



Ministry of Housing,
Communities &
Local Government

Paul Rogers
Terence O'Rourke

Our ref: APP/W0530/W/18/3210008
Your ref: S/4099/17/OL

Paul.rogers@torltd.co.uk

9 April 2020

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78 APPEAL MADE BY
SMITHSONHILL LIMITED
LAND TO THE EAST OF THE A1301, SOUTH OF THE A505 NEAR HINXTON AND
WEST OF THE A1301, NORTH OF THE A505 NEAR WHITTLESFORD, HINXTON
APPLICATION REF: S/4099/17/OL**

1. I am directed by the Secretary of State to say that consideration has been given to the report of John Woolcock BNatRes(Hons) MURP DipLaw MRTPI who held a public local inquiry on 11-13, 18-21 June and 2-5 July into your client's appeal against the decision of South Cambridgeshire District Council to refuse your client's application for planning permission for an AgriTech technology park comprising up to 112,000 m² (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland, vehicle and cycle parking, service areas, bus/cycle interchange on land west of the A1301/ north of A505, and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301/A505 and River Cam, site re-profiling, drainage works, foul and water pumping stations and primary electricity sub station, telecommunications infrastructure and other associated works in accordance with application ref: S/4099/17/OL, dated 20 November 2017.
2. On 23 October 2018, 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 1990.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be dismissed.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions, except where stated, and agrees with his recommendation. He has decided to dismiss the appeal. A copy of the Inspector's report (IR) is enclosed. 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 2011. Having taken account of the Inspector's comments at IR311, the Secretary of State is satisfied that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

Matters arising since the close of the inquiry

6. On 19 December 2019, the Secretary of State wrote to the main parties to afford them an opportunity to comment on the decision by South Cambridgeshire District Council to resolve to approve planning application S/4329/18/OL on 24 October 2019. These representations were then circulated to the main parties.
7. The Secretary of State is satisfied that the issues raised do not affect his decision, and no other new issues were raised in this correspondence to warrant further investigation or necessitate additional referrals back to parties. A list of these representations is at Annex B. Copies of these letters may be obtained on written request to the address at the foot of the first page of this letter.

Policy and statutory considerations

8. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
9. In this case the development plan consists of the South Cambridgeshire Local Plan 2018, which was adopted in September 2018. The application was originally determined by the Council in the context of the South Cambridgeshire Development Control Policies DPD 2007, the South Cambridgeshire Core Strategy DPD 2007 and the draft South Cambridgeshire Local Plan 2014. The Secretary of State considers that relevant development plan policies include those set out at Annex B of the IR.
10. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ('the Framework') and associated planning guidance ('the Guidance'). The revised National Planning Policy Framework was published on 24 July 2018 and further revised in February 2019. Unless otherwise specified, any references to the Framework in this letter are to the 2019 Framework.
11. 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.
12. In accordance with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main issues

Green Belt

13. The part of the proposal to take place in the Green Belt includes the bus/cycle interchange and pedestrian/cycle connections along with part of the proposed bridge. The Secretary of State has carefully considered the Inspector's assessment of the proposals impact on the Green Belt at IR320-331 and he considers that the transport infrastructure would provide useful connections for general public use. He further agrees with the Inspector at IR326 that it would be very difficult to achieve the transport infrastructure works without using Green Belt land. The Secretary of State agrees with the Inspector (IR326) that the interchange works are local transport infrastructure that would require a Green Belt location.
14. The Secretary of State agrees with the Inspector at IR327 that the transport infrastructure would erode the open feel of this part of the Green Belt in special and visual terms and would harm openness. He further agrees with the Inspector at IR328 that the works would have an urbanising influence on this part of the open countryside and that the proposal would, to some extent, conflict with the purpose of the Green Belt to assist in safeguarding the countryside from encroachment. However, he agrees with the Inspector (IR329) that the local transport infrastructure proposed in the Green Belt would not by reason of its nature and scale be sufficient to exceed the threshold set out at paragraph 146 of the Framework. As such he concludes that the exception for local transport infrastructure would apply, and that the proposed development would therefore not be inappropriate development in the Green Belt. As such the Secretary of State concludes that the proposal would not result in harm to the Green Belt, and there would be no conflict with local or national Green Belt policy.

Impact on character and appearance

15. The Secretary of State has considered the impact of the proposals on character and appearance as set out in IR332-342. He notes that the site is not a designated landscape and is identified in the Local Plan as Landscape Character Area B – Chalklands. The Secretary of State agrees with the Inspector's view at IR335 that a development of this scale in this location would have an adverse effect on the landscape character of the area of substantial significance. He also agrees with the Inspector that mitigation measures would never completely screen the built form within the AgriTech park, but would transform the open landscape by closing off distant views and by increasing the sense of enclosure. The Secretary of State agrees with the Inspector that this would result in a major landscape change that would not be mitigated over time.
16. In terms of visual effects, the Secretary of State agrees with the Inspector at IR337 that the scheme would have an enduring adverse effect of moderate to substantial significance on the visual amenity of the area. Overall, the Secretary of State agrees with the Inspector at IR342 that the proposed development would have an adverse effect on the character and appearance of an area of substantial significance. He agrees with the Inspector that due to the impacts of the proposal on local character and distinctiveness,

the proposal would conflict with SCLP Policy NH/2 and would also conflict with the design principles set out in SCLP Policy HQ/1.

