do not find that the quantum or tenure of housing proposed would compromise the redevelopment of the wider area. I also note that the Council are satisfied with the quantum of housing proposed and the tenure.

14.132 The planning of the area is affected by the CWWTW, which covers a significant part of the area and is a significant constraint on development within the NECAAP. Although a DCO has been submitted for the relocation of the works, at the present time there is no certainty that it would be permitted, or when and if this site becomes available. Therefore in the absence of a DCO and evidence regarding and timing of the relocation of the CWWTW there can be no certainty the development of this part of the NECAAP will progress. [6.77]

14.133 The development plan for the appeal site, identifies the site for employment focussed development. I therefore consider that the failure to comply with the Development Capacity Assessment, which has not been subject to consultation and is not part of the development plan does not add weight against the proposal.

14.134 The emerging NEC Infrastructure Delivery Plan is predicated on the development of the wider area proceeding as in the draft NECAAP. Since at this stage there is no certainty that this will be the case, the proposed development needs to mitigate its impact on the services and infrastructure. Any other approach would not comply with the CIL regulations. The proposal makes provision for a range of infrastructure on and offsite. The Council and the Highway Authority are satisfied that, subject to the planning obligations, the proposal would not prejudice the future development of the wider area. In the absence of any substantive evidence to the contrary I have no reason to reach a different conclusion.

### ***Transport***

14.135 As set out above, there are no matters remaining in dispute between the parties in terms of transport.

14.136 The development is expected to increase the number of pedestrian, cycle and public transport trips to the site, and the Transport Evidence Base determines that with the additional infrastructure in the area that is identified within the

Infrastructure Delivery Plan, then it is possible for the additional development in the AAP to be bought forward.

14.137 The appellant submitted further information by way of Technical Note T6118 to address the interaction between the proposed Use Class E uses and, the Aggregates Railhead. The SoCG confirms that the aggregates railhead would not prejudice the existing or future uses of the rail aggregate area.

14.138 I conclude that the proposal would be acceptable in terms of its impact on the highway network, and would make appropriate provision for sustainable travel.

### **Water Supply and Quality**

14.139 The EA considers that ground water abstraction in the Greater Cambridge area is adversely affecting water bodies and causing ecological harm. It submits that there is a risk of deterioration if groundwater abstraction increases above current levels. It suggests that abstraction will need to be reduced significantly from the current licenced levels to safeguard natural river flow within the catchment.<sup>147</sup>[9.2, 9.4]

14.140 The EA has issued details of licence caps to CW as a means of managing the risk to groundwater quality. Therefore, the availability of water supply once the licence caps come into effect is likely to be lower than that set out in CW's existing Water Resources Management Plan, published in 2019 (WRMP19). [9.5]

14.141 As a consequence, the EA also suggests that the amount of overall growth in Cambridgeshire would need to be reduced, or the amount of water it needs would need to be reduced until the Grafham Transfer is available in 2032. It advises that this risk could be managed through the later delivery of development and demand management including greater water efficiency within developments.

14.142 The appellant disputes that the evidence supports the EA's view that existing levels of water abstraction is giving rise to ecological harm. Appendix 1 of the EA's submission "*Baseline data of risk of deterioration to water bodies from water abstraction*" identifies 12 surface waterbodies affected by CW abstraction where it submits that the hydrological regime does not support good ecological status.<sup>148</sup> It particularly notes three waterbodies where it believes that abstraction is currently a contributing factor to ecological pressure. These are the Granta, River Cam (Audley End to Stapleford) and Cam (Stapleford to Hauxton Junction). [6.86, 6.87, 6.88, 6.89, 6.90, 6.91, 9.11]

14.143 Appendix 1 assesses whether the ecological community is being impaired by flow pressure as a result of abstraction. Mr Bax, on behalf of the EA explained that macroinvertebrates are commonly used as bio-indicators of flow pressure, due to a good understanding of the ecological requirements of different families/

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<sup>147</sup> These exceed historic abstraction levels

<sup>148</sup> CD 13.02 Appendix 1

species and available metrics that summarise the sensitivity of taxa to such impacts.

- 14.144 The assessments are based on monitoring data for the period 2013 -2019 for the water body as a whole. In addition, the predicted impacts at sites within the waterbodies for the period 2000-2020 are modelled on the basis of an observed/expected ratio on the basis of naturalised flows, historical flows (based on actual abstraction) and fully licenced flows.
- 14.145 For the Granta the overall assessment for invertebrates is high. Two of the individual sampling points did not indicate that abstraction at the fully licenced level would adversely impact ecological status, whereas at the other two locations the Average Score Per Taxon (WHPT-ASPT) reduced from high to good status. All four locations indicate that at historical flow rates, ecological status was generally good or high for the period 2010 -2020. At fully licenced abstraction rates the WHPT-ASPT score would decline from good to moderate at two locations.
- 14.146 For the River Cam (Audley End to Stapleford) the overall assessment for invertebrates is also high. For abstraction at historical rates, the sampling points all achieve a high or good WHPT-ASPT score. Again, the fully licenced scenario does show a decline at all sampling points, with the Littlebury Bridge declining from good to moderate.
- 14.147 The River Cam (Stapleford to Hauxton) also shows the status of invertebrates to be high. The single sampling point indicate good status even at the fully licensed scenario.
- 14.148 The Report also assesses potential effects on SSSIs. There is a risk to some of these from increased abstraction. The ES acknowledges that the Cam water body was classified overall as Moderate for 2019. It states that the reasons it did not achieve 'Good' status is due to a number of factors, including sewage discharge and phosphates. This is reflected in the monitoring data which in all three instances records the status as poor.<sup>149</sup> I also note that the supporting text to Policy CC/7 states that within South Cambridgeshire the majority of rivers are currently of moderate or poor ecological status, but that most of these failures are due to phosphates and man-made alterations to the river and bank form.[9.13. 9.14]
- 14.149 CW modelled a number of scenarios to assess the level of abstraction required to meet the planned level of customer growth and the resultant flows in surface water bodies. The change in flow was then compared to the level of flow that sets the no deterioration baseline to provide an assessment to be made of the risk of deterioration.
- 14.150 The modelling outcomes were shared with the EA, but the only information submitted to the Inquiry was a summary table. The EA provided comments based on the modelling and the other parties had an opportunity to respond to these comments.

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<sup>149</sup> CD 1.17 chapter 10 paragraphs 10.106 & 10.107



14.151 The EA’s conclusions were unchanged by the results of the modelling. It still contends that there is an unacceptable level of risk of environmental deterioration from the combined level of abstraction CW forecasts it needs to meet the demand from existing and new customers up until 2032 when the Grafham Reservoir transfer is due to be operational.

14.152 The various scenarios are set out at table 1 of the EA review of the modelling results. The EA consider that the WRMP30 (S27) provides the best available representation of forecast levels of abstraction by CW. This assumes 100% delivery and success of its planned demand management measures. These measures include the installation of low water usage appliances, low flush toilets, the installation of smart meters, re-use of water through measures such as the installation of water butts, rainwater harvesting, and grey water recycling.

14.153 The scenario assessment shows that in a number of locations, abstraction would be above the level of the proposed licence cap. The EA state that while the licence caps do not come into force until 2030, abstraction levels would exceed the capped levels before this date, therefore the deterioration risk is immediate.

14.154 The assessments are predicted across the entire CW network. This accords with the position in the draft WRMP which explains that the CW region operates as a single water resource zone, and therefore any options that are progressed would impact upon the whole of the CW area.<sup>150</sup>

CWC growth scenario modelling - Abstraction rates (M/d)											
Name	Lic Number/ID	NDB 2 (S05) 10-15 AVG	WRMP 2030 (S27)	WRMP 2030 50% (S28)	WRMP 2036 (S29)	Current (S30)	WRMP 2030 peak (S31)	WRMP 2030 50% peak (S32)	WRMP 2036 peak (S33)	Current peak (S34)	All Peak (S35)
Abington PK	6/33/28/*G/0050	0.60	1.00	1.00	0.60	0.75	1.00	1.00	0.60	0.75	1.00
Babraham	6/33/28/*G/0007	6.36	7.17	7.17	4.45	6.12	7.17	7.17	4.45	6.12	8.34
Brettenham	6/33/44/*G/0221	8.43	8.44	8.44	8.44	8.95	8.44	8.44	8.44	8.95	11.75
Croydon	6/33/30/*G/0027	0.67	1.40	1.40	1.40	0.00	1.40	1.40	1.40	0.00	1.40
Dullingham	6/33/34/*G/0203	1.65	3.60	3.60	1.65	1.93	3.60	3.60	1.65	1.93	3.23
Duxford Air	6/33/30/*G/0157	2.25	4.56	4.56	2.25	3.83	4.56	4.56	2.25	3.83	4.45
Duxford Grange	6/33/30/*G/0191	3.09	2.81	2.81	3.09	2.73	2.81	2.81	3.09	2.73	3.41
Euston	6/33/42/*G/0107	4.17	6.00	6.00	4.17	6.94	6.00	6.00	4.17	6.94	7.80
Fleam Dyke	6/33/34/*G/0024	9.74	9.70	10.60	9.74	12.18	9.70	10.60	9.74	12.18	14.33
Fowlmere	6/33/30/*G/0026	3.24	3.25	3.40	3.25	2.91	3.25	3.40	3.25	2.91	3.60
Fulbourn	6/33/34/*G/0179	1.05	1.30	1.30	1.30	1.22	1.30	1.30	1.30	1.22	1.34
St Chishill	6/33/30/*G/0192	1.30	1.00	1.00	1.30	0.59	1.00	1.00	1.30	0.59	1.15
St Wilbreham	6/33/34/*G/0123	4.08	5.60	5.60	4.08	4.87	5.60	5.60	4.08	4.87	5.19
Heydon	6/33/30/*G/0189	0.97	0.97	0.97	0.97	0.76	0.97	0.97	0.97	0.76	1.09
Hinxton Grange	6/33/27/*G/0039	5.49	5.40	5.40	5.23	5.14	5.40	5.40	5.23	5.14	5.77
Horseheath	6/33/28/*G/0052	0.27	0.87	1.60	0.87	1.32	0.87	1.60	0.87	1.32	0.87
Kingston	6/33/32/*G/0020	0.36	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.92
Linton	6/33/28/*G/0012	1.22	0.00	0.00	1.48	0.89	0.00	0.00	1.48	0.89	1.48
Lordsbridge	6/33/32/*G/0008	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Lowerfield	6/33/30/*G/0193	3.09	3.40	3.40	3.09	3.08	3.40	3.40	3.09	3.08	3.38
Melbourn	6/33/30/*G/0156	6.10	6.11	7.00	6.11	5.88	6.11	7.00	6.11	5.88	7.34
Morden Grange	6/33/30/*G/0171	0.95	0.95	0.95	0.95	1.07	0.95	0.95	0.95	1.07	1.51
Rivey	6/33/28/*G/0051	1.44	1.00	1.00	2.01	1.27	1.00	1.00	2.01	1.27	2.01
Sawston	6/33/28/*G/0038	0.97	1.20	1.49	0.98	1.20	1.20	1.49	0.98	1.20	1.49
Westley	6/33/34/*G/0110	7.31	10.60	10.60	7.31	6.91	10.60	10.60	7.31	6.91	7.92
Weston Colville	6/33/34/*G/0179 / 22506 / W-	2.23	3.00	3.00	1.98	2.58	3.00	3.00	1.98	2.58	2.83
CW total		77.03	89.33	92.29	76.70	83.12	89.33	92.29	76.70	83.12	103.61

14.155 The EA review identifies the water bodies at greatest risk of deterioration at Appendix 3.<sup>151</sup> In the case of Cam (Stapleford to Hauxton Junction) and (Audley End to Stapleford) the risk is described as ‘mostly high’ and ‘high’

<sup>150</sup> Draft WRMP page 9

<sup>151</sup> ID1.33 Appendix 3

respectively. However, the scenario modelling doesn't factor in the planned improvements to the river support scheme in upstream SWBs on the River Cam that Affinity Water intends to deliver by 2025. The risk to the Granta is identified as 'medium', but it is noted that the scenario modelling is not believed to have incorporated the planned licence changes that CW will deliver by 2025. These could reduce the risk scores. [9.13, 9.14]

14.156 I agree with the appellant that there is insufficient evidence to fully understand the inputs to the model. In particular, it is unclear as to the level of growth and rate of growth assessed by the model, and the assumptions underpinning it. I am mindful that NE also raised concerns regarding the impact of water abstraction on the SSSIs, but it relies on the evidence provided by the EA. [6.101, 6.102]

14.157 Overall, the weight to be afforded to the modelling is limited for the reasons given above, and I conclude that the evidence specifically submitted for consideration to the Inquiry does not demonstrate that abstraction is contributing to ecological deterioration.

14.158 Notwithstanding this, it is evident that there is a water supply issue within the Greater Cambridge Area. The Council draws attention to planning applications for over 9,000 homes and 11,000 jobs that are unable to be determined. It also advises that additional development at the Cambridge Biomedical Campus and Life Sciences Campuses risk being put on hold, together with work on the new Joint Local Plan which cannot confidently progress to its next stage.<sup>152</sup> The Council has also written to Ministers seeking a solution to the issue.<sup>153</sup> It is probable that there are similar issues in other Local Planning Authorities across the CW area.

14.159 The EA had concerns with the draft WRMP published in February 2023 and made a number of recommendations and improvements. A revised version was published 29 September 2023 which sought to address the concerns raised by the EA and others during consultation. Whilst the draft WRMP remains under review, it provides further detail of the proposed supply and the assumptions underpinning that supply. The supply baseline includes sustainability changes from the Asset Management Plan 2020-2025 (AMP7) agreed reductions for 'No Deterioration' risk from 2025, and due to time limited licences not being renewed. It includes a minimum buffer (target headroom) into the annual supply/demand balance to ensure that its chosen level of service can be achieved. [6.93]

14.160 It is evident from the EA submissions and the draft WRMP that water resources are a pressing issue within Greater Cambridge. This is recognised by all levels of Government, as well as by the recent WMS. The extent to which the existing levels of abstraction are harming the ecological status of water bodies is unclear, but I note that the draft WRMP states that the EA's WFD classifications show that most chalk streams are not in good health. Potential

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<sup>152</sup> ID 1.04 Appendix 1

<sup>153</sup> ID 1.04 Appendix 1

threats to chalk stream ecology include flow pressures, channel modifications and poor water quality.<sup>154</sup>[7.116,7.117]

- 14.161 The draft WRMP acknowledges the Government's plans for Cambridge including substantial development in the biomedical, life sciences and technology sectors.<sup>155</sup> CW is a participant in the Cambridge Delivery Group, initiated by the Government to facilitate the level of growth proposed, and includes a Water Scarcity Working Group to address the water issues which present a barrier to these proposals.
- 14.162 Using a high growth scenario (growth based on the Cambridge emerging plan) a deficit is identified at the beginning of the WRMP period that cannot be resolved through additional demand management.<sup>156</sup> It is expected that this would be resolved once the Grafham Transfer is operational, but there would be a shortfall between 2030 when the licence caps come into effect and then.
- 14.163 There is a balance to be struck between the levels of growth proposed and measures to manage the supply and demand for water resources, as well as a need for mitigation measures. This can be managed by reducing demand and/or increasing supply. The balance and any mitigation measures are a strategic matter for the WRMP, as confirmed by NPPF paragraph 20(b), and is not a matter for this appeal. The preferred approach may have significant consequences for Greater Cambridge and the Government's vision for this area.
- 14.164 There is agreement between the Council and the appellant that the proposal would comply with Policies CC/4 and CC/7 of the Local Plan. Paragraph (b) of Policy CC/7 requires proposals to demonstrate that they would not harm the quality of ground, surface or water bodies. The EA suggests that Policy CC/7 requires a cumulative assessment of any harm. Neither the policy wording, nor the supporting text seek a cumulative assessment. Notwithstanding this the issue of water supply and quality is a material consideration. [6.78, 6.79, 7.115]
- 14.165 The appellant has undertaken a quantitative assessment to ensure water efficiency. These measures include a typical residential water consumption of 89 litres per person per day by comparison with the 125 litres per person per day in the existing WRMP. The commercial accommodation would achieve a BREEAM level of 'Excellent', with 5 credits for water efficiency. These measures include the provision of grey water recycling within each building and would be secured by condition, as well as accord with the approach within the WMS. [4.14, 6.94, 6.95, 9.7]
- 14.166 Water resources should ordinarily be a strategic matter and not considered as part of a planning application. In this instance, the development plan was adopted in 2018, and it would seem that the concerns in relation to water quality were not known at that date. Indeed, even the EA's initial response to the appeal proposal did not identify this as an issue. The Council is of the view that the issue of water stress has been appropriately considered by applying

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<sup>154</sup> ID1.37 Page 42

<sup>155</sup> ID 1.37 Section 11.6

<sup>156</sup>ID 1.37 Page 157

Policies CC/4 and CC/7 relating to water efficiency and water quality issues. This is on the basis of an appropriate package of mitigation being secured through agreed planning conditions. [7.118, 7.119, 9.8]

- 14.167 The proposal would comply with the relevant development plan policies and the NPPF in so far as they relate to water supply. The water efficiency of the appeal proposal would significantly exceed the standards sought by the development plan. With the proposed measures in place, the proposal would amount to 0.22% of water demand across the CW area. Therefore, in the specific case of this appeal, where I have found the absence of any substantive evidence of ecological harm due to increased abstraction rates, I conclude that the proposal, taken by itself, would not harm water supply or quality. [6.82, 6.84, 9.21]
- 14.168 The EA is also concerned with the cumulative effect of the proposal and other development within the CW area on the availability of a sustainable water supply. The draft WRMP identifies a shortfall between demand and supply prior to the Grafham transfer in 2031/32, some of which is proposed to be accommodated by demand supply measures. To reduce the risk of deterioration the EA contends that the amount of overall growth in Cambridgeshire would need to be reduced, or the amount of water it needs would need to be reduced. One means of achieving this would be through later delivery of phases of developments. [9.33]
- 14.169 I agree with the EA that water supply and quality is a material consideration in this appeal. I found above that the proposal would not in itself harm water quality or water resources. However, the cumulative effect of the appeal proposal together with other committed or anticipated development would add to the demand for water, and it may be the case that a sustainable supply of water for the CW area will not be available until after the Grafham Transfer is operational.
- 14.170 The statutory process for balancing water supply and demand is set out in the SoCG agreed between the appellant and the EA. This process involves the production of the WRMP, updated every 5 years. The EA's position in relation to the revised WRMP is unknown since it was published relatively recently. [6.106, 6.92]
- 14.171 The appellant refers to *R(An Taisce) v SSECC [2014] EWCA Civ 1111*<sup>157</sup> where the Court of Appeal concluded that the Secretary of State was entitled to have regard to the statutory regime which dealt with design and safety issues. The appellant submits that a similar consideration applies in this appeal, namely that the EA and CW are required to undertake a statutory process which ends with the adoption of a WRMP in 2024. The WRMP feeds into the production of development plans for the area including the Greater Cambridge Plan and the NECAAP. [6.92]
- 14.172 The recent WMS acknowledges the pressure on water supply within Cambridge and proposes a review of building regulations to allow local planning authorities to introduce tighter water efficiency standards in new homes. Within

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<sup>157</sup> ID 1.30 paragraphs 46 -51

areas of serious water stress it encourages local planning authorities to work with the Environment Agency and delivery partners to agree standards tighter than the 110 litres per day that is set out in current guidance. As acknowledged by all parties, including the Environment Agency, the measures proposed by the appellant exceed those within the Local Plan. [9.7]

14.173 It is a matter for the Secretary of State to determine whether the water supply and quality issues within Cambridge are so pressing that their resolution cannot be managed by the usual statutory process and any initiatives emerging from the Water Scarcity Working Group. He will need to consider whether the statutory process and other measures in place in respect of water supply are sufficiently robust to ensure that the proposal, together with other development, would avoid placing an unacceptable demand on water resources and potentially harm ecological interests.

