

SUMMARY HERITAGE PROOF OF EVIDENCE FOR THE APPELLANT

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APPEAL BY BROOKGATE LAND LTD

LAND NORTH OF CAMBRIDGE NORTH STATION, MILTON AVENUE, CAMBRIDGE

PLANNING APPLICATION REFERENCE: 22/02771/OUT

PINS REFERENCE: APP/W0530/W/23/3315611

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1. Qualifications and experience

- 1.1 My name is Dr Jon Burgess. I am a Member of the Royal Town Planning Institute and the Institute of Historic Building Conservation. I have been a planner specialising in heritage issues for more than thirty years in both public and private sectors.

2. Background and Scope

- 2.1 I was appointed by Brookgate in December 2022. I was not involved in the work which supported the Appeal Scheme which was undertaken by a former colleague. I have discussed the scheme with her and am familiar with the site and viewpoints of it.
- 2.2 I address Reason for Refusal 2 which alleges harm to the settings of the Fen Ditton and Riverside and Stourbridge Common Conservation Areas. I also consider the impact on the setting of the Registered Park and Garden at Anglesey Abbey and the Bait's Bite Lock Conservation Area as they were commented upon during the application.
- 2.3 I aim to follow the '*staged approach to proportionate decision-taking*' advocated in Historic England's Setting Guidance (CD5.24).

3. Brief overview of the appeal scheme

- 3.1 I briefly describe the Appeal Scheme which includes an outline element for three residential and two commercial blocks; and three commercial buildings and a car and cycle parking building as a full application.

- 3.2 I note that the maximum height of the existing Novotel Building is 25.8m whilst the proposed buildings on the eastern boundary have maxima of 18.31m (mobility hub) and 22.1m (commercial buildings) respectively. Behind the eastern edge, the recently completed One Cambridge Square building reaches 30.2m in height and that the proposed S8 and S9 buildings adjacent have a maximum height of 25.8m. Only S4 is slightly taller at 30.835m.

4. Heritage Assets

The Fen Ditton Conservation Area

- 4.1 This covers the L-shaped village which sits c.2.5 miles (4km) NE of central Cambridge. The church sits at the elbow of the 'L' where, with the Old Rectory, war memorial and enclosing trees, it forms the focal point of the village. To the west, the river is important to the village's historic interest as a former riverport and within the boundary are the watermeadows which run south to Stourbridge Common.

Contribution of Setting to the Heritage Significance

- 4.2 The land north and east contributes to the area's heritage significance by tying the village to the agricultural land around it.
- 4.3 The view of the village church rising above the water meadows from the south is particularly striking. Views to the river are important but within them views of development on the west bank and of urbanising elements has been a feature since at least the Victorian era and were certainly evident in 2005 when the conservation area appraisal was written.

Riverside and Stourbridge Common Conservation Area (RASCCA)

- 4.4 This large, varied conservation area traces the River Cam corridor through the urban area until it reaches the City boundary and joins the Fen Ditton Conservation Area.

Contribution of setting to Heritage Significance

- 4.5 There are no views of rolling countryside and one is always aware of development on the north bank. The more rural feel is provided by the views to Fen Ditton village. Setting contributes little to the area's heritage significance.

Bait's Bite Lock Conservation Area

- 4.6 This small conservation area runs from the A14 and is centred on the lock and surrounding buildings but includes Biggin Abbey set in fields between the river and the Horningsea Road.

Contribution of setting to Heritage Significance

- 4.7 Trees generally enclose the river corridor and prevent long views but looking south the A14 dominates. Despite the presence of roads and pylons, the agricultural land provides some contribution to the setting particularly of Biggin Abbey.

Anglesey Abbey Registered Park and Garden

- 4.8 The Grade II* grounds cover 40ha surrounding the Grade I listed house dating from the C13. Although some C19 and earlier garden features and planting survive, much of the character was the work of Lord Fairhaven who planted extensively and added an outstanding collection of statuary from 1925 to 1966.

Contribution of setting to heritage significance

- 4.9 Although surrounded by flat agricultural land, the RPG description notes that the grounds are enclosed from it by dense perimeter planting. Vistas over the land beyond are not a feature of this asset.
- 4.10 The extreme western end of the Coronation Avenue is the only break in the tree belt which gives a view over farmland. This was intended to be terminated by a folly. Today there is a bench, pointing back down the avenue and into the gardens. This one small area from where the surrounding land can be seen contributes minimally to the heritage significance of the gardens.

5. Potential Impact of the Appeal Scheme on Heritage Significance

The Fen Ditton Conservation Area

- 5.1 Other than from parts of Green End, there will be no views of the Appeal site from village streets, the core around the church or from the agricultural land to the east. Similarly, the view towards the church from the meadows will be unaffected.
- 5.2 There will be some views of the Appeal site from the water meadows but this will not affect the physical separation of village from the city and built form is already visible.
- 5.3 There will be some visibility of the Appeal site from parts of Green End. Numerous buildings and structures are already visible and so the effect will be a feeling of increasing development causing harm at the very lowest end of the less than substantial harm scale to the significance of the conservation area.