Impact on the setting and appearance of designated heritage assets

17. There are six heritage assets in the locality of the proposed development, four of which are designated, including the Grade II listed Hinxton Grange, the Grade II* listed Hinxton Church of St Mary and St John the Evangelist and Hinxton conservation area. The Secretary of State has considered the Inspector's consideration of the heritage impacts at IR343-349. He agrees with the Inspector that the loss of open land adjacent to designated park land at Hinxton Grange would result in harm to the listed buildings at the Grange. He further agrees that this harm would be less than substantial. He also agrees that the proposal would also result in an adverse change to the setting to the Hinxton conservation area and the Church of St Mary and St John the Evangelist. He agrees with the Inspector (IR346-347) that this harm would be less than substantial, that there would not be an impact on Pampisford Hall, and that there would be moderate harm caused to the significance of a non-designated WWII pillbox. The Secretary of State agrees with the Inspector at IR348 that the proposal would lead to less than substantial harm to both designated and non-designated heritage assets. He further agrees that this harm would be of moderate significance. In line with paragraph 193 of the Framework, the Secretary of State considers that considerable weight should be given to these harms.

Impact on agricultural land

18. The proposal would result in the loss of 33 ha of best and most versatile (BMV) agricultural land. The Inspector considers at IR349 that this loss would be at odds with the requirement in the Framework to recognise the economic and other benefits of BMV agricultural land. He agrees with the Inspector's conclusion that this loss would result in some harm to agricultural land with an adverse effect of minor significance.

Transport and highway safety

19. The Secretary of State has considered the Inspector's consideration of transport and highway matters at IR350-355. He agrees with the Inspector's conclusions that subject to the appropriate planning conditions and obligations, there are no grounds to dismiss the appeal for highway safety reasons. He further agrees that securing highway improvements through the scheme would be a benefit of minor significance, and that the proposal would comply with SCLP Policies TI/2, TI/3 and TI/8.

Employment and economic benefits

20. The Secretary of State has carefully considered the Inspector's consideration of the employment and economic impacts of the proposal at IR365-376. He agrees that there would be benefits in providing agricultural land for field trials and that the proposed incubator units would be beneficial to start up enterprises and that the provision of AgriTech employment floorspace would generate considerable economic benefits. He agrees with the Inspector's view at IR370-371 that the benefits of the proposed AgriTech park could only be realised if an effective user restriction was imposed to ensure the occupiers complied with specified AgriTech requirements so that the development did not become a general business park, which would be of limited benefit. He agrees with the Inspector that none of the proposed conditions to restrict occupation would meet the tests of necessity, reasonableness and precision, and that the absence of an appropriate mechanism to control occupation of the park diminishes the weight that can be given to

the claimed benefits of the development. The Secretary of State agrees with the Inspector's conclusion at IR375 that the need for and benefits of the proposed development would be of minor significance.

Biodiversity

21. The Secretary of State agrees with the Inspector's view at IR356-357 that the proposal would, overall, have a beneficial effect of minor significance on biodiversity of the area.

Planning conditions

22. The Secretary of State has given consideration to the Inspector's analysis at IR372-374 and IR390-408 of the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 55 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 55 of the Framework. However, he does not consider that the imposition of these conditions would overcome his reasons for dismissing this appeal.

Planning obligations

23. Having had regard to the Inspector's analysis at IR409-411, the planning obligation dated 31 July 2019, paragraph 56 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given in IR410 that the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 56 of the Framework. However, the Secretary of State does not consider that the obligation overcomes his reasons for dismissing this appeal.

Occupation of the site

24. The Secretary of State has had regard to the Inspector's conclusion (IR417) that were he minded to allow the appeal, it would be necessary to go back to the parties to devise controls on the future occupation of the site. However, the Secretary of State agrees that (IR381) even were the site to be used as an AgriTech park, and substantial weight thus to be afforded to the benefits of the scheme, the planning balance would still fall against the proposal. As such the Secretary of State concludes that any such controls would not alter his decision, and it is therefore not necessary to seek the parties' views on them.

Planning balance and overall conclusion

25. For the reasons given above, the Secretary of State considers that the appeal scheme is in conflict with SCLP policies NH/2 regarding character and landscape, HQ/1 concerning preservation of the rural area, NH/3 on preserving agricultural land, SC/9 on countryside, E/9 regarding the promotion of clusters, and S/7 on development outside development frameworks, and is not in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
26. The Secretary of State considers that the proposal's impact on character and appearance attracts substantial weight against the proposal. The loss of BMV agricultural land also attracts slight weight against the proposal. Conflict with the aims of the Framework also weighs against the proposal.