14.174 Mitigation in terms of water resources is secured through conditions 14, 15 and 46. Should the Secretary of State conclude that water demand would have unacceptable consequences for water supply and quality he may wish to consider imposing an additional condition that would delay the occupation of the development until the WRMP is approved or the Grafham Transfer is operational.

14.175 The benefit of imposing such a condition must be balanced against the delay in delivering the benefits of the proposal, particularly the economic benefits, and the delivery of housing. In my view such an approach would have the potential to stall development within the Greater Cambridge area as a whole, perhaps over a prolonged and unknown period of time, since the entire area is served by CW. This uncertainty could also have implications for the future growth of Greater Cambridge, including at locations such as Cambridge University and the Cambridge Biomedical Campus which is a world-renowned centre of excellence and research for Life Sciences.

14.176 For these reasons I do not consider such a condition to be necessary. However, should the Secretary of State reach a different conclusion on this matter, I agree with the Council that it is necessary to limit the occupation of the commercial floorspace as well as the residential accommodation. The suggested wording for such a condition is included at Annex D (Condition 49).

### ***Benefits of the proposal***

14.177 The proposed development would deliver a number of economic, social, and environmental benefits. There is broad agreement between the Council and the appellant as to the weight to be afforded to a number of the benefits. [6.109]

#### *Economic*

14.178 I found above that there is a need for sustainably located office and laboratory space within Cambridge over both the short and medium term. As acknowledged by the Council, the proposed development would be likely to be let if built. The appellant suggests that great weight should be given to this benefit, whereas the Council's view is that it attracts considerable weight. The reason the Council suggest a lesser level of weight is that it does not consider

the delivery of this site to be critical to the need for such floorspace since there is other floorspace in the pipeline. However, there is no ceiling for the delivery of office and laboratory floorspace, the site is identified by Policy E/9 as a suitable location for cluster development and it occupies a sustainable location close to Cambridge North Station and forms part of an allocated site. Moreover, I found above that in the absence of the floorspace delivered by the proposal there would be a shortfall in the medium and short term. I therefore agree with the appellant that great weight should be afforded to this benefit.

- 14.179 The benefits of clustering and the importance to the knowledge intensive industries in Cambridge are widely recognised. Paragraph 83 of the NPPF advises that planning decisions should provide for clusters or networks of knowledge and data-driven, creative or high technology industries.
- 14.180 The proposal would provide over 4,300 jobs once complete and 2000 roles during construction. I accept that no single site or building is critical to meeting the employment needs of the area, nor is delivery of a particular quantum of floorspace on this site critical to meeting anticipated employment needs over the plan period or to the success of the local economy. The appellant states that the social and local economic value created through the total five-year construction period could be up to £70.6m which would be approximately 18.5% of the construction costs and following occupation could be as high as £61.5m in the first year and £600.9m over 10 years of occupation.<sup>158</sup> Whilst these figures have not been verified it is evident that the economic benefits arising from the proposal would be considerable.
- 14.181 I also note the importance the Government attaches to the Life Sciences sector within Cambridge. The proposal would have the potential to add to the economic prosperity of the Greater Cambridge area as a whole, as well as provide a return on the public investment in Cambridge North Station. [6.109]

*Social*

- 14.182 The Council has a 6.1-year housing land supply, and it is not disputed by the appellant that it would continue to have a rolling five year housing land supply when calculated by the standard method. The appeal site occupies a highly sustainable location. Nevertheless, as the parties agree, the delivery of housing and affordable housing is a benefit of considerable weight. [7.105]
- 14.183 The proposal would include attractive, well designed public open spaces at Chesterton Square and the Piazza. It would also deliver a Wild Park located at the northern part of the site. the Council accepts that both of these would be beneficial but consider that the weight to be attributed to the Wild Park should be reduced since it does not consider it to be fully integrated within the design due to the need for residents to cross two roads to use it. I found above that the Wild Park would be located close to the proposed dwellings and whilst it would be necessary to cross Milton Avenue and Cowley Road, the traffic using these roads would be limited, and in the case of Milton Avenue a controlled

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<sup>158</sup> CD 8.46 paragraphs 7.46 and 7.47

crossing would be provided. I therefore disagree that the weight attributed to the benefit provided by the Wild Park should be reduced.

14.184 The provision of outdoor space within the public realm for recreation and socialising, together with the indoor and outdoor space within the buildings for collaboration, would support well-being and social inclusion. The phased nature of the proposed development provides for 'meanwhile' uses. These are set out at ID 1.16 and would be secured by Schedule 3 of the s106 Agreement. They include temporary social space, with seating, food vans and night-time lighting, with landscaping provided by Community gardens and trees and planting beds of Open Mosaic species in upcycled planters. Other social benefits include the provision of the community hall within the residential blocks, and the provision of shops and services for residents of Chesterton.[6.112, 7.109]

#### *Environmental*

14.185 The proposal would reuse brownfield land in accordance with paragraph 120(c) of the NPPF. It would occupy a highly sustainable location and would prioritise non-motorised transport. It would also deliver in excess of a 80% BNG.

14.186 The proposed development will deliver a scheme with BREEAM 2018 Excellent certification as a minimum, with an aspiration to target 'Outstanding'. It would also include exemplary water efficiency measures within both the residential and commercial accommodation. Taken together with the SuDS proposed and the prioritisation of non-motorised and public transport the proposal would strongly support the Council's response to the climate emergency. The provision of about 80.27% BNG would be a further significant benefit of the proposal. [6.110, 7.110,7.111]

#### **Heritage Balance**

14.187 I have found above that the proposal would cause harm to the Riverside and Stourhead and Fen Ditton Conservation Areas. In both cases the harm would be less than substantial and towards the lowest end of the scale. I am however required to give great weight to this harm and in accordance with paragraph 202 of the NPPF the harm must be weighed against the public benefits of the proposal.

14.188 The public benefits of the proposal include the very considerable economic benefits in terms of the delivery of jobs, employment space and the contribution to the wider economy. The social benefits, particularly the delivery of housing and affordable housing also attract very substantial weight. The environmental benefits, including the re-use of brownfield land, the accessible location of the appeal site, and the response to climate change through the prioritisation of non-motorised transport and the environmental measures embedded within the scheme also attract very considerable weight. I conclude that when weighed against the very low level of harm to both conservation areas the balance is clearly in favour of the proposal.

## **Planning Balance**

- 14.189 Planning law requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. I have found above that the proposal would give rise to some localised harm to the character and appearance of the surrounding landscape but would comply with Policy NH/2 as a whole. There would also be some harm to heritage assets, contrary to Policy NH/14, but, as set out above, this is outweighed by the public benefits of the proposal. Balanced against this the proposal would comply with Policy SS/4 and the Government's vision for Cambridge 2040 in that it would help to deliver a new Urban Quarter with a focus on employment, the provision of jobs and homes would accord with Policies S/5 and E/9. In this regard it would also be consistent with the Government's Cambridge 2040 Vision, as referenced in the WMS. [4.13,6.9,7.127]
- 14.190 The proposal would also deliver high quality buildings within an attractive public realm as sought by Policy HQ/1 and National Planning Policy. It would be a sustainable development, in that it would use brownfield land, prioritise the use of non-motorised and public transport, minimise energy and water consumption, use SuDS. In this regard it would comply with Policies CC/1, CC/2, CC/3, CC/8, CC/9, TI/2, and TI/3. The proposal would also comply with Policy NH/4 in terms of biodiversity and deliver a substantial BNG and would comply with Policies CC/4 and CC/7, in terms of water resources. I therefore consider that the proposal would comply with the development plan as a whole.
- 14.191 The proposal would also further the Government's intention to boosting the supply of commercial development, in particular laboratory space, to supporting Research and Development and investment in high value industries across England, such as the life sciences and advanced manufacturing sectors in the Oxford-Cambridge corridor.
- 14.192 I agree with the EA that water supply and quality is a material consideration in this appeal. I found above that the proposal would not in itself harm water quality or water resources. However, the cumulative effect of the appeal proposal together with other committed or anticipated development would add to the demand for water, and it may be the case that a sustainable supply of water for the CW area will not be available until after the Grafham Transfer is operational.
- 14.193 For the reasons given above, should the Secretary of State consider that the statutory process and other measures in place in respect of water supply are not sufficiently robust to ensure that the proposal, together with other development, would avoid placing an unacceptable demand on water resources and potentially harm ecological interests, he may wish to consider imposing a condition to delay the occupation of development until measures are in place to resolve water supply requirements.



## **15 Recommendation**

- 15.1 I recommend that planning permission is granted subject to the planning obligations within the submitted S106 agreement and conditions at appendix A.
- 15.2 Should the Secretary of State take the view that the water supply and quality issues are an over-riding consideration and are unlikely to be resolved by the existing statutory process, he may wish to consider imposing the above condition that would have the effect of delaying the occupation of the proposed buildings until the WRMP has been approved, and measures put in place to resolve water supply requirements.

*Lesley Coffey*

PLANNING INSPECTOR

**Appearances**

**For the Appellant**

Rupert Warren KC

He Called:

Mark Nettleton BEng (Hons) MCIHT

Max Bryan MA BArch (Hons) MRICS

Friedrich Ludewig Dip Arch AA (Hons), RIAI

Greg Willis BA (Hons) Dip Arch (Cantab), RIBA ARB

Robert Myers MA (Cantab), PGDip LA, CMU, MSGD

Jeremy Smith BSc (Hons), Dip LA, CMU

Alison Caldwell CEng MICE, MEng (Hons)

Mike Barker BSc MSc FCIEEM CEnv

Jon Burgess PhD MA (Arch Can) BPI BA (Hons) Dip Can

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Mike Derbyshire BA (Hons) MRTPI

Peter Seaborn

Alison Wright

**For the Council**

Ben Du Feu and Jack Barber

instructed by

Solicitor for South Cambridgeshire District Council

They Called:

Annemarie de Boom M.Sc. (Hons) (Urban Design, Delft University of Technology, The Netherlands)

Director, deBOOM Urban Design

Nigel Wakefield B.A. (Hons) BTP, Dip LA, MA UD, MRTPI

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Christian Brady B.A. (Hons), PgDip (Town & Regional Planning)

	Historic Environment Team Leader, Greater Cambridge Shared Planning
Matthew Kinghan	B.Sc. (Hons) M.Sc. (, LSE Assoc. MRTPI MIED Director, Planning at Icen Projects
Fiona Bradley	Bachelor of Resource and Environmental Planning, PgDip (UK Planning Law and Practice) Interim TeamLeader Support, Greater Cambridge Shared Planning
<u>Other attendees:</u>	
Stephen Kelly	BTP, MBA, MRTPI Joint Director of Planning and Economic Development Greater Cambridge Shared Planning
Philippa Kelly	B.Sc (Hons), M.Sc, DipTp, MRTPI – Strategic Sites Manager, Greater Cambridge Shared Planning
Jonathan Dixon	B.A. (Hons), MTPL), MRTPI – Planning Policy Manager, Greater Cambridge Shared Planning
Richard Pitt	LLB (Hons), PgDip Legal Practice, - Principal Lawyer (Planning), 3C Shared Services - Legal Practice

### **Cambridge Past Present and Future ( Rule 6 Party)**

James Littlewood  
Sarah Nicholas

### **Cambridge County Council**

Tam Parry Principal Engineer Highways  
Jez Tuttle Team Manager Highways

### **Environment Agency**

Keira Murphy Planning Specialist, Team (East Anglia)  
James Bax Water Resources Programme Manager (East Anglia)  
Iain Page Water Resources Specialist (East Anglia)

Carol Bolt      Senior Specialist (National Legal Services)

**Other Parties**

Mike Bodkin on behalf of Chesterton Partnership

Councillor Hazel Smith

Mrs Susan O'Connor

Kathryn Waldren Sphere 25 on behalf of Trinity College Cambridge

**DOCUMENTS SUBMITTED DURING THE INQUIRY**

0	Appellant's opening submissions
1	Cambridge Past Present and Future Opening Submissions
2	South Cambridgeshire District Council Opening Submissions
3	PJA Note on Parking at Cambridge Central Station
4	LPA updated position on Water Resources ( 15.06.23)
5	Draft Agenda for Water Resources Roundtable
6	Note on parking and sustainable travel on behalf of Trinity College
7	Natural England Letter dated 25 June 2023 on Greater Cambridge Integrated Water Management Study
8	Natural England Letter On Greater Cambridge Local Plan Regulation 19 Preferred Options 2021
9	Natural England Letter To Secretary Of State On Anglian Water dWRMP
10	Natural England Letter To Inspector dated 16 June 2023
11	Submissions on behalf of the Chesterton Partnership
12	Comments on s.106 Heads of Terms on behalf of the Chesterton Partnership
13	Site Plan submitted by the Appellant
14	Building S04 (1 Milton Avenue) plan submitted by the Appellant
15	Building S06 (1 Station Row) plan submitted by the Appellant
16	Landscape Delivery and Management and Meanwhile uses Note submitted by the Appellant
17	Revised Draft Planning Conditions dated 19 June 2023
18	Building Height Comparison Plan submitted by the Appellant
19	Note on Site and Rail Aggregates Depot Interaction dated 20 June 2023
20	Note regarding various Local Plan matters dated 22 June 2023 submitted by the Council
21	Habitat Regulations Assessment AAP Note Report November 2021
22	Habitat Regulations Assessment AAP Note Report June 2023
23	Cambridge Past Present and Future Closing Submissions
24	South Cambridgeshire District Council Closing Submissions
25	Appellant's closing submissions
26	Suggested condition regarding occupation of residential accommodation and Water Resources Management Plan
27	Note on supply of Office Accommodation dated 23 June 2023 submitted by the Appellant
28	Note on Need for Employment Land dated June 2023 submitted by the Council
29	Draft s106 Agreement and plans
30	The Queen on the Application of An Taisce (The National Trust for Ireland) v The Secretary of State for Energy and Climate Change v NNB Generation Company Limited
31	Executed S106 Agreement dated 13 July 2023
32	Revised Draft Planning Conditions dated 11 July 2023
33	

## Core Documents

<b>1.</b>	<b>Documents, plans and drawings submitted with the original application</b>	
<b>CD1.00a</b>	Planning Application Cover Letter	14 June 2022
<b>CD1.00b</b>	Full Application Form	14 June 2022
<b>CD1.00c</b>	Outline Application Form	14 June 2022
<b>CD1.01</b>	Design Access Statement Cover	June 2022
<b>CD1.02</b>	Design Access Statement 1.0 Introduction	June 2022
<b>CD1.03</b>	Design Access Statement 2.0 Site Context, Analysis and Brief	June 2022
<b>CD1.04</b>	Design Access Statement 3.0 Development Vision	June 2022
<b>CD1.05</b>	Design Access Statement 4.0 Consultation Process	June 2022
<b>CD1.06a</b>	Design Access Statement 5.0 Masterplan Massing Scale Layout Part 1 of 5	June 2022
<b>CD1.06b</b>	Design Access Statement 5.0 Masterplan Massing Scale Layout Part 2 of 5	June 2022
<b>CD1.06c</b>	Design Access Statement 5.0 Masterplan Massing Scale Layout Part 3 of 5	June 2022
<b>CD1.06d</b>	Design Access Statement 5.0 Masterplan Massing Scale Layout Part 4 of 5	June 2022
<b>CD1.06e</b>	Design Access Statement 5.0 Masterplan Massing Scale Layout Part 5 of 5	June 2022
<b>CD1.07</b>	Design Access Statement 6.1 Triangle Site S08 and S09	June 2022
<b>CD1.08a</b>	Design Access Statement 6.2 Residential Site S11- S21 Part 1 of 5	June 2022

