



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

REBUTTAL PROOF OF EVIDENCE

of Stephen Connell BA (Hons), Dip TP, MRTPI

**on behalf of Shared Greater Cambridge
Planning Services**

104 – 112 Hills Road Cambridge

LPA Reference: 20/03429/FUL

PINS Reference: APP/Q505/W/21/3282911

For the avoidance of doubt, this rebuttal proof has been prepared to save time at the inquiry and provides a written response on various matters of disagreement with that in mind. It does not purport to respond in relation to each area of disagreement. The absence of any comment on a specific issue does not indicate my (or the Council's) acceptance of any of the points made in the Appellant's evidence.

Points of Rebuttal Mr Mike Derbyshire

1. Mr Derbyshire's proof of evidence promotes the Appeal Proposal as a 'campus' development. I disagree for the reasons set out in Amanda Reynolds proof of evidence [section 2.3]. I consider one of the key factors of creating a campus style development would be to take the opportunities to introduce a mixed-use scheme, to include residential development, in line with a policy compliant development.

Opportunity Costs

2. P8.5-8.6 – The opportunity cost of the Appeal Proposal is housing. There is a need to balance the three strands of sustainability: economic, social and environmental. Paragraph 2.25 of the Local Plan recognises there is a need for new homes to support jobs. Furthermore, paragraph 74 of the NPPF requires local authorities to provide a *minimum (my italics)* of 5 years' supply. The key point is that a 5-year housing land supply sufficiency does not of itself justify the release of land allocated for housing development. It is my understanding that the Appellant's case is that the extant permission represents a fall-back scheme and would be built-out if the appeal is dismissed. This therefore represents a 'real' opportunity cost in terms of delivering a mixed-use scheme to include market and affordable housing.

Policy 21 [M44]

3. Mr Derbyshire's position is that notwithstanding that the Appeal Proposal does not provide for residential within the appeal site this does not render the scheme in conflict with Policy 21. In this connection, my proof of evidence identifies that the Appeal Proposal is in direct conflict with an up-to-date Development Plan. Policy 21 identifies 3 separate allocated sites. The Appeal Proposal is allocated as [M44]. Site M44 seeks a mixed-use scheme which includes an element of residential development. I therefore consider that the Appeal Proposal is in direct conflict with Policy 21.

4. P8.13 – Mr Derbyshire considers the reference to residential within the policy is largely driven by the extant permission. However, he fails to provide any evidence to support this contention. To my mind, Mr Derbyshire fails to acknowledge the importance of the site allocation of M44 as an up-to-date, site specific, evidenced based Development Plan Policy. This is fundamental to the assessment of the Appeal Proposal as required by s38 of the Act.

5. The need for office accommodation was supported by extensive allocations in the previous Local Plan process. I acknowledge that the Costar analysis [ELEDS- C.D5.7] identifies that there is limited current notional supply of B1a floorspace of 0.31 in the Prime Central area. Page 34. However, to note, the figures for notional supply in the document are “total amount of floorspace advertised as available on CoStar divided by average annual take-up recorded on CoStar for the same area. This differs from committed supply as determined by planning authority monitoring data where allocations are not yet available to businesses as not built nor having planning permission”. Page 33.

6. However, the overall analysis of employment land within the study, which includes a detailed assessment of demand between 2020 and 2041 and employment land supply, including all permissions and allocations, does not identify a significant shortfall for B1a office space under either the central / medium or higher growth scenarios. However, I acknowledge the document identifies a blurring of R&D and office space which the study expects there to be a shortfall of B1a/b within the higher growth scenario. However, the study identifies the North-East Cambridge as playing a key role in providing for any shortfall in

any event (pages 114-117). Development has commenced at the Cambridge North Site (North-East Cambridge) adjacent to the train station (One Cambridge Square).

7. In terms of the appeal site, I am also mindful that a mixed-use development would provide an extensive element of offices [B1a] floor space in any event.

8. Table 3 of Mr Derbyshire's proof sets out a list of public benefits of the Appeal Proposal. Some are newly introduced, and the weighing terminology differs from mine.

9. With the above in mind, I will approach the Appellants with a view to agreeing an addendum statement of common ground specifically setting out in a table the public benefits together with a common grading scale agreed by both parties for the weighing process. This will clearly identify the differences between the parties. However, as the matters are not agreed at this stage I would respond as follows:

Economic

Need	Moderate
Economic Benefit	Significant
The cluster effect	See Economic Benefit *
GVA	See Economic Benefit *

Additional employment	See Economic Benefit*
Business Rates	See Economic Benefit*

Social

Retention of Pub	(if viable) Mod-Substantial
Public Realm	Negative
Wellbeing	Negative
Sustainable location	Moderate
Architecture	Negative-limited
Improvements	Negative -Limited

Environment

PDL	Substantial p120 NPPF
Accessible location	Moderate
Response to climate	Moderate
Biodiversity	Moderate
100% electric charging	See response to climate*

* matters can be dealt within one heading

10. I note Mr Derbyshire’s assessment of the weight to be accorded to the public benefits of the Appeal Proposal. Furthermore, an assessment of the public benefits of the Appeal Proposal are set out in my proof of evidence. However, when weighing the public benefits of the Appeal Proposal, it is important to acknowledge that site is allocated for mixed-use development (and in my opinion to include residential development). In this connection, a development on the site that has less impact on heritage and townscape matters would equally have public benefits.

Therefore, an alternative, Policy 21 compliant scheme, which has less impact upon the heritage and townscape would have the prospect of equal or enhanced public benefits to the Appeal Proposal.

Clusters

11. P5.21-27 I have no argument with this in principle, however this does not justify the whole site being used for office development. The extant scheme or any further development of that proposal would also contribute office space and reinforce the cluster principle. It needs the housing to reduce the negative impact of a local mono-culture of office use only in this site allocation.

Policy 3 – Development Plan

12. In terms of paragraph 6.13, I would not expect an overarching policy such as Policy 3 to be overly prescriptive where residential development is to be located given the need to take account of other policies within the Development Plan, such as in this case, Policy 21 M44. However, Policy 3 clearly set out that the fundamental aim of the policy is the creation of strong, sustainable, cohesive and inclusive mixed-use communities making the most effective use of previously developed land and

enabling the maximum number of people to access services and facilities.

13. Paragraph 6.14 – the housing land supply figure is combined with South Cambridgeshire and not a City Council one alone.
14. In terms of paragraph 7.41, I agree that the emerging joint Local Plan is at a very early stage and should be given limited weight.
15. I am mindful that the results of evidence base reports which feed into an emerging Local Plan should not be used in this Inquiry to extrapolate and predict any future planning policies. That is the matter for the Local Plan process and examination.
16. In terms of paragraph 8.14, I agree that the site is not included in the housing trajectory. However, the reason for this is set out in C.46 of the Housing Trajectory and Five Year Housing Land Supply April 2020. “It is unclear exactly when the residential element of this planning permission will be started and completed as the landowner (PACE(Cambridge) Ltd) did not provide a completed questionnaire as part of the preparation of the Greater Cambridge Housing Trajectory (November 2019)”

Pub Viability

17. 8.21 onwards – Mr Derbyshire disputes that insufficient information was provided at the planning application stage to demonstrate that the development would adversely affect viability of the public house. However, I consider there is limited evidence provided in his proof to support his assertions. Mr Derbyshire relies on the evidence provided by Daniel Mackernan's. However, I consider Mr Mackernan's proof of evidence acknowledges that insufficient evidence was provided at the application stage to demonstrate that the proposed reconfigured pub would be viable (p11.1..5).