27. The Secretary of State considers that the economic benefits attract slight weight in favour of the proposal and that the provision of biodiversity improvements and transport benefits also provide slight weights in favour of the proposal.
28. As the Secretary of State has concluded that the proposal would not result in harm to the Green Belt, and that there would be no conflict with local or national Green Belt policy, this is neutral in the planning balance.
29. The Secretary of State has considered whether the identified 'less than substantial' harm to the significance of the above heritage assets is outweighed by the public benefits of the proposal. In accordance with the s.66 duty, he attributes considerable weight to the harm.
30. Overall the Secretary of State considers that the benefits of the appeal scheme as set out above are not collectively sufficient to outbalance the identified 'less than substantial' harm to the significance of the heritage assets. He considers that the balancing exercise under paragraph 196 of the Framework is therefore not favourable to the proposal.
31. Overall the Secretary of State considers that the material considerations in this case indicate a decision in line with the development plan – i.e. a refusal of permission. He therefore concludes that the appeal should be dismissed and planning permission refused.

Formal decision

32. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby dismisses your client's appeal and refuses planning permission for an AgriTech technology park comprising up to 112,000 m² (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland, vehicle and cycle parking, service areas, bus/cycle interchange on land west of the A1301/ north of A505, and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301/A505 and River Cam, site re-profiling, drainage works, foul and water pumping stations and primary electricity sub station, telecommunications infrastructure and other associated works in accordance with application ref: S/4099/17/OL, dated 20 November 2017.

Right to challenge the decision

33. 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 Town and Country Planning Act 1990.
34. A copy of this letter has been sent to South Cambridgeshire District Council and notification has been sent to others who asked to be informed of the decision.

Yours faithfully

Philip Barber

Authorised by the Secretary of State to sign in that behalf

Annex B Schedule of representations

Representations received in response to the Secretary of State's letter of 9 December 2019

Party	Date
Terence O' Rourke, on behalf of the appellant	13 January 2020
Duxford Parish Council	14 January 2020
Ickleton Parish Council	16 January 2020
South Cambridgeshire District Council	16 January 2020
Hinxton Parish Council	17 January 2020



Report to the Secretary of State for Housing, Communities and Local Government

by John Woolcock BNatRes(Hons) MURP DipLaw MRTPI

an Inspector appointed by the Secretary of State

Date: 18 November 2019

Town and Country Planning Act 1990 Sections 78 and 79

appeal by

SmithsonHill Limited

against the decision of

South Cambridgeshire District Council

Inquiry Held on 11-13, 18-21 June and 2-5 July 2019

Land to the east of the A1301, south of the A505 near Hinxton and west of the A1301, north of the A505 near Whittlesford

File Ref: APP/W0530/W/18/3210008

File Ref: APP/W0530/W/18/3210008

Land to the east of the A1301, south of the A505 near Hinxton and west of the A1301, north of the A505 near Whittlesford

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by SmithsonHill Limited against the decision of South Cambridgeshire District Council.
- The application Ref.S/4099/17/OL, dated 20 November 2017, was refused by notice dated 13 March 2018.
- The development proposed is an AgriTech technology park comprising up to 112,000 m2 (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland, vehicle and cycle parking, service areas, bus/cycle interchange on land west of the A1301/north of A505 and infrastructure works including new vehicular access, highway improvement works, pedestrian and cycle links with bridge crossings over A1301/A505 and River Cam, site re-profiling, drainage works, foul and water pumping stations and primary electricity sub station, telecommunications infrastructure and other associated works.
- The appeal was recovered for determination by the Secretary of State by direction dated 23 October 2018.

Summary of Recommendation: The appeal be dismissed.

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ABBREVIATIONS

AAP	Area Action Plans
BMV	Best and most versatile agricultural land
CCC	Cambridgeshire County Council
CD	Inquiry Core Document
CPCA	Cambridgeshire and Peterborough Combined Authority
CPIER	Cambridgeshire and Peterborough Independent Economic Review
CPRE	Campaign to Protect Rural England
DAS	Design and Access Statement
Defra	Department for Environment Food and Rural Affairs
DPC	Duxford Parish Council
EA	Environment Agency
EIA	Environmental Impact Assessment
ECC	Essex County Council
ES	Environmental Statement
FEI	Further Environmental Information
<i>Framework</i>	<i>Revised National Planning Policy Framework 2018</i>
GLVIA3	<i>Guidelines for Landscape and Visual Impact Assessment, Third Edition</i> Landscape Institute
GAPC	Great Abington Parish Council
<i>Guidance</i>	<i>National Planning Practice Guidance</i>
HPC	Hinxton Parish Council
IPC	Ickleton Parish Council
ID	Inquiry Document – document submitted at Inquiry
LAPC	Little Abington Parish Council
LCA	Landscape Character Area
LSCC	London Stansted Cambridge Consortium
LVIA	Landscape and visual impact assessment
MSA	Motorway services area
NE	Natural England
NDO	Neighbourhood Development Order
NIAB	National Institute of Agricultural Botany
NPSE	<i>Noise Policy Statement for England</i>
NUGV	North Uttlesford Garden Village
PPC	Pampisford Parish Council
SCDC	South Cambridgeshire District Council
SCLP	South Cambridgeshire Local Plan 2018
section 106	Section 106 of the Town and Country Planning Act 1990
SoCG1	Statement of Common Ground dated 3 October 2018 and updated on 3 June 2019
SoCG2	Transport Statement of Common Ground 16 May 2019
SoCG3	Statement of Common Ground re amended parameter plan
VSC	Very special circumstances for Green Belt policy
WPC	Whittlesford Parish Council
WWII	Second World War
1990 Act	Town and Country Planning Act 1990 as amended