<b>CD1.08b</b>	Design Access Statement 6.2 Residential Site S11- S21 Part 2 of 5	June 2022
<b>CD1.08c</b>	Design Access Statement 6.2 Residential Site S11- S21 Part 3 of 5	June 2022
<b>CD1.08d</b>	Design Access Statement 6.2 Residential Site S11- S21 Part 4 of 5	June 2022
<b>CD1.08e</b>	Design Access Statement 6.2 Residential Site S11- S21 Part 5 of 5	June 2022
<b>CD1.09a</b>	Design Access Statement 7.1 One Milton Avenue Part 1 of 3	June 2022
<b>CD1.09b</b>	Design Access Statement 7.1 One Milton Avenue Part 2 of 3	June 2022
<b>CD1.09c</b>	Design Access Statement 7.1 One Milton Avenue Part 3 of 3	June 2022
<b>CD1.10a</b>	Design Access Statement 7.2 1 and 3 Station Row Part 1 of 4	June 2022
<b>CD1.10b</b>	Design Access Statement 7.2 1 and 3 Station Row Part 2 of 4	June 2022
<b>CD1.10c</b>	Design Access Statement 7.2 1 and 3 Station Row Part 3 of 4	June 2022
<b>CD1.10d</b>	Design Access Statement 7.2 1 and 3 Station Row Part 4 of 4	June 2022
<b>CD1.11a</b>	Design Access Statement 7.3 Mobility Hub Part 1 of 3	June 2022
<b>CD1.11b</b>	Design Access Statement 7.3 Mobility Hub Part 2 of 3	June 2022
<b>CD1.11c</b>	Design Access Statement 7.3 Mobility Hub Part 3 of 3	June 2022
<b>CD1.12</b>	Design Access Statement 8.0 Landscape	June 2022
<b>CD1.13</b>	Design Access Statement 9.0 Transport Links	June 2022
<b>CD1.14</b>	Design Access Statement 10.0 Inclusive Design Statement	June 2022
<b>CD1.15a</b>	Design Access Statement 11.0 Appendix Part 1 of 2	June 2022

<b>CD1.15b</b>	Design Access Statement 11.0 Appendix Part 2 of 2	June 2022
<b>CD1.16</b>	Planning Statement (including first draft Heads of Terms)	13 June 2022
<b>CD1.17</b>	Environmental Statement Volume 1 – Main report	June 2022
<b>CD1.18a</b>	Environmental Statement Volume 2 Appendix 2.1 Scoping Report	25 November 2021
<b>CD1.18b</b>	Environmental Statement Volume 2 Appendix 2.2 Scoping Opinion	9 February 2022
<b>CD1.19a</b>	Environmental Statement Volume 2 Appendix 4.1 Plans and Drawings A1 size Part 1 of 2	27 May 2022
<b>CD1.19b</b>	Environmental Statement Volume 2 Appendix 4.1 Plans and Drawings A1 size Part 2 of 2	27 May 2022
<b>CD1.20</b>	Environmental Statement Volume 2 Appendix 4.2 Outline Construction Environmental Management Plan	
<b>CD1.21</b>	Environmental Statement Volume 2 Appendix 6.1 Construction Phase Assessment including Dust Risk Assessment	
<b>CD1.22</b>	Environmental Statement Volume 2 Appendix 6.2 Detailed Dispersion Modelling Assessment Method	
<b>CD1.23</b>	Environmental Statement Volume 2 Appendix 7.1 Relevant Expertise and Qualifications	
<b>CD1.24</b>	Environmental Statement Volume 2 Appendix 7.2 Policy, Guidance and Legislation	
<b>CD1.25</b>	Environmental Statement Volume 2 Appendix 7.3 Carbon Assessment Results	
<b>CD1.26</b>	Environmental Statement Volume 2 Appendix 7.4 In-Combination Climate Change Impact Assessment Results	



<b>CD1.27</b>	Environmental Statement Volume 2 Appendix 7.5 Climate Change Resilience Assessment Results	
<b>CD1.28</b>	Environmental Statement Volume 2 Appendix 7.6 Design Guide Input	
<b>CD1.29</b>	Environmental Statement Volume 2 Appendix 8.1 Heritage Assets Map A3 size	April 2022
<b>CD1.30</b>	Environmental Statement Volume 2 Appendix 8.2 Historic Maps	
<b>CD1.31</b>	Environmental Statement Volume 2 Appendix 8.3 Cultural Heritage Statement	May 2022
<b>CD1.32</b>	Environmental Statement Volume 2 Appendix 9.1 Ecology Survey Report CB4 Phase 2	February 2022
<b>CD1.33</b>	Environmental Statement Volume 2 Appendix 9.2 Ecological Design Strategy	7 June 2022
<b>CD1.34</b>	Environmental Statement Volume 2 Appendix 9.3 Biodiversity Net Gain Report Phase 2	
<b>CD1.35a</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 1 of 8	6 June 2022
<b>CD1.35b</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 2 of 8	6 June 2022
<b>CD1.35c</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 3 of 8	6 June 2022
<b>CD1.35d</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 4 of 8	6 June 2022
<b>CD1.35e</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 5 of 8	6 June 2022
<b>CD1.35f</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 6 of 8	6 June 2022

<b>CD1.35g</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 7 of 8	6 June 2022
<b>CD1.35h</b>	Environmental Statement Volume 2 Appendix 10.1 FRA and Drainage Strategy Parts 8 of 8	6 June 2022
<b>CD1.36</b>	Environmental Statement Volume 2 Appendix 10.2 Water Resource Addendum	25 February 2022
<b>CD1.37</b>	Environmental Statement Volume 2 Appendix 11.1 Cam North HUDU	April 2017
<b>CD1.38</b>	Environmental Statement Volume 2 Appendix 11.2 Health and Wellbeing Policy	
<b>CD1.39</b>	Environmental Statement Volume 2 Appendix 11.3 Study Area Health Profiles	
<b>CD1.40</b>	Environmental Statement Volume 2 Appendix 12.1 LVIA Methodology	
<b>CD1.41a</b>	Environmental Statement Volume 2 Appendix 12.2 Part 1 of 2 of Mapping	13 May 2022
<b>CD1.41b</b>	Environmental Statement Volume 2 Appendix 12.2 Part 2 of 2 of Mapping	13 May 2022
<b>CD1.42</b>	Environmental Statement Volume 2 Appendix 12.3 Viewpoints	
<b>CD1.43a</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 1 of 9	9 June 2022
<b>CD1.43b</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 2 of 9	9 June 2022
<b>CD1.43c</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 3 of 9	9 June 2022
<b>CD1.43d</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 4 of 9	9 June 2022
<b>CD1.43e</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 5 of 9	9 June 2022
<b>CD1.43f</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 6 of 9	9 June 2022

<b>CD1.43g</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 7 of 9	9 June 2022
<b>CD1.43h</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 8 of 9	9 June 2022
<b>CD1.43i</b>	Environmental Statement Volume 2 Appendix 12.4 Visualisations Part 9 of 9	9 June 2022
<b>CD1.44</b>	Environmental Statement Volume 2 Appendix 12.5, Correspondence	
<b>CD1.45</b>	Environmental Statement Volume 2 Appendix 13.1, Daylight and Sunlight Assessment	5 May 2022
<b>CD1.46</b>	Environmental Statement Volume 2 Appendix 13.2 Obstructive Lighting Assessment	5 May 2022
<b>CD1.47</b>	Environmental Statement Volume 2 Appendix 13.3 Reflective Solar Glare Assessment	5 May 2022
<b>CD1.48</b>	Environmental Statement Volume 2 Appendix 14.1 Noise and Vibration Technical Appendices	
<b>CD1.49</b>	Environmental Statement Volume 2 Appendix 14.2 NIA for Residential Planning	25 May 2022
<b>CD1.50a</b>	Environmental Statement Soils and Groundwater Appendix 16.1 Phase 1 Part 1 of 9	April 2022
<b>CD1.50b</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 2 of 9	April 2022
<b>CD1.50c</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 3 of 9	April 2022
<b>CD1.50d</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 4 of 9	April 2022
<b>CD1.50e</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 5 of 9	April 2022

<b>CD1.50f</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 6 of 9	April 2022
<b>CD1.50g</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 7 of 9	April 2022
<b>CD1.50h</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 8 of 9	April 2022
<b>CD1.50i</b>	Environmental Statement Volume 2 Soils and Groundwater Appendix 16.1 Phase 1 Part 9 of 9	April 2022
<b>CD1.51</b>	Environmental Statement Volume 2 Appendix 16.2 Prob, Cons, Risk	
<b>CD1.52</b>	Environmental Statement Volume 2 Appendix 16.3 Sensitivity Magnitude Significance	
<b>CD1.53</b>	Environmental Statement Volume 2 Appendix 16.4 CSM	
<b>CD1.54a</b>	Environmental Statement Volume 2 Appendix 17.1 Transport Assessment Part 1 of 2	
<b>CD1.54b</b>	Environmental Statement Volume 2 Appendix 17.1 Transport Assessment Part 2 of 2	
<b>CD1.55</b>	Environmental Statement Volume 2 Appendix 17.2 Outline Travel Plan	27 May 2022
<b>CD1.56</b>	Environmental Statement Volume 2 Appendix 17.3 Low Emission Strategy	11 April 2022
<b>CD1.57</b>	Environmental Statement Volume 2 Appendix 18.1 CFD Analysis	
<b>CD1.58</b>	Environmental Statement Volume 3 – Non-Technical Summary	
<b>CD1.59</b>	Office and Laboratory Occupational Market Update June 2022	June 2022
<b>CD1.60</b>	Build to Rent Market Report - Private Rented Sector June 2022	April 2022
<b>CD1.61</b>	Cambridge Retail and Leisure Update	June 2022

<b>CD1.62a</b>	Landscape and Open Space Report Part 1 of 20	June 2022
<b>CD1.62b</b>	Landscape and Open Space Report Part 2 of 20	June 2022
<b>CD1.62ci</b>	Landscape and Open Space Report Part 3A of 20	June 2022
<b>CD1.62cii</b>	Landscape and Open Space Report Part 3B of 20	June 2022
<b>CD1.62d</b>	Landscape and Open Space Report Part 4 of 20	June 2022
<b>CD1.62e</b>	Landscape and Open Space Report Part 5 of 20	June 2022
<b>CD1.62f</b>	Landscape and Open Space Report Part 6 of 20	June 2022
<b>CD1.62g</b>	Landscape and Open Space Report Part 7 of 20	June 2022
<b>CD1.62h</b>	Landscape and Open Space Report Part 8 of 20	June 2022
<b>CD1.62i</b>	Landscape and Open Space Report Part 9 of 20	June 2022
<b>CD1.62j</b>	Landscape and Open Space Report Part 10 of 20	June 2022
<b>CD1.62k</b>	Landscape and Open Space Report Part 11 of 20	June 2022
<b>CD1.62l</b>	Landscape and Open Space Report Part 12 of 20	June 2022
<b>CD1.62m</b>	Landscape and Open Space Report Part 13 of 20	June 2022
<b>CD1.62n</b>	Landscape and Open Space Report Part 14 of 20	June 2022
<b>CD1.62o</b>	Landscape and Open Space Report Part 15 of 20	June 2022
<b>CD1.62p</b>	Landscape and Open Space Report Part 16 of 20	June 2022
<b>CD1.62q</b>	Landscape and Open Space Report Part 17 of 20	June 2022

<b>CD1.62r</b>	Landscape and Open Space Report Part 18 of 20	June 2022
<b>CD1.62s</b>	Landscape and Open Space Report Part 19 of 20	June 2022
<b>CD1.62t</b>	Landscape and Open Space Report Part 20 of 20	June 2022
<b>CD1.63</b>	Statement of Community Involvement	June 2022
<b>CD1.64</b>	Public Art Strategy	26 May 2022
<b>CD1.65</b>	Arboricultural Impact Assessment Report	June 2022
<b>CD1.66</b>	Odour Statement	June 2022
<b>CD1.67</b>	Utilities Statement	24 May 2022
<b>CD1.68</b>	Energy Statement for 1 Milton Avenue and 1-3 Station Row Rev 02	23 May 2022
<b>CD1.69</b>	Energy Statement for 1 Milton Avenue and 1-3 Station Row Rev 03	14 June 2022
<b>CD1.70</b>	Energy Strategy	June 2022
<b>CD1.71</b>	Preliminary Operational Waste Management Plan	June 2022
<b>CD1.72</b>	Site Waste Management and Materials Management Plan Rev02	May 2022
<b>CD1.73</b>	Archaeology Desk-Based Assessment	June 2022
<b>CD1.74a</b>	Planning Access Statement Part 1 of 7	May 2022
<b>CD1.74b</b>	Planning Access Statement Part 2 of 7	May 2022
<b>CD1.74c</b>	Planning Access Statement Part 3 of 7	May 2022
<b>CD1.74d</b>	Planning Access Statement Part 4 of 7	May 2022
<b>CD1.74e</b>	Planning Access Statement Part 5 of 7	May 2022
<b>CD1.74f</b>	Planning Access Statement Part 6 of 7	May 2022
<b>CD1.74g</b>	Planning Access Statement Part 7 of 7	May 2022
<b>CD1.75</b>	Application Site Location Plan 1-2500 A1 size	239-ACME-PLA-S00-0010 June 2022
<b>CD1.76</b>	Site Plan A1 size 27 May 2022	239-ACME-PLA-S00-0011

		June 2022
<b>CD1.77a</b>	Parameter Plan Existing Site Conditions Application Plan 1 of 9 A1 size	239-ACME-PLA-S01-0101 27 May 2022
<b>CD1.77b</b>	Parameter Plan Building Layout and Application Type 2 of 9 A1 size	239-ACME-PLA-S01-0102 27 May 2022
<b>CD1.77c</b>	Parameter Plan Maximum Building Envelope Basements 3 of 9 A1 size	239-ACME-PLA-S01-0103 27 May 2022
<b>CD1.77d</b>	Parameter Plan Maximum Building Envelope Ground Floor 4 of 9 A1	239-ACME-PLA-S01-0104 27 May 2022
<b>CD1.77e</b>	Parameter Plan Maximum Building Envelope Typical Level 5 of 9 A1 size	239-ACME-PLA-S01-0105 27 May 2022
<b>CD1.77f</b>	Parameter Plan Building Heights Plan 6 of 9 A1 size	239-ACME-PLA-S01-0106 27 May 2022
<b>CD1.77g</b>	Parameter Plan Proposed Uses Ground Floor 7 of 9 A1 size	239-ACME-PLA-S01-0107 27 May 2022
<b>CD1.77h</b>	Parameter Plan Access 8 of 9 A1 size	239-ACME-PLA-S01-0108 27 May 2022
<b>CD1.77i</b>	Parameter Plan Landscape and Open Spaces 9 of 9 A1 size	239-ACME-PLA-S01-0109 27 May 2022
<b>CD1.78</b>	Landscape Masterplan A3 size	630_01(MP)001 P1 10 June 2022
<b>CD1.79</b>	Ecology Strategy Ground Floor (Plan) A3 size	630_01(MP)002 P1 27 May 2022
<b>CD1.80</b>	Ecology Strategy Roof (Plan) A3 size	630_01(MP)003 P1 27 May 2022

<b>CD1.81</b>	Public Open Space Provision (Plan) A3 size	630_01(MP)004 P1 June 2022
<b>CD1.82</b>	Hard Landscape Strategy (West) (Plan) A3 size	630_01(MP)005 P1 27 May 2022
<b>CD1.83</b>	Hard Landscape Strategy (East) (Plan) A3 size	630_01(MP)006 P1 27 May 2022
<b>CD1.84</b>	Hard Landscape Strategy (Wild Park) (Plan) A3 size	630_01(MP)007 P1 27 May 2022
<b>CD1.85</b>	Tree strategy A3 size	630_01(MP)008 P1 27 May 2022
<b>CD1.86</b>	Planting Strategy (West) (Plan) A3 size	630_01(MP)009 P1 27 May 2022
<b>CD1.87</b>	Planting Strategy (East) (Plan) A3 size	630_01(MP)010 P1 27 May 2022
<b>CD1.88</b>	Levels and drainage (West) (Plan) A3 size	630_01(MP)011 P1 10 June 2022
<b>CD1.89</b>	Levels and drainage (East) (Plan) A3 size	630_01(MP)012 P1 1 June 2022
<b>CD1.90</b>	Levels and Drainage (Wild Park) (Plan) A3 size	630_01(MP)013 P1 1 June 2022
<b>CD1.91</b>	Attenuation strategy A3 size	630_01(MP)014 P1 27 May 2022
<b>CD1.92</b>	Furniture Strategy (West) (Plan) A3 size	630_01(MP)015 P1 27 May 2022
<b>CD1.93</b>	Furniture Strategy (East) (Plan) A3 size	630_01(MP)016 P1 27 May 2022
<b>CD1.94</b>	Furniture Strategy (Wild Park) (Plan) A3 size	630_01(MP)017 P1 27 May 2022
<b>CD1.95</b>	Roof Strategy (Plan) A3 size	630_01(MP)019 P1 27 May 2022