The Riverside and Stourbridge Common Conservation Area

- 5.4 The feeling of the river corridor becoming gradually more rural as one walks out of the city is best appreciated when looking towards Fen Ditton village not towards the appeal site. Nevertheless, I accept that a feeling of increased development greater than 2-3 storeys will add to the feeling of urbanisation on the north / west bank and will cause harm at the very lowest end of the less than substantial scale.

Bait's Bite Lock Conservation Area

- 5.5 Views of the site when walking out of the area and from places where urbanising elements are already very apparent will not harm the conservation area's setting and the way this contributes to the heritage significance of the area.

Anglesey Abbey Registered Park and Garden

- 5.6 Even from the extreme end of Coronation Avenue, there will be no view of the proposed development. Even if there was, visibility at this distance would not equate to harm and I find no harm to the heritage significance of the Anglesey Abbey RPG.

6. Other Relevant Issues

- 6.1 Whilst all parties agree that the Area Action Plan for North East Cambridge (NECAAP) should carry very limited weight in the determination of this inquiry, the Council suggest that the Heritage Impact Assessment¹ (HIA) and the Townscape Strategy² (TS), produced as part of the evidence base, do. I consider these documents rather than questioning the logic of this.
- 6.2 The TS suggests heights rising from 12m on the Eastern Boundary to 15m immediately behind with a landmark of potentially 24m and buildings of up to 21m with a district landmark of up to 39m within the site as a whole.
- 6.3 Based on these, the HIA suggests harm to the Fen Ditton Conservation Area ‘at the lowest end of the less than substantial harm scale’. A similar conclusion is reached for the RASCCA and Bait’s Bite Lock areas (the latter seemingly relating to the tallest building elements) and despite the possible 13 storey building, it suggests no likely harm to the Anglesey Abbey RPG.

¹ North East Cambridge Heritage Impact Assessment; Chris Blandford Associates (Sept 2021)(CD 5.14)

² North East Cambridge Townscape Strategy Final Report: Urban Initiatives Studio (October 2021) (CD 5.15)

7. Heritage Impact

- 7.1 In line with Step 4 of the HE setting guidance (CD no 5.24.) I explain how the heritage, townscape and LVIA work influenced the emerging designs and refer to Section 4 in our earlier work (CD 1.31). These all raised the quality of the design, articulated and softened the eastern edge and reduced impacts on the wider surroundings.
- 7.2 All parties agree that the level of harm to heritage assets is less than substantial harm. Whilst the LPA, HE and the CPPF suggest this is moderate in terms of the Fen Ditton and RASCCA areas, we consider the harm to be very low. The HIA produced for the NECAAP also considered the harm to be 'lowest'³. In addition, HE alleges moderate harm to the Bait's Bite Lock CA. This does not appear in the Council's reason for refusal.
- 7.3 I quote the Conservation Officer's comments (CD 3.19) and disagree with his conclusions as spaces will be unaffected and this area is not a 'non-urban' or rural landscape as urbanising elements have been apparent since the C19 and are clearly mentioned in the conservation area appraisal (written before the recent Novotel and office building were erected). As the vast majority of the conservation area and the main 'rural' view will be unaffected by the proposed development, I find the harm to the Fen Ditton Conservation Area to be at the very lowest end.
- 7.4 Similarly in terms of the RASCCA, this is essentially a 'town' conservation area comprising green space along the river surrounded by buildings. It gradually becomes more rural but is best appreciated when looking away from the Site towards Fen Ditton village. The presence of more / taller buildings will cause only a very low level of less than substantial harm.
- 7.5 I find no harm to the heritage assets at Bait's Bite Lock or Anglesey Abbey.

³ Based on the heights in the TS

8. Assessment against policy and conclusions

- 8.1 The statutory tests within S72 and S66 respectively of the Planning (Listed Buildings and Conservation Areas) Act 1990 do not apply.
- 8.2 The supporting text to Policy NH/14 (CD 5.00) in 6.49 recognises (in line with what is now para 202 of the NPPF) that proposals leading to less than substantial harm stand to be weighed against the public benefits of the proposal.
- 8.3 I explain how the detailed assessment work and modifications made to the design mean that Cambridge Local Plan Policy 60 has been met, as well as policy HQ/1 of the SCDC Local Plan (considered more fully by other witnesses).
- 8.4 Whilst the 'balance' of the very low level of less than substantial harm against public benefits (required by para 202 on the NPPF) is undertaken by Mr Derbyshire, I refer to a recent High Court case which was overturned because the Inspector allowed the likely impact of any other designs to influence her judgement on the level of heritage harm a proposal would cause.
- 8.5 I am clear that the likelihood of development occurring on the site has not affected my assessment of the level of harm.
- 8.6 However, I do refer to the Officer's view expressed when approving the Novotel and One Cambridge Square development about the scale being appropriate for this new urban area and how this and other public benefits outweighed the (unspecified) level of less than substantial harm caused.