Procedural and background matters

1. The application by SmithsonHill Limited (hereinafter the appellant) is for outline planning permission with all matters reserved. However, the application plans to be determined include parameter plans for land use, movement and access, landscape and open space, development density and height. Other details show on plans and the appeal documentation are illustrative material not forming part of the outline application.
2. The application was accompanied by an Environmental Statement (ES), dated November 2017, in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (hereinafter the EIA Regulations).¹ An addendum was submitted in February 2018 with additional information about transport, drainage and flood risk.² Further Environmental Information was submitted in May 2019 (FEI); with an additional landscape and visual impact assessment (LVIA), revisions to the traffic and lighting assessments, and an ecological walkover survey update.³ In response to consultation about the FEI 15 written submissions were received.⁴
3. South Cambridgeshire District Council (SCDC) refused the application on 9 grounds because, in summary, the proposal would conflict with relevant policies concerning; (1) unsustainable development located outside of the village development Framework and within the open countryside; (2) prematurity; (3) harm to the Cambridge Green Belt; (4) an inadequate LVIA and failure to preserve or enhance the local character of the area and unacceptable adverse impact on the countryside and landscape character; (5) insufficient information in the Transport Assessment; (6) a Stage 1 / 2 Road Safety Audit had not been carried out on all the submitted drawings; (7) insufficient information about parking demand and provision; (8) harm to the setting and significance of heritage assets; and (9) the loss of Best and Most Versatile (BMV) agricultural land.
4. The application was determined in the context of the then adopted South Cambridgeshire Development Control Policies DPD 2007, the South Cambridgeshire Core Strategy DPD 2007 and the draft South Cambridgeshire Local Plan 2014. These were superseded with the adoption of the South Cambridgeshire Local Plan 2018 (SCLP) in September 2018. Reason for Refusal 2 concerning prematurity was subsequently withdrawn in April 2019.⁵ SCDC also made a minor change to the wording of Reason for Refusal 6 to refer to the Local Highway Authority being not able to fully assess the scheme on the submitted information.
5. On 23 October 2018 the appeal was recovered for decision by the Secretary of State by a direction made under section 79 of the 1990 Act. The reason for the

¹ CD2.4. The transitional provisions in the Environmental Impact Assessment (EIA) Regulations 2017 mean that the 2011 EIA Regulations continue to apply because the request for a scoping opinion was made on 6 February 2017.

² CD3.3.

³ CD12.1-12.4.

⁴ Red Folder on Appeal File part 2.

⁵ CD5.5.

direction was that the appeal involves proposals for significant development within the Green Belt.

6. A Pre-Inquiry Note was issued on 7 May and updated on 30 May 2019 to deal with procedural matters.⁶ A Statement of Common Ground (SoCG1) between the appellant and SCDC is dated 3 October 2018 and was updated on 3 June 2019.⁷ Following the submission of further evidence and analysis, along with discussions after the application had been determined, the appellant, Cambridgeshire County Council (CCC) and Highways England signed a Statement of Common Ground on Transport Planning Matters dated 16 May 2019 (SoCG2).⁸ Following agreement at the Inquiry about the terms of planning obligations SCDC formally withdrew reasons for refusal 5, 6 and 7.
7. SCDC advised on 10 June that 12 written objections to the application had not been included in the appeal documents, and so objectors had not been notified about the appeal or the Inquiry. Letters giving notice were delivered on 10 June 2019.⁹ None of those notified has made any representations either on the appeal or to say that they wish to do so or to appear at the Inquiry. In those circumstances the appellant considers that it can properly be concluded that none of those affected has been prejudiced by SCDC's error. As the Inquiry was not closed in writing until 16 August 2019 there was an opportunity for those who wished to do so to appear or to submit written submissions.
8. On the first day of the Inquiry the appellant submitted a revised landscape and open space parameter plan Drawing No.235701B-LA-PP103A.¹⁰ Given that the parameter plans are part of the proposal assessed in the ES and FEI, the parties agreed at the Inquiry that this would be an amendment to the proposed development at the appeal stage. The parties agreed a statement of common ground (SoCG3) in relation to this proposed revision.¹¹ SoCG3 provides that the original plan contained a minor error and omitted to show the removal of approximately 70 m of hedgerow along the north-eastern side of the A1301 to accommodate the northern visibility splay for the proposed access. The revised plan indicated a replacement hedgerow planted slightly further back into the appeal site.
9. The parties agree, given that the proposed changes are minor, that there would be no prejudice to any interested persons if the appeal was determined on the basis of the revised parameter plan. Whether the determination of the appeal should be on the basis of the amended parameter plan is a matter for the Secretary of State. The Inquiry proceeded on the basis that it would hear evidence about both the original and amended parameter plans. During the discussion about possible planning conditions the appellant requested that an addition be made to the description of the proposed development to specify 'surface' water pumping. There was no objection to this minor correction.