<b>CD1.96</b>	Root Cell Extents (Plan) A3 size	630_01(MP)020 P1 27 May 2022
<b>CD1.97a</b>	102 Milton Avenue 1 of 2 (Plan) A3 size	630_01(MP)101 P1 27 May 2022
<b>CD1.97b</b>	102 Milton Avenue 2 of 2 (Plan) A3 size	630_01(MP)102 P1 27 May 2022
<b>CD1.98a</b>	103 Chesterton way 1 of 3 (Plan) A3 size	630_01(MP)103 P1 27 May 2022
<b>CD1.98b</b>	104 Chesterton way 2 of 3 (Plan) A3 size	630_01(MP)104 P1 27 May 2022
<b>CD1.98c</b>	105 Chesterton way 3 of 3 (Plan) A3 size 27	630_01(MP)105 P1 27 May 2022
<b>CD1.99</b>	106 Cowley Road North (Plan) A3 size	630_01(MP)106 P1 27 May 2022
<b>CD1.100</b>	107 Cowley Road East (Plan) A3 size	630_01(MP)107 P1 27 May 2022
<b>CD1.101</b>	108 The Link (Plan) A3 size	630_01(MP)108 P1 27 May 2022
<b>CD1.102</b>	109 Bramblefields Way (Plan) A3 size	630_01(MP)109 P1 27 May 2022
<b>CD1.103</b>	201 1 Milton Avenue and Milton Walk (Plan) A3 size	630_01(MP)201 P1 27 May 2022
<b>CD1.104</b>	202 Chesterton Square (Plan) A3 size	630_01(MP)202 P1 27 May 2022
<b>CD1.105</b>	203 Station Row (Plan) A3 size	630_01(MP)203 P1 27 May 2022
<b>CD1.106</b>	204 Station Row Features (Plan) A3 size	630_01(MP)204 P1 27 May 2022
<b>CD1.107</b>	205 Piazza (Plan) A3	630_01(MP)205 P1 27 May 2022

<b>CD1.108</b>	206 Station Row Passage (Plan) A3 size	630_01(MP)206 P1 27 May 2022
<b>CD1.109</b>	207 Chesterton Passage (Plan) A3 size	630_01(MP)207 P1 27 May 2022
<b>CD1.110</b>	208 Cowley Circus (Plan) A3 size	630_01(MP)208 P1 27 May 2022
<b>CD1.111</b>	209 Wild Park (Plan) A3 size	630_01(MP)209 P1 27 May 2022
<b>CD1.112</b>	210 Typical Meanwhile Use for Pocket Park (Plan) A3 size	630_01(MP)210 P1 27 May 2022
<b>CD1.113</b>	212 Roof Garden - Labs (Plan) A3 size	630_01(MP)212 P1 27 May 2022
<b>CD1.114</b>	213 Roof Garden - 1 Milton Avenue (Plan) A3 size	630_01(MP)213 P1 27 May 2022
<b>CD1.115</b>	301 Residential Masterplan A3 size	630_01(MP)301 P1 27 May 2022
<b>CD1.116</b>	304 Play Areas- LEAP and LAP (Plan) A3 size	630_01(MP)304 P1 27 May 2022
<b>CD1.117</b>	305 Play Areas- Natural Play (Plan) A3 size	630_01(MP)305 P1 27 May 2022
<b>CD1.118</b>	306 Play Areas -Wild Park (Plan) A3 size	630_01(MP)306 P1 27 May 2022
<b>CD1.119</b>	307 Residential Roof Garden Masterplan (Plan) A3 size	630_01(MP)307 P1 27 May 2022
<b>CD1.120</b>	308 Roof Garden Features (Plan) A3 size	630_01(MP)308 P1 28 April 2022
<b>CD1.121</b>	Typical Tree Pit in Hard Landscape A3 size	630_01(CD)001 P1 May 2022
<b>CD1.122</b>	Typical Tree Pit in Soft Landscape A3 size	630_01(CD)002 P1 May 2022

<b>CD1.123</b>	Typical Tree Pit in Raised Planter Over Basement A3 size	630_01(CD)003 P1 May 2022
<b>CD1.124</b>	Rain Garden Kerb Detail (Plan) A3 size	630_01(CD)004 P1 May 2022
<b>CD1.125</b>	Biodiverse Roof Typical Detail A3 size	630_01(CD)005 P1 May 2022
<b>CD1.126</b>	Chesterton Square paving detail (Plan) A3 size	630_01(CD)007 P1 27 May 2022
<b>CD1.127</b>	Chesterton garden paving with bench A3 size	630_01(CD)008 P1 27 May 2022
<b>CD1.128</b>	001 Chesterton Square (Long Section) A3 size	630_01(SC)001 P1 27 May 2022
<b>CD1.129</b>	002 Station Row - Causeway (Section and Elevation) A3 size	630_01(SC)002 P1 27 May 2022
<b>CD1.130</b>	003 Station Row- Swale Steps (Section and Plan) A3 size	630_01(SC)003 P1 27 May 2022
<b>CD1.131</b>	004 Station Row - Swale Banks and Bench (Section and Plan) A3 size	630_01(SC)004 P1 27 May 2022
<b>CD1.132</b>	006 1 Milton Avenue (Section AA and Section BB) A3 size	630_01(SC)006 P1 27 May 2022
<b>CD1.133</b>	007 Milton Avenue (Section AA) A3 size	630_01(SC)007 P1 27 May 2022
<b>CD1.134</b>	009 Cowley Road East (Section) A3 size	630_01(SC)009 P1 27 May 2022
<b>CD1.135</b>	010 Chesterton Gardens Pergola (Section) A3 size	630_01(SC)010 P1 10 June 2022
<b>CD1.136</b>	012 Chesterton Gardens Earth mounds and swales (Plan) A3 size	630_01(SC)012 P1 27 May 2022
<b>CD1.137</b>	Lab Servicing Access Swept Path Analysis A3 size	05425-C-2103-P6 8 October 2021

<b>CD1.138</b>	Milton Avenue Highway Improvement Southern Access Plan Rev P2 A3 size	05425-C-2110-P2 24 May 2022
<b>CD1.139</b>	Cowley Road - Cowley Circus Highway Improvement (Plan) A2 size	05425-C-2113-P2 9 December 2021
<b>CD1.140a</b>	Fire Tender Tracking Sheet 1 of 2 (Plan) A1 size	05425-C-2203-P1 20 April 2022
<b>CD1.140b</b>	Fire Tender Tracking Sheet 2 of 2 (Plan) A1 size	05425-C-2204-P1 20 April 2022
<b>CD1.141</b>	Lab Servicing Access Swept Path Analysis Refuse Vehicle A3 size	05425-C-2205-P1 27 April 2022
<b>CD1.142</b>	Rigid Truck Vehicle Tracking (Plan) A0 size	05425-C-2206-P1 28 April 2022
<b>CD1.143</b>	Refuse Vehicle Tracking (Plan) A0 size	05425-C-2207-P1 28 April 2022
<b>CD1.144</b>	S4 Basement Plan A0 size	1781-MAKE-S04-PA1999 27 May 2022
<b>CD1.145</b>	S4 Ground Floor Plan A0 size	1781-MAKE-S04-PA2000 27 May 2022
<b>CD1.146</b>	S4 Level 01 Plan A0 size	1781-MAKE-S04-PA2001 27 May 2022
<b>CD1.147</b>	S4 Levels 02-04 Typical Plan A0 size	1781-MAKE-S04-PA2002 27 May 2022
<b>CD1.148</b>	S4 Level 05 Plan A0 size	1781-MAKE-S04-PA2005 27 May 2022
<b>CD1.149</b>	S4 Level 06 Plan A0 size	1781-MAKE-S04-PA2006 27 May 2022

<b>CD1.150</b>	S4 Level 07 Plan - Plant A0 size	1781-MAKE-S04-PA2007 27 May 2022
<b>CD1.151</b>	S4 Roof Plan A0 size	1781-MAKE-S04-PA2008 27 May 2022
<b>CD1.152</b>	S4 Proposed East Elevation A0 size	1781-MAKE-S04-PA2200 27 May 2022
<b>CD1.153</b>	S4 Proposed South-East Elevation A0 size	1781-MAKE-S04-PA2201 27 May 2022
<b>CD1.154</b>	S4 Proposed South-West Elevation A0 size	1781-MAKE-S04-PA2202 27 May 2022
<b>CD1.155</b>	S4 Proposed North-West Elevation A0 size	1781-MAKE-S04-PA2203 27 May 2022
<b>CD1.156</b>	S4 Section AA and Section BB (Short and Long Section) A0 size	1781-MAKE-S04-PA2250 27 May 2022
<b>CD1.157</b>	S5 Location Plan A1 size	239-ACME-PLA-S05-0100 27 May 2022
<b>CD1.158</b>	S5 Ground Floor Plan A1 size	239-ACME-PLA-S05-1100 27 May 2022
<b>CD1.159</b>	S5 First Floor Plan A1 size	239-ACME-PLA-S05-1101 27 May 2022
<b>CD1.160</b>	S5 Second Floor Plan A1 size	239-ACME-PLA-S05-1102 27 May 2022
<b>CD1.161</b>	S5 Third Floor Plan A1 size	239-ACME-PLA-S05-1103

		27 May 2022
<b>CD1.162</b>	S5 Fourth Floor Plan A1 size	239-ACME-PLA-S05-1104 27 May 2022
<b>CD1.163</b>	S5 Roof Plan A1 size	239-ACME-PLA-S05-1105 27 May 2022
<b>CD1.164</b>	S5 Basement Plan A1 size	239-ACME-PLA-S05-1110 27 May 2022
<b>CD1.165</b>	S5 Mobility Hub Section A1 size	239-ACME-PLA-S05-1200 27 May 2022
<b>CD1.166</b>	S5 Western and Eastern Elevations A1 size	239-ACME-PLA-S05-1300 27 May 2022
<b>CD1.167</b>	S5 Northern and Southern Elevations A1 size	239-ACME-PLA-S05-1301 27 May 2022
<b>CD1.168</b>	S05 Mobility Hub Drawings Register	
<b>CD1.169</b>	S6 and S7 Combined Basement Plan A0 size	1818-MAKE-S06-PA1949 27 May 2022
<b>CD1.170</b>	S6 and S7 Combined Ground Floor Plan A0 size	1818-MAKE-S06-PA1950 27 May 2022
<b>CD1.171</b>	S6 Basement Plan A0 size	1818-MAKE-S06-PA1999 27 May 2022
<b>CD1.172</b>	S6 Ground Floor Plan A0 size	1818-MAKE-S06-PA2000 27 May 2022

<b>CD1.173</b>	S6 Levels 01-02 Typical Plan A0 size	1818-MAKE-S06-PA2001 27 May 2022
<b>CD1.174</b>	S6 Level 03 Plan A0 size	1818-MAKE-S06-PA2003 27 May 2022
<b>CD1.175</b>	S6 Level 04 Plan - Plant A0 size	1818-MAKE-S06-PA2004 27 May 2022
<b>CD1.176</b>	S6 Roof Plan A0 size	1818-MAKE-S06-PA2005 27 May 2022
<b>CD1.177</b>	S7 Basement Plan A0 size	1818-MAKE-S07-PA1999 27 May 2022
<b>CD1.178</b>	S7 Ground Floor Plan A0 size	1818-MAKE-S07-PA2000 27 May 2022
<b>CD1.179</b>	S7 Levels 01-02 Typical Plan A0 size	1818-MAKE-S07-PA2001 27 May 2022
<b>CD1.180</b>	S7 Level 03 Plan A0 size	1818-MAKE-S07-PA2003 27 May 2022
<b>CD1.181</b>	S7 Level 04 Plan - Plant A0 size	818-MAKE-S07-PA2004 27 May 2022
<b>CD1.182</b>	S7 Roof Plan A0 size	818-MAKE-S07-PA2005 27 May 2022
<b>CD1.183</b>	S6 and S7 Combined North-West Elevation A0 size	1818-MAKE-S06-PA2150 27 May 2022
<b>CD1.184</b>	S6 and S7 Combined South-East Elevation A0 size	1818-MAKE-S06-PA2151

		27 May 2022
<b>CD1.185</b>	S6 Proposed North-West Elevation A0	1818-MAKE-S06-PA2200 27 May 2022
<b>CD1.186</b>	S6 Proposed North-East Elevation A0 size	1818-MAKE-S06-PA2201 27 May 2022
<b>CD1.187</b>	S6 Proposed South-East Elevation A0 size	1818-MAKE-S06-PA2202 27 May 2022
<b>CD1.188</b>	S6 Proposed South-West Elevation A0 size	1818-MAKE-S06-PA2203 27 May 2022
<b>CD1.189</b>	S6 and S7 Combined Section AA (Long Section) A0 size	1818-MAKE-S06-PA2240 27 May 2022
<b>CD1.190</b>	S6 Section BB and Section AA (Short and Long Section) A0 size	1818-MAKE-S06-PA2250 27 May 2022
<b>CD1.191</b>	S7 Proposed North-West Elevation A0 size	1818-MAKE-S07-PA2200 27 May 2022
<b>CD1.192</b>	S7 Proposed North-East Elevation A0 size	1818-MAKE-S07-PA2201 27 May 2022
<b>CD1.193</b>	S7 Proposed South-East Elevation A0 size	1818-MAKE-S07-PA2202 27 May 2022
<b>CD1.194</b>	S7 Proposed South-West Elevation A0 size	1818-MAKE-S07-PA2203 27 May 2022
<b>CD1.195</b>	S7 Section DD and Section AA (Short and Long Section) A0 size	1818-MAKE-S07-PA2250 27 May 2022



<b>CD1.196</b>	Illustrative Masterplan Roof A1 size	239-ACME-PLA-S00-0012 27 May 2022
<b>CD1.197</b>	Illustrative Masterplan Ground Floor A1 size	239-ACME-PLA-S00-0013 27 May 2022
<b>CD1.198</b>	Illustrative Masterplan Typical Floor A1 size	239-ACME-PLA-S00-0014 27 May 2022
<b>CD1.199</b>	Fire Safety Statement	June 2022
<b>CD1.200</b>	Framework Travel Plan	May 2022
<b>CD1.201</b>	Social Value Statement	June 2022
<b>CD1.202</b>	Sustainability Strategy Rev 04	June 2022
<b>CD1.203</b>	Chesterton Sidings Cambridge Plans Rev A	31 May 2022
<b>CD1.204</b>	Make Drawing List for Planning Issue S4, S6, S7	
<b>2.</b>	<b>Documents not submitted with the original application but are revisions</b>	
<b>CD2.00</b>	Updated Statement of Environmental Statement Conformity	October 2022
<b>CD2.01</b>	Highways Technical Note	October 2022
<b>CD2.02</b>	Highways Safety Audit Documents	October 2022
<b>CD2.03</b>	Response to the comments of Cam Cycle	15 September 2022
<b>CD2.04</b>	Response to the comments of the Access Officer	25 August 2022
<b>CD2.05</b>	Flood Risk Assessment (FRA) Addendum	13 October 2022
<b>CD2.06</b>	Water Resources Addendum (Rev 1)	21 September 2022
<b>CD2.07a</b>	Updated Biodiversity Net Gain (BNG) Assessment Part 1 of 3	11 October 2022
<b>CD2.07b</b>	Updated Biodiversity Net Gain (BNG) Assessment Part 2 of 3	11 October 2022

<b>CD2.07c</b>	Updated Biodiversity Net Gain (BNG) Assessment Part 3 of 3	11 October 2022
<b>CD2.08</b>	Ecology Survey Report Update 2022	25 October 2022
<b>CD2.09a</b>	Statement in response to the comments of the Minerals and Waste Authority Part 1 pages 1-50	October 2022
<b>CD2.09b</b>	Statement in response to the comments of the Minerals and Waste Authority Part 1 pages 51-100	October 2022
<b>CD2.09c</b>	Statement in response to the comments of the Minerals and Waste Authority Part 1 pages 101-114	October 2022
<b>CD2.09d</b>	Statement in response to the comments of the Minerals and Waste Authority Part 2 pages 1-50	October 2022
<b>CD2.09e</b>	Statement in response to the comments of the Minerals and Waste Authority Part 2 pages 51-89	October 2022
<b>CD2.10</b>	Updated Low Emission Strategy	25 August 2022
<b>CD2.11</b>	Energy Strategy Addendum	20 September 2022
<b>CD2.12</b>	Addendum to Sustainability Strategy	23 August 2022
<b>CD2.13</b>	Response to comments from Waste Services	
<b>CD2.14</b>	Updated Preliminary Operational Waste Management Plan V2	October 2022
<b>CD2.15a</b>	Cambridge, Past, Present and Future Feedback Response October 2022 Part 1 of 2	
<b>CD2.15b</b>	Cambridge, Past, Present and Future Feedback Response October 2022 Part 2 of 2	
<b>CD2.16</b>	Response to the comments of Urban Design Officer	
<b>CD2.17</b>	Landscape and Open Space Updates	28 October 2022
<b>CD2.18</b>	Phase 2 Ecology Survey Calculation Results	22 December 2022
<b>CD2.19</b>	Letter on BNG Position	9 January 2023

<b>CD2.20</b>	Letter from Appellant to LPA dated 8.11.22 enclosing further information	November 2022
<b>CD2.21</b>	Parameter Plan Existing Site Conditions Application Plan Rev A A1 size	239-ACME-PLAS01-0101 Rev A 12 October 2022
<b>CD2.22</b>	Parameter Plan Building Layout and Application Type Plan Rev A A1	239-ACME-PLAS01-0102 Rev A 12 October 2022
<b>CD2.23</b>	Parameter Plan Maximum Building Envelope Basement Plan Rev A A1 size	239-ACME-PLAS01-0103 Rev A 12 October 2022
<b>CD2.24</b>	Parameter Plan Maximum Building Envelope Ground Floor Plan Rev A A1 size	239-ACME-PLAS01-0104 Rev A 12 October 2022
<b>CD2.25</b>	Parameter Plan Maximum Building Envelope Typical Level Plan Rev A A1 size	239-ACME-PLAS01-0105 Rev A 12 October 2022
<b>CD2.26</b>	Parameter Plan Building Heights Plan Rev A A1 size	239-ACME-PLAS01-0106 Rev A 12 October 2022
<b>CD2.27</b>	Parameter Plan Proposed Uses Ground Floor Plan 07 Rev A A1 Size	239-ACME-PLAS01-0107 Rev A 12 October 2022
<b>CD2.28</b>	Parameter Plan Access Plan 08 Rev A A1 size	239-ACME-PLAS01-0108 Rev A 12 October 2022
<b>CD2.29</b>	Parameter Plan Landscape and Open Spaces Plan 09 Rev A A1 size	239-ACME-PLAS01-0109 Rev A 12 October 2022
<b>CD2.30</b>	Masterplan S00 Drawings register Rev B	27 October 2022