⁶ PIN on file.

⁷ CD1.6.

⁸ CD1.7.

⁹ ID7.

¹⁰ APP5.5.

¹¹ ID50.

10. I visited the area in which the appeal site is located on several occasions during the course of the Inquiry, on different days and at various times of the day, including the am and pm peak hours for traffic. An accompanied site visit was conducted on 4 July 2019, which included visiting Granta Park and Chesterford Business Park.¹²
11. Draft planning obligations were submitted in the lead up to the Inquiry. The terms of an agreement were discussed at the Inquiry, and the parties were given time for a signed version to be submitted. The agreement between the appellant, landowners, SCDC and CCC is dated 31 July 2019.¹³ The section 106 obligations include provisions concerning a public and private transport service strategy, a private shuttle bus, parking management and monitoring, a new bus/cycle interchange, along with improvement works to McDonalds roundabout, and to the junctions at A505/Moorfield Road and A505/Hunts Road. The obligations are summarised in Annex A to this report.

The proposed development

12. The scheme proposes an AgriTech technology park comprising up to 112,000 m² (gross) of employment floorspace. How AgriTech development would be defined is considered in more detail later in this report.
13. Planning conditions agreed by the appellant and SCDC would limit the gross external floorspace of the permitted use classes to;
- B1a office / B1b R&D / B1c light industrial - 92,000 m²
 - B1b laboratories - 11,800 m²
 - A3 / A5 - 2,000 m²
 - D1 - 3,000 m²
 - D2 - 3,200 m²
14. The appeal site consists of a main part (108.6 ha) proposed for commercial development, along with a 6.9 ha site for a bus/cycle interchange to the north-west of the main site. This would be accessed via a proposed foot/cycle bridge over the A505/A1301. Vehicular access to the main site would be via a new roundabout on the A1301. The scheme also proposes on and off-site highway works and improvements. Planning conditions would require works to be carried out to Junction 10 of the M11 and to the junction of the A11/A1307 prior to the occupation of buildings. A proposed planning condition would limit on-site car parking to 2,000 spaces.
15. Approximately 10.9 ha of land within the southern part of the main site would continue in agricultural use, with top soil from the development being redistributed over these fields to improve the agricultural land quality.
16. The proposed development would result in the loss of agricultural land, including 33 ha of grade 2 and 3a agricultural land, which is classified as BMV agricultural land.¹⁴

¹² The itinerary for the site visit is at ID70.

¹³ ID58.2.

¹⁴ ID23 and SoCG1 paragraph 5.28.

The site and surroundings

17. The A1301 forms the western boundary of the main site, beyond which lies farmland in the shallow valley floor of the River Cam with the village of Duxford (2 km from the site) on the western banks of the river. The site is bordered to the north by farmland, beyond which lies the A505 and the villages of Sawston and Pampisford (3 km and 1.5 km respectively). To the north-east is farmland, Pampisford Hall and its Park and Garden (1.5 km), the A11, Granta Park (a science, technology and bio-pharmaceutical park) and Great Abington (3 km). The Babraham Institute Campus also lies to the north.¹⁵ To the east the site is bordered by four private residences, by Hinxton Grange, Mighton Products (a sash window business), beyond which is farmland and the A11. Tichbaulk Road, which is a permissive right of way, borders the appeal site to the south. To the south-west are the village of Hinxton and the Wellcome Trust Genome Campus, a world leading campus for genome and biodata research.¹⁶ Cambridge city centre is approximately 12 km to the north of the main site. The main research/technology and business parks in and around Cambridge are shown on ID22 and companies listed at ID34.
18. The bus/cycle interchange site lies both within the countryside and within the Cambridge Green Belt, north of the A505, west of the A1301 and east of Whittlesford Parkway railway station, and includes a strip running north towards Sawston and the McDonald's roundabout. The River Cam runs through this part of the appeal site, beyond which lie a small industrial estate, the station and the railway line. Mill Farm Lane and a small cluster of dwellings lie to the north-west of the site. An aerial photograph of the appeal site and surrounds is at ID16.
19. Immediately to the south of the appeal site and Tichbaulk Road is Hall Farm, the main proposed "future expansion area" for the Genome Campus. An outline planning application for this development was submitted in December 2018.¹⁷ At the time of the Inquiry this had not been determined.
20. There are six heritage assets in the locality, four of which are designated; Hinxton Grange (grade II), the Stable and Coach House (grade II), Hinxton Church of St Mary and St John the Evangelist (grade II*), and Hinxton conservation area. Hinxton Grange associated designed parkland is a non-designated heritage asset (Historic Environment Record No.12121). A World War two (WWII) pillbox to the south-east of the Grange is also a non-designated heritage asset (Historic Environment Record No.15107).

¹⁵ ID56.

¹⁶ ID55 and ID61.

¹⁷ The outline planning application (ref: S/4329/18/OL), submitted in December 2018, is for a phased mixed use development comprised of up to 150,000 m² of flexible employment uses including research and development, office and workspace and associated uses falling within Use Classes B1, B2 and B8; up to 1,500 residential dwellings (Use Class C3); supporting community uses and social infrastructure including a nursery (Use Classes D1); conference facility (Use Class D1) and associated hotel (Use Class C1); retail uses including shops (Use Class A1).

21. The appeal site lies wholly within National Character Area 87, the East Anglian Chalk.¹⁸ In the Cambridgeshire Landscape Guidelines: A Manual for Management and Change in the Rural Landscape 1991, the site is located in character area 2 – Chalklands, within an area described as a broad-scale landscape of large fields, trimmed hedges and few tree over a smooth rolling chalkland landform.¹⁹ The site is located in character area B – Chalklands in the South Cambridgeshire District Design Guide SPD adopted March 2010. Key characteristics of this Landscape Character Area (LCA) are a distinctive landform of smooth rolling chalk hills and gently undulating chalk plateau, a mostly large-scale arable landscape of arable fields, low hedges and few trees giving it an open, spacious quality, in which small beech copses on the brows of hills, and occasional shelterbelts, are important features. This LCA has mostly a strong rural character though this is disrupted immediately adjacent to major roads, such as the A505 and the M11.²⁰

Planning policy guidance and statutory requirements

Development plan

22. The development plan for the area includes the South Cambridgeshire Local Plan 2018 (SCLP). Relevant policies are summarised in Annex B of this report.

National policy and guidance

23. *National Planning Policy Framework* (hereinafter the *Framework*) paragraph 80 provides that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity. This is particularly important where Britain can be a global leader in driving innovation. The *Framework* cites the Government's 2017 *Industrial Strategy: Building a Britain fit for the future*. Paragraph 82 of the *Framework* states that decisions should recognise and address the specific locational requirements of different sectors, including making provision for clusters or networks of knowledge and data-driven, creative or high technology industries.
24. Paragraphs 133, 134, 143, 144 and 146 of the *Framework* set out relevant policy for Green Belts, which is considered in more detail later in this report. Paragraph 170 provides that decisions should contribute to and enhance the natural environment by, amongst other things; protecting and enhancing valued landscapes, sites of biodiversity, or geological value and soils in a manner commensurate with their statutory status or identified quality in the development plan; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of BMV agricultural land, and of trees and woodland; minimising impacts on and providing net gains for biodiversity. Footnote 53 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

¹⁸ CD9.5.

¹⁹ CD9.1.

²⁰ CD6.9.

25. The parties commented on the recent revisions to the *National Planning Practice Guidance* (hereinafter the *Guidance*).²¹ The *Guidance* provides that the impact of a proposal on the openness of the Green Belt requires a judgement based on the circumstances. It adds that relevant matters could include spatial (volume) as well as visual impacts, along with the degree of activity generated, including traffic generation. In assessing the possibility of potential harm to a designated heritage asset the *Framework* requires it to be categorised as either less than substantial harm or substantial harm, and that great weight should be given to the asset's conservation. Any such harm requires clear and convincing justification. The *Guidance* provides that within each category of harm the extent of harm may vary and should be clearly articulated.

Statutory duty

26. The development must be considered in the context of the statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the desirability of preserving the setting of the grade II* listed Parish Church of St Mary and St John the Evangelist, and the grade II listed Hinxtton Grange, its stable and coach house.

The case for South Cambridgeshire District Council (SCDC)

The following summary of SCDC's case broadly follows SCDC's closing submissions to the Inquiry, with additional reference where necessary to the evidence adduced.²²

The nature of the proposed development

27. There is a lack of clarity as to what form the proposed development could take. A substantial measure for research and development is not sought or expected. By day 9 of the Inquiry, the appellant was suggesting a new condition to control the use of the proposed development for AgriTech, which would comprise "all or any of the following purposes namely research into, development of, commercialisation of and production of goods, services and applications for use in agriculture, horticulture and the food chain". The wide breadth and scope of this definition is of concern.
28. The floorspace proposed could be delivered as B1(a) office floorspace or B1(c) light industrial floorspace. The appeal scheme could be one large corporate headquarters or multiple small manufacturing operations, producing goods for the food chain. The intended and likely range of occupiers are important matters which are material both to whether the claimed benefits of this scheme would be achieved and whether there is a need for a large single greenfield site, in the countryside, to accommodate such uses.
29. The proposals are wholly and entirely speculative. There are no committed future occupants for any of the floorspace proposed, and no material expressions of interest. Nor is the development funded. The proposals are in

²¹ ID71 and ID72.

²² ID2 and ID66.

outline form at this stage, but it is quite remarkable that no support in the form of a commitment or active consideration of the take up of floorspace can be shown by the appellant. The need for the proposals, and their claimed benefits, must be considered in that context.