	(ACME)	
<b>CD2.31a</b>	Landscape Masterplan Rev P3 A3 size	630_01(MP)001 P3 27 October 2022
<b>CD2.31b</b>	Landscape Masterplan Rev P5 A3 size	630_01(MP)001 P5 24 April 2023
<b>CD2.32a</b>	Ecology Strategy Ground Floor Plan Rev P2 A3 size	630_01(MP)002 P2 11 October 2022
<b>CD2.32b</b>	Ecology Strategy Ground Floor Plan Rev P3 A3 size	630_01(MP)002 P3 24 April 2023
<b>CD2.33a</b>	Public Open Spaces Provision Plan Rev P2 A3 size	630_01(MP)004 P2 11 October 2022
<b>CD2.33b</b>	Public Open Spaces Provision Plan Rev P3 A3 size	630_01(MP)004 P30 24 April 2023
<b>CD2.34</b>	Hard Landscape Strategy (West) Rev P2 A3 size	630_01(MP)005 P2 11 October 2022
<b>CD2.35</b>	Hard Landscape Strategy (East) Rev P2 A3 size	630_01(MP)006 P2 11 October 2022
<b>CD2.36</b>	Hard Landscape Strategy (Wild Park) Rev P2 A3 size	630_01(MP)007 P2 11 October 2022
<b>CD2.37</b>	Tree Strategy Plan Rev P2 A3 size	630_01(MP)008 P2

		7 October 2022
<b>CD2.38a</b>	Attenuation Strategy Plan Rev P2 A3 size	630_01(MP)014 P2 7 October 2022
<b>CD2.38b</b>	Attenuation Strategy Plan Rev P3 A3 size	630_01(MP)014 P3 27 April 2023
<b>CD2.39a</b>	Tree Root Cell Extents Plan Rev P2 A3 size	630_01(MP)020 P2 11 October 2022
<b>CD2.39b</b>	Tree Root Cell Extents Plan Rev P3 A3 size	630_01(MP)020 P3 27 April 2023
<b>CD2.40</b>	Wild Park and Aggregates Yard Interface Plan Rev P2 A3 size	630_01(MP)021 P2 7 October 2022
<b>CD2.41</b>	Cycle Strategy (West) Rev P1 A3 size	630_01(MP)022 P1 7 October 2022
<b>CD2.42</b>	Cycle Strategy (East) Rev P1 A3 size	630_01(MP)023 P1 7 October 2022
<b>CD2.43</b>	Proximity to Mineral Safeguarded Areas Plan Rev P1 A3 size	630_01(MP)024 P1 7 October 2022
<b>CD2.44a</b>	Chesterton Way Plan 1 of 3 Rev P2 A3 size	630_01(MP)103 P2 7 October 2022
<b>CD2.44b</b>	Chesterton Way Plan 2 of 3 Rev P2 A3 size	630_01(MP)104 P2 7 October 2022
<b>CD2.44c</b>	Chesterton Way Plan 3 of 3 Rev P2 A3 size	630_01(MP)105 P2 7 October 2022
<b>CD2.45</b>	Cowley Road North Plan Rev P2 A3 size	630_01(MP)106 P2 7 October 2022
<b>CD2.46</b>	Cowley Road East Plan Rev P2 A3 size	630_01(MP)107 P2 7 October 2022

<b>CD2.47</b>	Bramblefields Way Plan Rev P2 A3 size	630_01(MP)109 P2 7 October 2022
<b>CD2.48</b>	1 Milton Avenue and Milton Walk Plan Rev P2 A3 size	630_01(MP)201 P2 11 October 2022
<b>CD2.49</b>	Chesterton Square Plan Rev P2 A3 size	630_01(MP)202 P2 7 October 2022
<b>CD2.50</b>	Station Row Plan Rev P2 A3 size	630_01(MP)203 P2 11 October 2022
<b>CD2.51</b>	Piazza Plan Rev P2 A3 size	630_01(MP)205 P2 7 October 2022
<b>CD2.52a</b>	Wild Park Plan Rev P2 A3 size	630_01(MP)209 P2 10 October 2022
<b>CD2.52b</b>	Wild Park Plan Rev P3 A3 size	630_01(MP)209 P3 24 April 2023
<b>CD2.53</b>	Typical Meanwhile Use Pocket Park Plan Rev P2 A3 size	630_01(MP)210 P2 12 October 2022
<b>CD2.54</b>	Chesterton Square Section Plan Rev P2 A3 size	630_01(SC)001 P2 11 October 2022
<b>CD2.55</b>	1 Milton Avenue Section AA and BB Plan Rev P2 A3 size	630_01(SC)006 P2 13 October 2022
<b>CD2.56</b>	Cowley Road East Section Plan Rev P2 A3 size	630_01(SC)009 P2 11 October 2022
<b>CD2.57</b>	Tree Survey Drawing	22_02771_OUT
<b>CD2.58</b>	Lab Servicing Access Swept Path Analysis Rev P7 A3 size	05425-C-2103-P7 11 October 2022
<b>CD2.59</b>	Milton Avenue Highway Improvement Southern Access Plan Rev P4 A3 size	05425-C-2110-P4 28 October 2022
<b>CD2.60</b>	Cowley Road - Cowley	05425-C-2113-P3

	Circus Highway Improvement (Plan) A2 size	9 December 2021
<b>CD2.61a</b>	Cowley Road Cowley Circus Highway Improvements Plan Rev P4 A2 size	05425-C-2113-P4 30 November 2022
<b>CD2.61b</b>	Cowley Road Cowley Circus Highway Improvements Plan Rev P7 A2 size	05425-C-2113-P7 17 April 2023
<b>CD2.62a</b>	Fire Tender Tracking Sheet 1 of 2 Rev P2 A1 size	05425-C-2203-P2 11 October 2022
<b>CD2.62b</b>	Fire Tender Tracking Sheet 2 of 2 Rev P2 A1 size	05425-C-2204-P2 11 October 2022
<b>CD2.63</b>	Rigid Truck Vehicle Tracking Plan Rev P2 A0 size	05425-C-2206-P2 11 October 2022
<b>CD2.64</b>	Refuse Vehicle Tracking Plan (Whole Site) Rev P0 A1 size	05425-C-2208-P0 7 October 2022
<b>CD2.65</b>	S4 Basement Plan Rev 01 A0 size	1781-MAKE-S04-PA1999 Rev 01 21 September 2022
<b>CD2.66</b>	S4 Ground Floor Plan Rev 01 A0 size	1781-MAKE-S04-PA2000 Rev 01 7 October 2022
<b>CD2.67</b>	S4 Level 01 Plan Rev 01 A0 size	1781-MAKE-S04-PA2001 Rev 01 7 October 2022
<b>CD2.68</b>	S4 Levels 02-04 Typical Plan Rev 01 A0 size	1781-MAKE-S04-PA2002 Rev 01 7 October 2022
<b>CD2.69</b>	S4 Level 05 Plan Rev 01 A0 size	1781-MAKE-S04-PA2005 Rev 01 7 October 2022
<b>CD2.70</b>	S4 Level 06 Plan Rev 01 A0 size	1781-MAKE-S04-PA2006 Rev 01

		7 October 2022
<b>CD2.71</b>	S4 Level 07 Plan (Plant) Rev 01 A0 size	1781-MAKE-S04-PA2007 Rev 01 7 October 2022
<b>CD2.72</b>	S4 Roof Plan Rev 01 A0 size	1781-MAKE-S04-PA2008 Rev 01 7 October 2022
<b>CD2.73</b>	S4 Section AA and Section BB (Short and Long Section) Plan Rev 01 A0 size	1781-MAKE-S04-PA2250 Rev 01 7 October 2022
<b>CD2.74</b>	S6 and S7 Combined Basement Plan Rev 01 A0 size	1818-MAKE-S06-PA1949 Rev 01 21 September 2021
<b>CD2.75</b>	S6 and S7 Combined Ground Floor Plan Rev 02 A0 size	1818-MAKE-S06-PA1950 Rev 02 21 September 2021
<b>CD2.76</b>	S6 Basement Plan Rev 01 A0 size	1818-MAKE-S06-PA1999 Rev 01 21 September 2021
<b>CD2.77</b>	S6 Ground Floor Plan Rev 02 A0 size	1818-MAKE-S06-PA2000 Rev 02 21 September 2021
<b>CD2.78</b>	S7 Basement Plan Rev 01 A0 size	1818-MAKE-S07-PA1999 Rev 01 21 September 2021
<b>CD2.79</b>	S7 Ground Floor Plan Rev 02 A0 size	1818-MAKE-S07-PA2000 Rev 02 21 September 2022
<b>CD2.80</b>	S6 Proposed North- West Elevation Rev 01 A0 size	1818-MAKE-S06-PA2200 Rev 01 21 September 2022



<b>CD2.81</b>	S6 Proposed South- East Elevation Rev 01 A0 size	1818-MAKE-S06-PA2202 Rev 01 21 September 2022
<b>CD2.82</b>	S7 Proposed North- West Elevation Rev 01 A0 size	1818-MAKE-S07-PA2200 Rev 01 21 September 2022
<b>CD2.83</b>	S7 Proposed North-East Elevation Rev 01 A0 size	1818-MAKE-S07-PA2201 Rev 01 21 September 2022
<b>CD2.84</b>	S7 Proposed South- East Elevation Rev 01 A0 size	1818-MAKE-S07-PA2202 Rev 01 21 September 2022
<b>CD2.85</b>	S6 and S7 Combined North-West Elevation Rev 01 A0 size	1818-MAKEPA2150 Rev 01 21 September 2022
<b>CD2.86</b>	S6 and S7 Combined South-East Elevation Rev 01 A0 size	1818-MAKEPA2151 Rev 01 21 September 2022
<b>CD2.87</b>	Illustrative Masterplan Roof Rev B A1 size	239-ACME-PLAS00-0012 Rev B 22 September 2022
<b>CD2.88</b>	Illustrative Masterplan Ground Floor Rev B A1 size	239-ACME-PLAS00-0013 Rev B 22 September 2022
<b>CD2.89</b>	Illustrative Masterplan Typical Floor Rev B A1 size	239-ACME-PLAS00-0014 Rev B 22 September 2022
<b>CD2.90</b>	Strategic Masterplan (Illustrative Only)	239-ACME-PLAS00-0020 12 May 2022

<b>CD2.91</b>	Strategic Masterplan Emerging NEC AAP (Illustrative Only) A1 size	239-ACME-PLAS00-0021 12 May 2022
<b>3</b>	<b>Key comments, representations, minutes, and correspondence as submitted by the Authority to the appeal questionnaire</b>	
<b>CD3.00</b>	Cambridge Fire and Rescue Services	14 November 2022
<b>CD3.01</b>	SCDC Tree Officer	10 November 2022
<b>CD3.02a</b>	Natural England	28 October 2022
<b>CD3.02b</b>	Natural England	24 November 2022
<b>CD3.03a</b>	Environment Agency	27 June 2022
<b>CD3.03b</b>	Environment Agency	7 November 2022
<b>CD3.03c</b>	Environment Agency	27 February 2023
<b>CD3.04</b>	Cadent Gas	27 June 2022
<b>CD3.05a</b>	Anglian Water	5 July 2022
<b>CD3.05b</b>	Anglian Water	10 November 2022
<b>CD3.06a</b>	Sport England	7 July 2022
<b>CD3.06b</b>	Sport England	26 September 2022
<b>CD3.06c</b>	Sport England	10 November 2022
<b>CD3.07a</b>	County Archaeology	8 July 2022
<b>CD3.07b</b>	County Archaeology	9 November 2022
<b>CD3.08a</b>	Local Highways Authority	12 July 2022
<b>CD3.08b</b>	Local Highways Authority	1 August 2022
<b>CD3.08c</b>	Local Highways Authority	8 December 2022
<b>CD3.09a</b>	Cambridgeshire County Council – Transport	7 September 2022
<b>CD3.09b</b>	Cambridgeshire County Council – Transport	22 February 2023
<b>CD3.10a</b>	National Highways	16 September 2022
<b>CD3.10b</b>	National Highways	28 October 2022
<b>CD3.10c</b>	National Highways	9 December 2022
<b>CD3.10d</b>	National Highways	6 January 2023

<b>CD3.11a</b>	Milton Parish Council	6 July 2022
<b>CD3.11b</b>	Milton Parish Council	23 November 2022
<b>CD3.12</b>	Cambridge Airport	20 July 2022
<b>CD3.13a</b>	Designing Out Crime Officer	26 July 2022
<b>CD3.13b</b>	Designing Out Crime Officer	10 November 2022
<b>CD3.14a</b>	Ecology Officer	2 August 2022
<b>CD3.14b</b>	Ecology Officer	7 December 2022
<b>CD3.14c</b>	Ecology Officer	19 April 2023
<b>CD3.15a</b>	City Council Environmental Health Officer	26 July 2022
<b>CD3.15b</b>	City Council Environmental Health Officer	21 November 2022
<b>CD3.16a</b>	SCDC Climate, Environment and Waste	26 July 2022
<b>CD3.16b</b>	SCDC Climate, Environment and Waste (Air Quality)	26 July 2022
<b>CD3.16c</b>	SCDC Climate, Environment and Waste	8 December 2022
<b>CD3.17a</b>	Sustainability Officer	3 August 2022
<b>CD3.17b</b>	Sustainability Officer	8 December 2022
<b>CD3.18a</b>	Minerals and Waste Planning Authority	28 July 2022
<b>CD3.18b</b>	Minerals and Waste Planning Authority	14 December 2022
<b>CD3.18c</b>	Email correspondence with Minerals and Waste Officer	April 2023
<b>CD3.19</b>	Conservation Officer	October 2022
<b>CD3.20</b>	Historic England	5 September 2022
<b>CD3.21a</b>	Cambridgeshire County Council - LLFA	15 August 2022
<b>CD3.21b</b>	Cambridgeshire County Council - LLFA	22 February 2023
<b>CD3.21c</b>	Cambridgeshire County Council - LLFA	22 April 2023
<b>CD3.22</b>	Network Rail	18 August 2022
<b>CD3.23a</b>	Urban Design Officer	12 October 2022
<b>CD3.23b</b>	Urban Design Officer	28 November 2022
<b>CD3.24</b>	SCDC Sustainable Communities and Wellbeing Team	31 August 2022

<b>CD3.25a</b>	Access Officer	25 August 2022
<b>CD3.26</b>	County Council Infrastructure Contributions	16 September 2022
<b>CD3.27a</b>	Health Officer	31 August 2022
<b>CD3.27b</b>	Health Officer HIA	31 August 2022
<b>CD3.28</b>	NHS Cambridgeshire and Peterborough CCG	7 September 2022
<b>CD3.29a</b>	East of England Ambulance Service	23 September 2022
<b>CD3.29a</b>	East of England Ambulance Service	25 November 2022
<b>CD3.30a</b>	Greater Cambridge Waste Services	27 September 2022
<b>CD3.30b</b>	Greater Cambridge Waste Services	24 February 2023
<b>CD3.31a</b>	Landscape Officer	27 September 2022
<b>CD3.31b</b>	Landscape Officer	15 December 2022
<b>CD3.32a</b>	Strategic Housing Officer	17 August 2022
<b>CD3.32b</b>	Strategic Housing Officer	24 August 2022
<b>CD3.32c</b>	Strategic Housing Officer	7 December 2022
<b>CD3.33a</b>	Sustainable Drainage Engineer	27 September 2022
<b>CD3.33b</b>	Sustainable Drainage Engineer	3 March 2023
<b>CD3.34</b>	Contaminated Land	13 July 2022
<b>CD3.35</b>	Fen Ditton Parish Council	11 October 2022
<b>CD3.36</b>	Ministry of Defence	27 January 2023
<b>4.</b>	<b>Committee Report and Minutes</b>	
<b>CD4.00</b>	Committee Report and Appendices	22 March 2023
<b>CD4.01</b>	Committee Minutes	22 March 2023
<b>CD4.02</b>	Committee Amendment Sheet	22 March 2023
<b>5.</b>	<b>Development Plan and Policy</b>	
<b>CD5.00</b>	South Cambridgeshire Local Plan (2018)	
<b>CD5.01</b>	South Cambridgeshire Local Plan Policies Map (2018)	

<b>CD5.02</b>	Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 – (Policy 16: Consultation Areas)	
<b>CD5.03</b>	Sustainable Design and Construction SPD (2020)	
<b>CD5.04</b>	Biodiversity SPD (2022)	
<b>CD5.05</b>	Cambridgeshire Flood and Water SPD (2016)	
<b>CD5.06</b>	Greater Cambridge Housing Strategy 2019 - 2023	
<b>CD5.07</b>	Fen Ditton Conservation Area Appraisal (2006)	
<b>CD5.08</b>	Riverside and Stourbridge Common Conservation Area Appraisal (2012)	
<b>CD5.09</b>	Greater Cambridge Employment Land & Economic Development Evidence Study (2020)	November 2020
<b>CD5.10</b>	Greater Cambridge Employment and Housing Evidence Update (2023) – Icen Report	
<b>CD5.11</b>	District Design Guide SPD (2010)	March 2010
<b>CD5.12</b>	Landscape in New Developments SPD (2010)	March 2010
<b>CD5.13a</b>	NEC Landscape Character and Visual Impact Appraisal (LCVIA)	July 2020
<b>CD5.13b</b>	NEC Landscape Character and Visual Impact Assessment Figures	
<b>CD5.14</b>	NEC Strategic Heritage Impact Assessment	September 2021
<b>CD5.15</b>	NEC Townscape Strategy	October 2021
<b>CD5.16</b>	Development Management guidance 'Evidence required to support Planning Applications ahead of the North East Cambridge (NEC) Area Action Plan (AAP)	
<b>CD5.17</b>	National Design Guide	January 2021
<b>CD5.18</b>	Cambridge City Local Plan (Policy 60)	October 2018

<b>CD5.19</b>	NECAAP Transport Evidence Base	
<b>CD5.20</b>	NECAAP Transport Position Statement	
<b>CD5.21</b>	NECAAP Infrastructure Delivery Plan	
<b>CD5.22</b>	Greater Cambridge Local Plan Transport Evidence Report – Preferred Options Update	October 2021
<b>CD5.23</b>	NECAAP High Level Transport Strategy	November 2021
<b>CD5.24</b>	The Setting of Heritage Assets 2nd Edition	December 2017
<b>CD5.25</b>	South Cambridgeshire District Council Cambridge Green Belt Study	September 2002
<b>CD5.26</b>	CCC Cambridge Landscape Character Assessment	April 2003
<b>CD5.27</b>	LDA Design Cambridge Inner Green Belt Boundary Study	November 2015
<b>CD5.28a</b>	Chris Blandford Associates Greater Cambridge Landscape Character Assessment Part A	February 2021
<b>CD5.28b</b>	Chris Blandford Associates Greater Cambridge Landscape Character Assessment Part B	February 2021
<b>CD5.29</b>	Chris Blandford Associates NEC Heritage Impact Assessment	28 September 2021
<b>CD5.30</b>	NEC Townscape Assessment	September 2021
<b>CD5.31</b>	Open Space SPD	2009
<b>6.</b>	<b>Appeal Submission Documents (as received by the inspector)</b>	
<b>CD6.00</b>	Appeal Form	
<b>CD6.01</b>	Appeal Covering Letter	23 January 2023
<b>CD6.02</b>	Cover letter - Confirmation of Appeal Submission	27 January 2023
<b>CD6.03</b>	Appeal Site Location Plan	27 May 2022
<b>CD6.04</b>	Appellant's Statement of Case	20 January 2023
<b>CD6.05</b>	Draft Statement of Common Ground	23 January 2023

<b>CD6.06</b>	Statement of Common Ground Appellant and LPA	25 April 2023
<b>CD6.07</b>	Statement of Common Ground on Design between Appellant and LPA	25 April 2023
<b>CD6.08</b>	Statement of Common Ground on Landscape between Appellant and LPA	25 April 2023
<b>CD6.09</b>	Statement of Common Ground on Heritage between Appellant and LPA	25 April 2023
<b>CD6.10</b>	Statement of Common Ground between Appellant and CPPF	25 April 2023
<b>CD6.11</b>	Updated Statement of Common Ground Appellant and LPA	23 May 2023
<b>CD6.12</b>	Statement of Common Ground between Appellant and Water Resources EA	23 May 2023
<b>CD6.13</b>	Statement of Common Ground between Transport Appellant and County Council	23 May 2023
<b>7.</b>	<b>Case Law and Appeal Decisions</b>	
<b>CD7.00</b>	Appeal Decision Notice 20/03429/FUL (APP/Q0505/W/21/3282911) 104-112 Hills Road, CB2 1LQ	21 March 2022
<b>CD7.01</b>	Rebuttal Proof of Evidence of Mr Stephen Connell	
<b>CD7.02</b>	Council of the City of Newcastle Upon Tyne v Secretary of State for Levelling Up, Housing and Communities (EWHC 2752) Judgement by Hon. Mr Justice Holgate	1 November 2022
<b>CD7.03</b>	Bramshill v SSHCLG and Hart District Council and Historic England and National Trust for Places of Historic Interest or Natural Beauty (EWHC 3437) Judgement by Lord Phillips and Lord Arnold	9 March 2021
<b>8.</b>	<b>Appellant's Documents</b>	
<b>CD8.00</b>	Appellant's Statement of Case	20 January 2023
<b>CD8.01</b>	2022 Milton Road Corridor Modelling Results Technical Note	March 2023

<b>CD8.02</b>	Ecology Technical Note	25 April 2023
<b>CD8.03</b>	Appellant Proof of Evidence – Masterplan Summary	9 May 2023
<b>CD8.04a</b>	Appellant Proof of Evidence – Masterplan Part 1 of 10	9 May 2023
<b>CD8.04b</b>	Appellant Proof of Evidence – Masterplan Part 2 of 10	9 May 2023
<b>CD8.04c</b>	Appellant Proof of Evidence – Masterplan Part 3 of 10	9 May 2023
<b>CD8.04d</b>	Appellant Proof of Evidence – Masterplan Part 4 of 10	9 May 2023
<b>CD8.04e</b>	Appellant Proof of Evidence – Masterplan Part 5 of 10	9 May 2023
<b>CD8.04f</b>	Appellant Proof of Evidence – Masterplan Part 6 of 10	9 May 2023
<b>CD8.04g</b>	Appellant Proof of Evidence – Masterplan Part 7 of 10	9 May 2023
<b>CD8.04h</b>	Appellant Proof of Evidence – Masterplan Part 8 of 10	9 May 2023
<b>CD8.04i</b>	Appellant Proof of Evidence – Masterplan Part 9 of 10	9 May 2023
<b>CD8.04j</b>	Appellant Proof of Evidence – Masterplan Part 10 of 10	9 May 2023
<b>CD8.05</b>	Appellant Proof of Evidence – Design Summary	9 May 2023
<b>CD8.06</b>	Appellant Proof of Evidence – Design	9 May 2023
<b>CD8.07</b>	Appellant Proof of Evidence – LVIA Summary	May 2023
<b>CD8.08</b>	Appellant Proof of Evidence – LVIA	May 2023
<b>CD8.09a</b>	Appellant Proof of Evidence – LVIA Appendices Part 1 of 4	
<b>CD8.09b</b>	Appellant Proof of Evidence – LVIA Appendices Part 2 of 4	
<b>CD8.09c</b>	Appellant Proof of Evidence – LVIA Appendices Part 3 of 4	



<b>CD8.09d</b>	Appellant Proof of Evidence – LVIA Appendices Part 4 of 4	
<b>CD8.10</b>	Appellant Proof of Evidence – Heritage Summary	May 2023
<b>CD8.11</b>	Appellant Proof of Evidence – Heritage	May 2023
<b>CD8.12</b>	Appellant Proof of Evidence – Heritage Appendices	
<b>CD8.13</b>	Appellant Proof of Evidence - Ecology	9 May 2023
<b>CD8.14</b>	Appellant Proof of Evidence – Ecology Appendix A Ecology Technical Note	5 May 2023
<b>CD8.15</b>	Appellant Proof of Evidence – Ecology Appendix 1 Ecology Survey Report Update	2022
<b>CD8.16</b>	Appellant Proof of Evidence – Ecology Appendix 2 Bat Hibernation Survey Report	2023
<b>CD8.17</b>	Appellant Proof of Evidence – Ecology Appendix 3 OMH Phasing Plan	
<b>CD8.18</b>	Appellant Proof of Evidence – Ecology Appendix 4 BNG Calculator updated	18 April 2023
<b>CD8.19</b>	Appellant Proof of Evidence – Ecology Appendix 5 Bat Emergence Survey Report Interim	2 May 2023
<b>CD8.20</b>	Appellant Proof of Evidence – Water Summary	
<b>CD8.21</b>	Appellant Proof of Evidence – Water	9 May 2023
<b>CD8.22</b>	Appellant Proof of Evidence – Water Appendix A Legislation and Regulation	9 May 2023
<b>CD8.23</b>	Appellant Proof of Evidence – Water Appendix B Consultation with Cambridge Water	
<b>CD8.24a</b>	Appellant Proof of Evidence – Water Appendix C Quantitative Assessment Part 1 of 2	
<b>CD8.24b</b>	Appellant Proof of Evidence – Water Appendix C Quantitative Assessment Part 2 of 2	

<b>CD8.25</b>	Appellant Proof of Evidence – Water Appendix D Cambridge Water Household and Non Household Data	
<b>CD8.26</b>	Appellant Proof of Evidence – Transport Summary	May 2023
<b>CD8.27</b>	Appellant Proof of Evidence – Transport	May 2023
<b>CD8.28</b>	Appellant Proof of Evidence – Transport Appendix A	
<b>CD8.29</b>	Appellant Proof of Evidence – Landscape Design Summary	9 May 2023
<b>CD8.30</b>	Appellant Proof of Evidence – Landscape Design	9 May 2023
<b>CD8.31</b>	Appellant Proof of Evidence – Landscape Design Appendix	
<b>CD8.32</b>	Appellant Proof of Evidence – Need Summary	May 2023
<b>CD8.33</b>	Appellant Proof of Evidence – Need	May 2023
<b>CD8.34</b>	Appellant Proof of Evidence – Need Appendix 1 Cambridge Office & Labs Databook	
<b>CD8.35</b>	Appellant Proof of Evidence – Planning Summary	May 2023
<b>CD8.36</b>	Appellant Proof of Evidence – Planning	May 2023
<b>CD8.37</b>	Appellant Proof of Evidence – Planning Appendices	
<b>CD8.38a</b>	Appellant Rebuttal Proof of Evidence – Landscape Part 1 of 2	May 2023
<b>CD8.38b</b>	Appellant Rebuttal Proof of Evidence – Landscape Part 2 of 2	May 2023
<b>CD8.39</b>	Appellant Rebuttal Proof of Evidence – Need	May 2023
<b>CD8.40</b>	Appellant Rebuttal Proof of Evidence – Planning, Design and Landscape	May 2023
<b>CD8.41</b>	Appellant Rebuttal Proof of Evidence – Planning, Design and Landscape Appendices	
<b>9.</b>	<b>Council’s Appeal Documents (SCDC)</b>	

<b>CD9.00</b>	LPA Statement of Case	24 March 2023
<b>CD9.01</b>	Land Adjacent To Cambridge North Station Milton Avenue front elevation	
<b>CD9.02</b>	Greater Cambridge Employment and Housing Evidence Update (2023) – Icen Report	
<b>CD9.03</b>	One Cambridge Square Design and Access Statement	30 June 2017
<b>CD9.04</b>	SCDC Proof of Evidence – Design	May 2023
<b>CD9.05</b>	SCDC Proof of Evidence – Heritage	May 2023
<b>CD9.06</b>	SCDC Proof of Evidence – Heritage Appendices	
<b>CD9.07</b>	SCDC Proof of Evidence – Planning	May 2023
<b>CD9.08</b>	SCDC Proof of Evidence – Need with Appendices	
<b>CD9.09</b>	SCDC Proof of Evidence – Landscape	May 2023
<b>CD9.10</b>	SCDC Proof of Evidence – Landscape Appendices	
<b>CD9.11</b>	SCDC Rebuttal Proof of Evidence – Design	23 May 2023
<b>CD9.12</b>	LPA Water Resources Position Statement	23 May 2023
<b>10.</b>	<b>County Council Documents</b>	
<b>CD10.00</b>	Cambridgeshire County Council – Transport Statement of Case	31 March 2023
<b>11.</b>	<b>Rule 6 Party Documents</b>	
<b>CD11.00</b>	CPPF Statement of Case	29 March 2023
<b>CD11.01</b>	CPPF Proof of Evidence Summary	
<b>CD11.02</b>	CPPF Proof of Evidence	
<b>CD11.03</b>	CPPF Proof of Evidence Appendix A Photographs	
<b>12.</b>	<b>Other Evidence Documents</b>	
<b>CD12.00</b>	S2372FL JDCC Committee Report - 1 Cambridge Square	21 March 2018

<b>CD12.01</b>	S237217FL JDCC Committee Report – Hotel	4 July 2017
<b>CD12.02</b>	Draft Water Resources Management Plan 2024	24 February 2023
<b>CD12.03</b>	Savills Build to Rent Market in Greater Cambridge and West Suffolk	5 June 2020
<b>CD12.04</b>	Arc4in Build to Rent Market Strategic Overview and Summary of Site-Specific Appraisals	March 2021
<b>CD12.05</b>	Baits Bite Lock Conservation Area Draft Policy	2006
<b>CD12.06</b>	080266OUT Committee Report – CB1	15 October 2008
<b>CD12.07</b>	Landscape Institute/IEMA: “Guidelines on Landscape and Visual Impact Assessment”, 3rd Edition	2013
<b>CD12.08</b>	Landscape Institute Technical Guidance Note “Assessing Landscape value Outside of landscape Designations”	February 2021
<b>CD12.09</b>	National Character Area 88, Bedfordshire and Cambridgeshire Claylands	
<b>CD12.10</b>	Cycle Infrastructure Design LTN 120	July 2020
<b>13.</b>	<b>Third Party Documents</b>	
<b>CD13.00</b>	Environment Agency Final Statement	23 May 2023
<b>CD13.01</b>	EA Appendix 1: Baseline data of risk of deterioration to water bodies from water abstraction	
<b>CD13.02</b>	EA Appendix 1A: Anglian Hydroecology Technical Report	
<b>CD13.03</b>	EA Appendix 2: GCP Draft Briefing Note	
<b>CD13.04</b>	EA Appendix 3: EA Representation CWC dWRMP24	27 March 2023
<b>CD13.05</b>	EA Appendix 3: Cambridge Water WRMP24 Evidence Report	
<b>CD13.06</b>	EA Appendix 4: EA Representation CWC dWRMP24 V2	17 May 2023

<b>CD13.07</b>	EA Appendix 4: Cambridge Water WRMP24 Evidence Report V2	
<b>CD13.08</b>	EA Appendix 5: Email to GCP	6 January 2023
<b>14.</b>	<b>Interested Party Representations</b>	
<b>CD14.00</b>	Cadent Gas Overview Map of Worksite	16 February 2023
<b>CD14.01a</b>	Mr S Clarke Representation Form	22 March 2023
<b>CD14.01b</b>	Mr S Clarke Attachment - County Council Education Library Waste Appeal Statement	
<b>CD14.02a</b>	Environment Agency Advice Statement on Water Resources	27 February 2023
<b>CD14.02b</b>	Environment Agency Position Letter	24 March 2023
<b>CD14.03a</b>	U + I plc and Town Position Letter	14 September 2022
<b>CD14.03b</b>	U + I plc and Town Position Letter	22 March 2023
<b>CD14.04</b>	Ministry of Defence Position Letter	3 March 2023
<b>CD14.05</b>	Natural England Position Email Confirmation	23 March 2023
<b>CD14.06a</b>	Mr J Tuttle Representation Form	23 March 2023
<b>CD14.06b</b>	Mr J Tuttle Attachment – CCC Transport Statement	
<b>CD14.07</b>	Mr D Williams Representation Form	20 March 2023
<b>15.</b>	<b>Inquiry Documents</b>	
<b>CD15.00</b>	S106 Introductory Note	
<b>CD15.01</b>	Cambridge North S106 Heads of Terms V16	23 May 2023
<b>CD15.02</b>	CIL Compliance Statement	23 May 2023
<b>CD15.03</b>	Draft Section 106	
<b>CD15.04</b>	Draft Conditions Schedule	

## SUGGESTED CONDITIONS

### Conditions applicable to the Full Permission and Outline Permission

#### *Phasing*

##### *Site Wide Phasing Plan*

1. Prior to the commencement of any development, with the exception of below ground works, a Site Wide Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Site Wide Phasing Plan shall include a mechanism for its review and amendment. The development shall be carried out in accordance with such approved details. References within this permission to a "phase" shall be to a phase as identified in the approved phasing plan.

##### *Demolition Construction Environmental Management Plan (DCEMP)*

2. Prior to the commencement of any development on any phase, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority for that phase.

The DCEMP for a phase shall include the following in respect of that phase:

- a) Proposed earthworks including method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2007.
- b) Archaeological protection and mitigation measures to be implemented during the construction process.
- c) A traffic management plan including:
  - contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the phase, details of their signing, monitoring and enforcement measures designed to require compliance with the approved routing arrangements;
  - contractor parking including details and quantum of the proposed car parking and methods of preventing on street car parking; movements and control of muck away lorries;
  - movements and control of all deliveries; and control of dust, mud and debris, in relationship to the operation of the adopted public highway.
- d) Details of haul routes within the phase.
- e) A plan specifying the area and siting of land to be provided for parking, turning, loading and unloading of all vehicles visiting the relevant parts of the site and siting of the contractor's compound during the construction period to be agreed on a phased basis.
- f) Collection and Delivery times for construction purposes. (Standard delivery and collection times during construction and demolition are between 0800 hours and

1800 hours on Monday – Friday and between 0800 hours and 1300 hours on Saturday and no collections or deliveries on Sundays or Bank and public holidays).

g) Dust management and wheel washing or other suitable mitigation measures such as lorry sheeting, including the consideration of construction / engineering related emissions to air, to include dust and particulate monitoring and review and the use of low emissions vehicles and plant / equipment

h) Noise and vibration (including piling) impact / prediction assessment, monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228 (2009): Code of practice for noise and vibration control on construction and open sites – Part 1 and 2 (or as superseded).

i) Details of best practice measures to be applied to prevent contamination of the water environment during construction.

j) Measures for soil handling.

k) Details of concrete crusher if required to be used on that phase.

l) Details of odour control systems used during construction including maintenance and manufacture specifications.

m) Maximum noise levels and appropriate mitigation for construction machinery, equipment, plant and vehicles.

n) Site lighting during construction.

o) Screening and hoarding details.

p) Access and protection arrangements around the site for pedestrians, cyclists and other road users.

q) Procedures for interference with public highways.

r) External safety and information signing notices.

s) Liaison, consultation and publicity arrangements, including dedicated points of contact.

t) Complaints procedures, including complaints response procedures

u) Membership of the considerate contractors' scheme.

v) The provision of safe walking and cycling routes through the construction site including the management of existing Public Rights of Way, as well as routes serving completed phases of the development.

w) A Construction Travel Plan setting out measures to encourage construction site operatives and construction site visitors to travel to and from the phase using sustainable means of transport.

x) Piling method statement detailing mitigation measures, where piling is proposed.