30. SmithsonHill comprises Russell Smith Farms, a family farming business, and the Hill Group, a firm of housebuilders, with some limited experience in commercial development (Classes A and B1(a)). The appellant has no experience in the AgriTech sector, let alone in the bringing forward of development for that sector. This undermines confidence that the scheme and its claimed benefits can or would be successfully delivered. The appellant company (formerly known as Hinxton Land Limited) was at first promoting the appeal site for development, including as a corporate HQ, a conference centre or a hotel, without any suggestion of the need or appropriateness of AgriTech development on the site.²³
31. What the appellant seeks to secure here is without any established precedent in the UK. The absence of any precedent is not of itself a factor weighing against the proposal. However, it is certainly a factor which should lead to caution, particularly in conjunction with the wholly speculative nature of the scheme, as to whether the claimed need is genuine and whether there is confidence the claimed benefits can be delivered.

Character and appearance

32. It is common ground that the proposals would cause significant adverse landscape and visual effects, but there is disagreement about the extent, physical and temporal, of those effects. The appellant maintains that the proposals looked at as a whole "conserve" and "retain" the character of the local landscape, rather than enhance it. This cannot however be reconciled with its acceptance that there would be a substantial adverse effect on the landscape character within the entirety of the land within the red line during the construction stage reducing, in its judgement, to slight only by year 15.²⁴ Phasing over 15 years would mean that substantial adverse effects on the landscape would be accepted for up to 30 years after construction commences.
33. The timing of the primary mitigation proposals, the bunds and planting intended to screen the development, would depend upon the phasing of the proposals and cannot therefore be relied upon as delivering mitigation, as intended, at the start of construction or at any time before completion. The primary mitigation in large measure would depend upon the phasing because the bunds would be created through the topsoil generated by progressive cut and fill. There would be substantial adverse effects on the landscape within the appeal site for up to 30 years, a period of time which the GLVIA3 considers to be long-term.²⁵ This of itself renders the proposals in conflict with the local and national landscape policies.

²³ CD7.15 pp 2325.

²⁴ ID40 p 1, APP5.2 paragraph 5.1.8, CD2.4 p 9-14 and CD2.3 p 69.

²⁵ *Guidelines for Landscape and Visual Impact Assessment, Third Edition* Landscape Institute at CD9.4 paragraph 5.51.

34. However, the effects on landscape character would in reality be far greater, in two main respects: first, those effects would be experienced across the wider area of open Chalklands landscape within which the appeal site sits; second, they would not subside as a result of mitigation even by year 15 (i.e. after 30 years from the commencement of construction).
35. On the first point, there are important differences between the parties with respect to the definition of the landscape baseline, in particular whether the appeal site is to be treated as part of the open chalklands LCA or subdivided into two LCAs: (a) the wooded and enclosed Granta Valley LCA (identified as L5 on ID40), which covers the western side of the appeal site to be developed under the proposals, and (b) the open Chalk Hills LCA (identified as L6) which covers the eastern side of the appeal site to be kept largely free from built development under the proposals. The origin of L5 is the Cambridge Inner Green Belt Study of 2015.²⁶ However, it was beyond the scope of the Study to carry out a full and comprehensive assessment of the landscape character of the whole of the Cambridge Green Belt, or, indeed, the character of the countryside outside the Green Belt.
36. The appeal site is an indivisible part of a wider tract of arable land and parkland within the triangle of land defined by the fixed boundaries of the A11, the A505 and the A1301, which represents the gently undulating character of the Chalklands landscape, recognised in both the Cambridgeshire Landscape Guidelines and the South Cambridgeshire District Design Guide.²⁷ This LCA has a broad scale landscape of large fields with limited tree cover, and this description correctly and properly reflects any reasoned assessment of the appeal site and its landscape character and context.²⁸ This landscape is a “valued landscape” in *Framework* paragraph 170(a) terms.
37. There would be a substantial adverse effect beyond the immediate confines of the site frontage to include the A1301, Tichbaulk Lane, the A505 and the rural setting of Hinxton, which would reduce to moderate adverse for a wider part of the triangular tract of Chalklands LCA in which the site lies, by reason of the severing effect of the proposals on the landscape character of that area.
38. It would not be possible to meaningfully mitigate the landscape effects of the proposals. The bridge proposed across the A505/A1301 would inevitably urbanise the local highways network and would not be capable of any meaningful mitigation. The quantum, mass, siting, and the partially elevated position in which the buildings comprising the business park would be located, would erode the established landscape character. This would unavoidably generate substantial adverse landscape impacts which cannot acceptably be addressed. The proposed landscape strategy could over time, and to some extent, shield some element of these buildings from wider view, but the enclosing of the appeal site on its southern and western boundaries by bunds up to 3.5 m high with planting would erode the open nature of the site and its existing character and landscape contributions.

²⁶ CD9.3.

²⁷ LPA3.2 paragraphs 5.9-5.18, and SoCG1 paragraphs 5.20-5.21.

²⁸ CD9.1, CD6.9, LPA3.2 paragraph 6.78, and CD9.4 Box 5.1 at p 84.