Development of each phase shall be carried out in accordance with the approved DCEMP for that phase.

## ***Biodiversity***

### *Construction Ecological Management Plan*

3. Prior to the commencement of each phase of development, (including demolition, ground works, vegetation clearance) a Construction Ecological Management Plan (CEcMP) for that phase shall be submitted to and approved in writing by the local planning authority. The CEcMP for each phase shall include the following in respect of that phase:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures to avoid or reduce impacts during construction (both physical measures and sensitive working practices) in the form of method statements.
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP for a phase shall be adhered to and implemented throughout the construction period of that phase strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

### *Ecological Design Strategy*

4. Prior to the commencement of each phase of development, with the exception of below ground works, an Ecological Design Strategy (EDS) for that phase addressing habitat creation, ecological enhancement, mitigation and compensation where appropriate, which shall be in accordance with the Greater Cambridge SuDS Supplementary Planning Document (2022) shall be submitted and approved in writing by the local planning authority.

The EDS shall include the following in connection with a phase:

- a) The purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve the stated objectives.
- d) The extent and location/area of all proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.



- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Details of initial aftercare and long-term maintenance.
- i) Details of monitoring and remedial measures.
- j) Details for disposal of any wastes arising from the works.

The EDS for a phase shall be implemented in accordance with the approved details on that phase and thereafter all features shall be retained in that manner for the lifetime of the development.

#### *Lighting Scheme*

5. Prior to the commencement of each phase of development above ground, a lighting scheme for that phase shall be submitted to and approved in writing by the local planning authority. The scheme shall:

- a) Include details of any external lighting within that phase such as street lighting, floodlighting, security lighting and an assessment of impact on any sensitive residential premises off site. The scheme for a phase shall include layout plans / elevations with luminaire locations annotated, full isolux contour map / diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within that phase, on the boundary of the that phase and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type / profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".
- b) Identify those areas/features on that phase that are particularly sensitive for bats and which are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, e.g. for foraging; and
- c) Show how and where any external lighting will be installed which clearly demonstrates that areas to be lit will not disturb or prevent bats from using their territory or having access to their breeding sites and resting places.

No external lighting within a phase shall be installed other than in accordance with the specifications and locations set out in the approved scheme for that phase, and shall be maintained thereafter in accordance with the scheme for the lifetime of the development.

#### *Green Roofs*

6. No above ground level development shall commence on any building until details of any biodiverse (green, blue or brown) roof(s) for that building have been submitted to and approved in writing by the local planning authority. Details of the green biodiverse roof(s) shall include means of access for maintenance purposes. Plans and sections showing the make-up of the sub-base to be used shall include the following:

- a) Roofs will be biodiverse based with extensive substrate varying in depth from between 80-150mm.
- b) Planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting indigenous to the locality and shall contain no more than a maximum of 25% sedum (green roofs only)).
- c) The biodiverse (green) roof shall not be used as an amenity facility nor sitting out space of any kind whatsoever and shall only be used otherwise as a biodiverse green roof in the case of essential maintenance or repair, or escape in case of emergency.
- d) Where solar panels are proposed, bio-solar roofs shall be incorporated under and in between the panels. An array layout will be required incorporating a minimum of 0.75m between rows of panels for access and to ensure establishment of vegetation.
- e) A management/maintenance plan.

All works to biodiverse roofs on a building shall be carried out in accordance with the approved details for that building prior to first occupation of that building and shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

### **Contamination**

#### *Site Investigation*

7. No development of any building or the Wild Park within a phase shall commence until:

- a) The site for that building or the Wild Park has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives determined through a risk assessment and which has been agreed in writing by the local planning authority.
- b) Detailed proposals for that building or the Wild Park for the removal, containment or otherwise rendering harmless of any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the local planning authority.

#### *Remediation*

8. Prior to the first occupation of each building or the first use of the Wild Park within any phase of development, the works specified in any Remediation Method Statement detailed in Condition 7 for that building or the Wild Park must be completed and a verification report submitted to and approved in writing by the local planning authority.

#### *Unidentified Contamination*

9. If, during remediation or construction works, any additional or unexpected contamination (AUC) is identified, then: (1) works in the relevant phase shall cease until (2) remediation proposals for the AUC have been agreed in writing by the Local Planning Authority before any further works on the phase proceed and where such

works relate to the construction of a building the remediation proposals shall be fully implemented prior to first occupation of that building hereby approved.

## **Transport**

### *Future Management and Maintenance of Streets*

10. Prior to the commencement of each phase of development, with the exception of below ground works, details of the proposed arrangements for future management and maintenance of the proposed streets under the control of the Applicant within that phase shall be submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details. Where streets are to be adopted, they shall be maintained in accordance with the approved management and maintenance details until such time as such streets are adopted.

### *Car and Cycle Parking*

11. Prior to first occupation of any building within a phase, with the exception of below ground works, a Car and Cycle Parking Management Plan (CCPMP) for that phase shall be submitted to and approved in writing by, the local planning authority. The approved CCPMP for a phase shall include, but not necessarily be limited to, the following details:

- a) how the car and cycle parking spaces will be allocated for each building including, where relevant, on-street parking;
- b) confirmation that car and cycle parking provision for each building will be made available to occupants and maintained in operational condition for the lifetime of the development;
- c) when the surface level car and cycle parking will be made available for use;
- d) how the safety of users and access to the car and cycle parking areas within each building will be controlled and managed, including after hours use; and
- e) the location and appearance of proposed security measures such as gates/shutters across the vehicle entrance/exit.

The development of each phase shall be carried out in accordance with the CCPMP for that phase and retained thereafter.

## **Landscape**

### *Hard and Soft Landscape*

12. Notwithstanding the approved plans, prior to the commencement of development above ground level for each phase, other than demolition, details of a hard and soft landscaping scheme for that phase shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a) existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports);
- b) planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation/planting programme;

c) boundary treatments (including gaps for hedgehogs) indicating the type, positions, design, and materials of boundary treatments to be erected.

d) the planting and establishment of structural landscaping to be provided in advance of all or specified parts of the site as appropriate.

e) details of all tree pits, including those in planters, hard paving and soft landscaped areas. All proposed underground services will be coordinated with the proposed tree planting.

All hard and soft landscape works within each phase shall be carried out and maintained in accordance with the approved landscaping details and programme for delivery for that phase. If within a period of ten years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable.

#### *Irrigation and Maintenance Scheme*

13. Where the approved plans identify that trees are to be planted on a building plot then such building shall not be occupied until an irrigation and maintenance scheme for those trees has been submitted to and approved in writing by the local planning authority. From occupation of such building the approved irrigation and maintenance scheme shall be implemented and thereafter retained.

### **Sustainability**

#### *BREEAM Interim Design Stage Certification*

14. Within six months of commencement of each building (excluding the residential buildings), or as soon as practicable after commencement of that building, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the local planning authority demonstrating that BREEAM 'excellent' as a minimum will be met for that building, with five credits for Wat 01 (water consumption). Where the Design Stage certificate for a building shows a shortfall in credits for BREEAM 'Excellent' accreditation, a statement shall also be submitted identifying how the shortfall for that building will be addressed to secure 'Excellent' accreditation. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

#### *BREEAM Post Construction Certification*

15. Prior to the first use or occupation of each building (excluding the residential buildings) hereby approved, or within six months of first occupation of that building, a BRE issued post Construction Certificate shall be submitted to, and approved in writing by the local planning authority, indicating that the approved BREEAM rating has been met for that building. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

#### *Emission Ratings*

16. No gas fired combustion appliances for any building within each phase shall be installed until details demonstrating the use of low Nitrogen Oxide (NOx) combustion boilers, (i.e., individual gas fired boilers that meet a dry NOx emission rating of  $\leq 40\text{mg/kWh}$ ) for that building have been submitted to and approved in writing by the local planning authority.

If the proposals include any gas fired Combined Heat and Power (CHP) System, the details shall demonstrate that the system meets the following emissions standards for various engine types:

- Spark ignition engine: less than or equal to  $150\text{ mg NOx/Nm}^3$
- Compression ignition engine: less than  $400\text{ mg NOx/Nm}^3$
- Gas turbine: less than  $50\text{ mg NOx/Nm}^3$

The details shall include a manufacturers Nitrogen Oxides (NOx) emission test certificate or other written evidence to demonstrate that every appliance installed meets the emissions standards above.

The approved appliances for each building shall be fully installed and operational before that building is occupied or the use of that building is commenced and retained as such.

## ***Design***

### *Materials*

17. Prior to commencement of each phase of development above ground level, except for demolition, details of all the materials for the external surfaces of buildings to be used in the construction of the development for that phase shall be submitted to and approved in writing by the local planning authority. Only materials specified in the approved details shall be used on that phase of development.

### *Sample Panels*

18. Prior to commencement of each phase of development above ground, except for demolition, sample palettes shall be available to view on site of all the external materials to be used on site for buildings within that phase. Sample palettes shall include sample panels of all bricks proposed to be used on site, together with sheeting material to be used for metal cladding and other materials to be used for fenestration. The brick panels shall be representative of the choice of bond, coursing, special brick patterning, mortar mix and pointing techniques. All details shall be submitted to and approved in writing by the local planning authority. The approved sample panels for a phase are to be retained on site for the duration of the work on that phase for comparative purposes. Works on a phase will take place only in accordance with approved details for that phase.

## ***Drainage***

### *Surface Water Drainage Design*

19. No development above ground level on a phase shall commence until a detailed design of the surface water drainage for that phase, including a management and

maintenance plan of surface water drainage within that phase, has been submitted to and approved in writing by the local planning authority. The design submitted shall distinguish between those parts of the system which are to be adopted by a statutory undertaker and those which are to remain under private ownership. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed:

- Flood Risk Assessment and Drainage Strategy, PJA Civil Engineering Ltd, Ref: 05425-R-03-C-FRA Rev C, Dated: 6 June 2022
- Technical Note, PJA Civil Engineering Ltd, Ref:05425 Version E, Dated: 17 April 2023

and shall also include:

- a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupiers;
- e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- f) Full details of the maintenance/adoption of the surface water drainage system;
- g) Permissions/consents to connect to a receiving watercourse or sewer;
- h) CCTV survey and assessment of the downstream network to demonstrate sufficient capacity to receive additional volumes of surface water;
- i) For the first Phase only, an investigation into downstream connectivity of the First Public Drain Overflow, via dye tracing, of the culverted section beneath the railway lines, adjoining the Site should be undertaken. A Summary Report, with accompanying photographs and plans, should be prepared and submitted to the local planning authority and shared with the Lead Local Flood Authority;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water.

The approved surface water drainage scheme for each phase of development shall be subsequently implemented in full accordance with the approved details prior to the first occupation of any part of the phase of development or in accordance with an implementation programme agreed in writing with the local planning authority and retained thereafter.

#### *Surface Water Drainage (Construction Phase)*

20. Prior to the commencement of each phase of development, details of measures indicating how additional surface water run-off from that phase will be avoided/mitigated during the construction works for that phase shall be submitted to and approved in writing by the local planning authority. The details for a phase shall include collection, balancing and/or settlement systems for these flows as required. The approved measures and systems for that phase or part thereof shall be brought into operation before any works to create buildings or hard surfaces commence on that phase or relevant part thereof.

#### *System Survey & Report*

21. Upon completion of the approved surface water drainage system for each phase, including any attenuation ponds, SuDs and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor for that phase shall be submitted to and approved in writing by the local planning authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the approved details. Where any corrective/remedial works are necessary, details of those works with a timetable for their completion, shall be provided for approval in writing by the local planning authority. Any corrective/remedial works required for a phase shall be carried out in accordance with the approved details and timetable for that phase and subsequently re-surveyed by an appropriately qualified Chartered Surveyor or Chartered Engineer, with their findings submitted to and approved in writing by the local planning authority.

#### *Foul Water*

22. Prior to the commencement of each building within a phase of development above ground level a scheme for the provision and implementation of foul water drainage for that building shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first occupation of each building within a phase or in accordance with an implementation programme agreed in writing with the local planning authority.

#### ***Airport safety***

##### *Bird Hazard Management Plan*

23. Prior to commencement of buildings within each phase of development above ground level, other than demolition, a Bird Hazard Management Plan for that phase shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include details of the management of any flat/shallow

pitched/green roofs on buildings within that phase which may be attractive to nesting, roosting and loafing birds.

The Bird Hazard Management Plan for a phase shall be implemented as approved and shall be managed in accordance with the Plan for the life of the buildings within that phase.

*Glint and glare*

24. Prior to the installation of any PV panels on the roof of any building, a Glint and Glare Assessment for the PV panels on that building shall be submitted to and approved in writing by the local planning authority. No PV panels shall be installed on a building other than in accordance with the approved details for that building.

**Environmental Amenity**

*Noise (plant/equipment)*

25. Prior to the commencement of each phase of development above ground level, a noise assessment and a scheme for the insulation of the building(s) and/or associated plant / equipment or other attenuation measures for each building, designed to minimise and mitigate the level of noise emanating from the building(s) and/or plant/equipment shall be submitted to and approved in writing by the local planning authority for that phase. The scheme for each building as approved shall be fully implemented before the first occupation of that building and shall thereafter be maintained in strict accordance with the approved details for the life of the development.

*Odour – details of extraction*

26. Prior to the first occupation of any building within each phase of development which is to contain a commercial kitchen, a scheme detailing plant, equipment and machinery used for the purposes of extraction, filtration and abatement of cooking odours for that building shall be submitted to and approved in writing by the local planning authority. The approved scheme for a building shall be installed and fully implemented before the first occupation of that building and shall thereafter be maintained in strict accordance with the approved details.

*Height Limitations on Buildings and Structures*

27. No building or other structure, whether temporary or permanent shall be permitted to be erected on the site at any time which exceeds 51 metres Above Mean Sea Level (AMSL).

*Compliance with Environmental Statement*

28. The development shall be carried out in accordance with the mitigation measures set out in Table 20.1 of the Environmental Statement (dated June 2022) and the following Technical Notes:

- a) Technical Note by PJA Civil Engineering Ltd (Ref:05425 Version E dated 17 April 2023)
- b) Technical Note by Temple Group Ltd (Ref:T6118 dated 20 April 2023)



- c) Technical Note ECO00253 CN Phase 2 by RPS Consulting Services Ltd (RPS) dated 5 May 2023

*Implementation of the Low Emissions Strategy*

29. The development hereby approved shall be carried out in accordance with the Cambridge North Low Emission Strategy, PJA, August 2022 Version B. Prior to first occupation or use of any building hereby approved, a detailed implementation plan shall be submitted to and approved in writing by the local planning authority for that building. The implementation plan for a building shall show the location of electric vehicle charge points (at least 25% of the new car parking spaces to have electric charging points with passive provision for the remainder), capacity, charge rate, details of model, location of cabling and electric infrastructure drawings to include passive charge point provision for all remaining spaces connected to that building. The electric vehicle charge points for each building shall be installed within that building prior to first use of that buildings in accordance with the approved implementation plan and retained thereafter.

*Hours of Works*

30. No construction or demolition work shall be carried out and no plant or power operated machinery shall be operated in connection with the construction of the development other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

*Commercial Deliveries*

31. Collection from and deliveries to any non-residential premises including those with retail, food or commercial uses shall only take place between the hours of 07.00 to 23.00 Monday to Saturday and 0900 to 1700 on Sunday, Bank and other Public Holidays.

**Conditions applicable to that part of the application that was submitted in full with full details**

*Time Limit*

32. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Approved Plans*

33. The development hereby permitted shall be carried out in accordance with the approved documents, as listed at Schedule 1 of this decision, save for where such details are superseded by further details being submitted to and approved by the local planning authority pursuant to the conditions attached to this permission.

*Change of Use Class E*

34. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the buildings S4, S6 and S7 shall only be used for office (Use Class E(g)(i)) and research and development (Use Class E(g)(ii)) uses above ground floor level and for no other use without the granting of a specific planning permission.

*Change of Use Class E & F*

35. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the ground floor use of buildings S4, S5, S6 and S7 (other than those connected with the operation of the mobility hub) shall only be used for Class E (excluding Class E (g) (iii)) and Class F and for no other use without the granting of a specific planning permission.

**Conditions applicable to that part of the application which was submitted in outline and without full details**

*Outline Permission (Reserved matters)*

36. Prior to the commencement of each phase of development, details of the appearance, layout and scale, (hereinafter called the 'reserved matters') for that phase shall be submitted to and approved in writing by the local planning authority. The development of each phase shall be carried out as approved.

*Time Limit*

37. Application(s) for approval of the reserved matters for any phase in outline shall be made to the local planning authority before the expiration of five years from the date of this permission. The development of each outline phase shall commence before the expiration of three years from the date of approval of the last of the reserved matters of that phase to be approved.

38. The development hereby permitted shall be carried out in accordance with the approved documents as listed at Schedule 2 of this decision, save for where such details are superseded by further details being submitted to and approved by the local planning authority pursuant to the conditions attached to this permission.

*Quantum of Development (compliance)*

39. The development pursuant to the outline element of this permission of the uses listed below shall not exceed the following development levels:

- a) three residential blocks providing up to 425 residential (Use Class C3) units.
- b) up to 1,366sqm of flexible Class E and Class F floorspace (excluding Class E (g) (iii)) at ground floor level of the residential blocks.
- c) two commercial buildings providing up to 22,538 sqm of Classes E(g) i(offices) and ii (research and development) floorspace (NIA).
- d) up to 1,366 sqm of flexible Class E and Class F floorspace (NIA) (excluding Class E (g),(iii)) at ground floor level of the two commercial buildings.

**Residential amenity**

*Internal Noise Levels*

40. Each reserved matters application for a phase containing residential development pursuant to this outline permission shall include (for the written approval of the local planning authority) a noise assessment and noise attenuation / insulation scheme for such residential development (having regard to the building's fabric, glazing and mechanical ventilation requirements) identifying measures to protect occupiers of that residential development from traffic noise emanating from Milton Road, the A14, primary routes through the site, and the Cambridge Guided Busway, which shall be submitted to the local planning authority for approval.

The noise insulation scheme for a reserved matters application shall demonstrate that the external and internal noise levels recommended in British Standard 8233:1999 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded) can be reasonably achieved for the relevant part of the development and shall include a timescale for phased implementation of any recommended mitigation measure contained in the assessment.

The scheme for each part of the residential development within a phase or part thereof as approved shall be fully implemented prior to first occupation of that part of the residential development and shall thereafter be retained in perpetuity.

*Housing Mix*

41. Applications for reserved matters for a phase of development which contains residential units shall include the following details of housing mix:

- a) A plan showing the location and distribution of market and affordable units (including tenure type)
- b) Internal areas for each unit of accommodation; and
- c) A schedule of dwelling sizes (by number of bedrooms).

*Residential Space Standards*

42. For each reserved matters application for a phase of development containing residential development pursuant to this outline permission details of the layout of the dwelling(s) as required by condition 36 above, shall demonstrate that all the dwelling(s) meet or exceed the Government's Technical Housing Standards - Nationally Described Space Standard (2015) or successor document.

#### *M4(2) Units*

43. At least 5% of all residential units within each reserved matters phase of development shall be designed to meet the accessible and adaptable dwellings M4 (2) standard of the Building Regulations 2010 (as amended) or successor document. A compliance statement shall be submitted with any reserved matters application for layout in relation to any phase of development or part thereof containing residential development pursuant to this outline permission to demonstrate the key principles have been achieved. In the event that such standards are replaced by an alternative national measure for building design applicable at the time of submission of any reserved matters application then the equivalent measures shall be applicable to the relevant part of the proposed development.

#### *Lift access*

44. Within any reserved matters application for a phase of development containing residential development pursuant to this outline permission details of any lifts proposed within the proposed residential building(s) shall be provided. The lifts shall be retained and maintained in a safe and operational condition for the lifetime of the building(s) which they serve.

### ***Sustainability***

#### *Sustainability and Energy Statements*

45. Each reserved matters application for a phase of development pursuant to this outline permission shall be accompanied by a Sustainability Statement setting out how the proposals meet the sustainability targets and commitments set out in the Cambridge North Sustainability Strategy, Hoare Lea, Revision 03 26 May 2022 as updated by (i) the Addendum to the Sustainability Strategy, Hoare Lea, Revision 1, 23 August 2022; (ii) the Cambridge North Energy Strategy, Hoare Lea, Issue 01 27 May 2022; and (iii) the Energy Strategy Addendum, Hilson Moran, 20 September 2022. Where the statement relates to part of the residential development, the statement shall also include details for the development of separate energy consumption targets for that part of the residential development within the phase of development.

The Sustainability Statement shall be subsequently implemented in full accordance with the approved details and maintained thereafter.

### ***Water Conservation***

46. Each reserved matters application for a phase of development pursuant to this outline permission which include a residential component shall be accompanied by a Water Conservation Strategy for the written approval of the local planning authority. The strategy shall include a water efficiency specification for each dwelling type, based on the Fitting Approach set out in Part G of the Building Regulations 2010

(2015 edition or any future successor) demonstrating that all dwellings (when considered as a whole) are able to achieve a typical design standard of water use of no more than 89 litres/person/day, as far as reasonably practicable. The approved strategy for a residential dwelling shall be subsequently implemented in full accordance with the approved details prior to first occupation of that residential dwelling and thereafter shall be retained.

**Broadband provision (compliance)**

47. No dwelling shall be first occupied until the necessary infrastructure to enable that dwelling to directly connect to and receive fibre optic broadband is installed and is capable of being fully operative.

*Change of Use Class E & F (compliance)*

48. Notwithstanding the provisions of Article 3 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification), the ground floor use of the commercial and residential buildings shall only be used for uses within Class C3, Class E (excluding Class E (g) (iii)) and/or Class F and for no other use. The exception to this is the community room to be provided in Building S13-S16 which shall be used for uses within Use Class F2(b) only and for no other for no other use.

49. The dwellings and commercial accommodation hereby permitted shall not be occupied until either the Grafham Transfer is operational, or the Water Resources Management Plan for the Cambridge Water operating area covering the period 2025 to 2050 is published following approval by the Secretary of State and any intervention measures necessary to maintain and deliver water in advance of the Grafham Transfer have been implemented.

**SCHEDULE 1 – APPROVED PLANS FOR THE FULL APPLICATION**

DRAWING REFERENCE	TITLE	DATE
<b><i>Site-Wide - General</i></b>		
239-ACME-PLA-S00-0010	Location Plan	June 2022
239-ACME-PLA-S00-0011	Site Plan	June 2022
<b><i>Site-Wide Landscape Plans - Detail</i></b>		
630_01(MP)001 P5	Landscape Masterplan	April 2023
630_01(MP)002 P3	Ecology Strategy Ground Floor	April 2023
630_01(MP)003 P1	Ecology Strategy Roof	June 2022
630_01(MP)004 P3	Public Open Space Provision	April 2023
630_01(MP)005 P2	Hard Landscape Strategy (West)	October 2022
630_01(MP)006 P2	Hard Landscape Strategy (East)	October 2022
630_01(MP)007 P2	Hard Landscape Strategy (Wild Park)	October 2022
630_01(MP)008 P2	Tree Strategy	October 2022
630_01(MP)009 P1	Planting Strategy (West)	June 2022
630_01(MP)010 P1	Planting Strategy (East)	June 2022
630_01(MP)011 P1	Levels and Drainage (West)	June 2022
630_01(MP)012 P1	Levels and Drainage (East)	June 2022
630_01(MP)013 P1	Levels and Drainage (Wild Park)	June 2022
630_01(MP)014 P3	Attenuation Strategy	April 2023
630_01(MP)015 P1	Furniture Strategy (West)	June 2022
630_01(MP)016 P1	Furniture Strategy (East)	June 2022
630_01(MP)017 P1	Furniture Strategy (Wild Park)	June 2022
630_01(MP)019 P1	Roof Strategy	June 2022
630_01(MP)020 P3	Tree Root Cell Extents	April 2023
630_01(MP)021 P2	Wild Park and Aggregates Yard Interface	October 2022
630_01(MP)022 P1	Cycle Strategy (West)	October 2022
630_01(MP)023 P1	Cycle Strategy (East)	October 2022
630_01(MP)024 P1	Proximity to Mineral Safeguarded areas	October 2022
630_01(MP)101 P1	Milton Avenue 1 of 2	June 2022
630_01(MP)102 P1	Milton Avenue 2 of 2	June 2022
630_01(MP)103 P2	Chesterton Way 1 of 3	October 2022
630_01(MP)104 P2	Chesterton Way 2 of 3	October 2022
630_01(MP)105 P2	Chesterton Way 3 of 3	October 2022
630_01(MP)106 P2	Cowley Road North	October 2022
630_01(MP)107 P2	Cowley Road East	October 2022
630_01(MP)108 P1	The Link	June 2022
630_01(MP)109 P2	Bramblefields Way	October 2022
630_01(MP)201 P2	1 Milton Avenue and Milton Walk	October 2022
630_01(MP)202 P2	Chesterton Square	October 2022
630_01(MP)203 P2	Station Row	October 2022
630_01(MP)204 P1	Station Row Features	June 2022
630_01(MP)205 P2	Piazza	October 2022
630_01(MP)206 P1	Station Row Passage	June 2022
630_01(MP)207 P1	Chesterton Passage	June 2022

630_01(MP)208 P1	Cowley Circus	June 2022
630_01(MP)209 P3	Wild Park	April 2023
630_01(MP)210 P2	Typical Meanwhile Use for Pocket Park	October 2022
630_01(MP)212 P1	Roof Garden – Labs	June 2022
630_01(MP)213 P1	Roof Garden – 1 Milton Avenue	June 2022
630_01(MP)301 P1	Residential Masterplan	June 2022
630_01(MP)304 P1	Play Areas – LEAP and LAP	June 2022
630_01(MP)305 P1	Play Areas – Natural Play	June 2022
630_01(MP)306 P1	Play Areas – Wild Park	June 2022
630_01(MP)307 P1	Residential Roof Garden Masterplan	June 2022
630_01(MP)308 P1	Roof Garden Features	June 2022
630_01(CD)001 P1	Typical Tree pit in hard landscaping	June 2022
630_01(CD)002 P1	Typical Tree pit in soft landscaping	June 2022
630_01(CD)003 P1	Typical Tree pit in raised planter over basement	June 2022

### **Site-Wide Highways**

#### **Plans - Detail**

05425-C-2203-P2	Fire Tender Tracking (Sheet 1 of 2)	October 2022
05425-C-2204-P2	Fire Tender Tracking (Sheet 2 of 2)	October 2022
05425-C-2205-P1	Lab Servicing Access Swept Path Analysis Refuse Vehicle	June 2022
05425-C-2206-P2	Rigid Truck Tracking	October 2022
05425-C-2207-P1	Refuse Vehicle Tracking (Plan)	June 2022
05425-C-2208-P0	Whole Site Refuse Vehicle Tracking	October 2022

#### **Building S04**

1781-MAKE-S04-PA1999 Rev 01	S4 Basement Plan	October 2022
1781-MAKE-S04-PA2000 Rev 01	S4 Ground Floor Plan	October 2022
1781-MAKE-S04-PA2001 Rev 01	S4 Level 01 Plan	October 2022
1781-MAKE-S04-PA2002 Rev 01	S4 Levels 02-04 Typical Plan	October 2022
1781-MAKE-S04-PA2005 Rev 01	S4 Level 05 Plan	October 2022
1781-MAKE-S04-PA2006 Rev 01	S4 Level 06 Plan	October 2022
1781-MAKE-S04-PA2007 Rev 01	S4 Level 07 Plan: Plant	October 2022
1781-MAKE-S04-PA2008 Rev 01)	S4 Roof Plan	October 2022
1781-MAKE-S04-PA2200	S4 Proposed East Elevation	June 2022
1781-MAKE-S04-PA2201	S4 Proposed South-East Elevation	June 2022
1781-MAKE-S04-PA2202	S4 Proposed South-West Elevation	June 2022
1781-MAKE-S04-PA2203	S4 Proposed North-West Elevation	June 2022
1781-MAKE-S04-PA2250 Rev 01	S4 Proposed Section AA and Section BB (Short and Long Section)	October 2022

#### **Building S05**

239-ACME-PLA-S05-0100	S5 Location Plan	June 2022
239-ACME-PLA-S05-1100	S5 Ground Floor Plan	June 2022
239-ACME-PLA-S05-1101	S5 First Floor Plan	June 2022
239-ACME-PLA-S05-1102	S5 Second Floor Plan	June 2022
239-ACME-PLA-S05-1103	S5 Third Floor Plan	June 2022
239-ACME-PLA-S05-1104	S5 Fourth Floor Plan	June 2022
239-ACME-PLA-S05-1105	S5 Roof Plan	June 2022
239-ACME-PLA-S05-1110	S5 Basement Plan Acme	June 2022
239-ACME-PLA-S05-1200	S5 Mobility Hub Section	June 2022
239-ACME-PLA-S05-1300	Western And Eastern Elevations	June 2022
239-ACME-PLA-S05-1301	Northern And Southern Elevations	June 2022
<b>Building S06 and S07</b>		
1818-MAKE-S06-PA1949 Rev 01	S6 and S7 Combined Basement Plan	October 2022
1818-MAKE-S06-PA1950 Rev 02	S6 and S7 Combined Ground Floor Plan	October 2022
1818-MAKE-S06-PA1999 Rev 01	S6 Basement Plan	October 2022
1818-MAKE-S06-PA2000 Rev 02	S6 Ground Floor Plan	October 2022
1818-MAKE-S06-PA2001	S6 Levels 01-02 Typical Plan	June 2022
1818-MAKE-S06-PA2003	S6 Level 03 Plan	June 2022
1818-MAKE-S06-PA2004	S6 Level 04 Plan: Plant	June 2022
1818-MAKE-S06-PA2005	S6 Roof Plan	June 2022
1818-MAKE-S07-PA1999 Rev 01	S7 Basement Plan	October 2022
1818-MAKE-S07-PA2000 Rev 02	S7 Ground Floor Plan	October 2022
1818-MAKE-S07-PA2001	S7 Levels 01-02 Typical Plan	June 2022
1818-MAKE-S07-PA2003	S7 Level 03 Plan	June 2022
818-MAKE-S07-PA2004	S7 Level 04 Plan: Plant	June 2022
818-MAKE-S07-PA2005	S7 Roof Plan	June 2022



1818-MAKE-S06-PA2150 Rev 01	S6 and S7 Combined North-West Elevation	October 2022
1818-MAKE-S06-PA2151 Rev 01	S6 and S7 Combined South-East Elevation	October 2022
1818-MAKE-S06-PA2200 Rev 01	S6 Proposed North-West Elevation	October 2022
1818-MAKE-S06-PA2201	S6 Proposed North-East Elevation	June 2022
1818-MAKE-S06-PA2202 Rev 01	S6 Proposed South-East Elevation	October 2022
1818-MAKE-S06-PA2203	S6 Proposed South-West Elevation	June 2022
1818-MAKE-S06-PA2240	S6 and S7 Proposed Combined Section AA (Long Section)	June 2022
1818-MAKE-S06-PA2250	S6 Proposed Section BB and Section CC (Short and Long Section)	June 2022
1818-MAKE-S07-PA2200 Rev 01	S7 Proposed North-West Elevation	October 2022
1818-MAKE-S07-PA2201 Rev 01	S7 Proposed North-East Elevation	October 2022
1818-MAKE-S07-PA2202 Rev 01	S7 Proposed South-East Elevation	October 2022
1818-MAKE-S07-PA2203	S7 Proposed South-West Elevation	June 2022

## **SCHEDULE 2 – APPROVED PLANS FOR THE OUTLINE APPLICATION**

<b>Drawing reference</b>	<b>title</b>	<b>Date</b>
239-ACME-PLA-S01-0101 Rev A	Existing Site Conditions	October 2022
239-ACME-PLA-S01-0102 Rev A	Building Layout and Application Type	October 2022
239-ACME-PLA-S01-0103 Rev A	Maximum Building Envelope – Basement	October 2022
239-ACME-PLA-S01-0104 Rev A	Maximum Building Envelope – Ground Floor Level	October 2022
239-ACME-PLA-S01-0105 Rev A	Maximum Building Envelope – Typical Level	October 2022
239-ACME-PLA-S01-0106 Rev A	Building Heights Plan	October 2022
239-ACME-PLA-S01-0107 Rev A	Proposed Uses – Ground Floor	October 2022

239-ACME-PLA-S01-0108 Rev A	Access Plan	October 2022
239-ACME-PLA-S01-0109 Rev A	Landscape and Open Spaces Plan	October 2022
239-ACME-PLA-S01-0300	Parameter Plans Area Schedule	June 2022

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**Bidwell (LVIA) Viewpoints and Comparative Node (Council) Viewpoints**

<b>Bidwell Viewpoint</b>	<b>Node Viewpoint</b>
<b>Viewpoint 2 Bramblefields LNR</b>	<b>8,9</b>
<b>Viewpoint 4 Milton Road/Cowley Park:</b>	<b>13</b>
<b>Viewpoint 5 Ditton Meadows</b>	<b>1,2,3</b>
<b>Viewpoint 6 Fen River Way</b>	<b>19,21</b>
<b>Viewpoint 8 Harcamlow Way, north of Fen Ditton</b>	<b>20</b>
<b>Viewpoint 9 Horningsea Road/Field Lane</b>	<b>24,25</b>
<b>Viewpoint14 Milton Road</b>	<b>12</b>
<b>Viewpoint 16 Stourbridge Common</b>	<b>5 ,6</b>
<b>Viewpoint 20 A14 Bridge over the River Cam</b>	<b>18</b>
<b>Viewpoint E1 Chisholm Trail bridge over River Cam</b>	<b>7</b>
<b>Viewpoint E5 Guided Busway and Discovery Way</b>	<b>11</b>
<b>Viewpoint E6 Fen Road</b>	<b>16,17</b>

**LVIA Viewpoints ( ES Appendix 12.3 Page 2)**







# Department for Levelling Up, Housing & Communities

[www.gov.uk/dluhc](http://www.gov.uk/dluhc)

## RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

## SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS

The decision may be challenged by making an application for permission to the High Court under section 288 of the Town and Country Planning Act 1990 (the TCP Act).

### Challenges under Section 288 of the TCP Act

With the permission of the High Court under section 288 of the TCP Act, decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application for leave under this section must be made within six weeks from the day after the date of the decision.

## SECTION 2: ENFORCEMENT APPEALS

### Challenges under Section 289 of the TCP Act

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

## SECTION 3: AWARDS OF COSTS

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

## SECTION 4: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the Inspector's report of the inquiry or hearing within 6 weeks of the day after the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.