39. Given the limited space available to accommodate bunds within the parameter plans, 3.5 m high bunds would likely be highly engineered features. Screening built development within the site would itself appear alien in the otherwise open Chalklands landscape. This is demonstrated by the photomontages for viewpoint 2 from the Church of St Mary and St John the Evangelist looking north²⁹, viewpoint 4 from the A1301 looking west³⁰, and viewpoint 10 from Tichbault Road looking north³¹. The “shallow bunding” present at the boundary of part of the existing Wellcome Trust campus, is not a precedent for the incongruous bunding and planting that the appellant proposes.
40. The appellant relies on secondary mitigation to reduce landscape effects at year 15 from moderate to slight.³² Secondary mitigation is defined within the ES as potential measures that could come forward at the reserved matters stage, including minimising the scale of buildings and articulation of built form, architectural design, boundary treatments, the use of materials, design and location of lighting and internal landscape structure. But at detailed design stage it would not be possible to compel the introduction of buildings at a height less than the maxima shown on the height parameters plan. Furthermore, several of these matters, such as internal landscape structure, are already encompassed within the parameter plans included within the assessment of primary mitigation, such that there is a risk of double-counting.
41. Regarding visual impact, the appellant accepts significant visual effects from many receptors during construction and at completion. This extent of impact would remain for receptors along Tichbault Road, from Hinxtion Grange and from Hinxtion conservation area at year 15 following completion with primary mitigation.³³ However, the visual effects would be greater and much more extensive than accepted by the appellant.³⁴
42. The principal differences between the parties relate to (1) the effect of primary and secondary mitigation on visual impact, and the visual effect therefore at 15 years following completion, (2) the visual effects of the highways infrastructure element of the proposals on receptors, in particular when approaching the McDonalds roundabout, and (3) the significance of visual effects that would be felt by more distant receptors.
43. The appellant uses secondary mitigation to justify a reduction in visual impact for receptors at Hinxtion Grange from a moderate adverse (and significant) impact at year 15 post completion with primary mitigation, to a slight adverse impact (which is not significant) in the same year when regard is had to secondary mitigation. The Design and Access Statement (DAS) recognises that Hinxtion Grange was designed to have an open view across the designed parkland to the west.³⁵ That view has not changed since Hinxtion Grange was built in 1835. But it would change substantially with the introduction of the

²⁹ CD12.2 Figures 9.29-33.

³⁰ CD12.2 Figures 9.39-43.

³¹ CD12.2 Figures 9.60a-62b.

³² CD2.4 Table 9.4 pp 9-28/30.

³³ CD2.4 Table 9.3 at 9-28, APP5.2 at 5.1.21, and CD12.1 paragraphs 2.52-4.

³⁴ ID40 sets out a comparison table by the landscape experts for landscape and visual effects. For views ‘DH Views [number]’ refers to SCDC’s evidence, ‘RB V[number]’ the appellant’s.

³⁵ CD2.3 Figure 16 p 27.

proposed built development, which would be seen as straddling the parkland on its northern and southern sides from viewpoint 3.³⁶ There would be a substantial adverse effect on this receptor at completion, which would not reduce by year 15 as the designed view currently enjoyed from this location would be unavoidably lost.

44. Primary mitigation would not reduce the visual effects for receptors at Tichbaulk Road because the mitigation would alter an otherwise open view. There is no evidence to suggest that Tichbaulk Road, a permissive right of way, is any less well used or valued by local inhabitants than other parts of the limited rights of way network which is available for them to use. The adverse effects on pedestrians using Tichbaulk Road would be substantial at both completion and year 15. If it is assumed that primary mitigation would have the effect of screening the site from Pampisford and Hinxtton conservation area receptors would not benefit from secondary mitigation internal to the site.
45. With respect to the A1301 roundabout, the appellant's assessment claims effects would be slight by completion (year zero). This conclusion again simply does not withstand scrutiny. Viewpoint 4 show that an open view is currently enjoyed across the appeal site, which would be replaced by significant bunding and perimeter planting enclosing the site from view.³⁷ However, that view would not be typical given that it omits from view the proposed access roundabout which would necessarily remove a section of the frontage hedgerow and introduce signage, lighting and other roadside paraphernalia. Receptors using the A1301 would experience different amounts of development along it. The level of impact would be moderate increasing to substantial adverse when approaching the McDonalds roundabout.
46. Receptors travelling along the A505 and A1301 approaching the McDonalds roundabout would experience significant adverse effects when the highways elements of the proposals came into view, which could not be mitigated. Those road corridors would inevitably change from rural in character to urban due to the introduction of a prominent bridge of 7.5 m in height (9.9 m total including parapets) altering the skyline and the introduction of footways, crossing points, lighting and the bus/cycle interchange.
47. For more distant visual receptors moderate adverse effects would be experienced by pedestrians on footpaths 68/7 and 134/1, and the receptors at Ickleton Road between Duxford and Abbey Farm, at Coploe Hill, and at Quicksett Road and Duxford Road. Views from the higher ground at Coploe Hill and Quicksett Road, towards and over the Cam Valley are identified as particularly sensitive in the Essex Landscape Study.
48. The proposals would conflict with SCLP Policy NH/2 since the development would not respect and retain local character and distinctiveness of the local landscape. It would not preserve or enhance the character of the local rural area nor would it respond to its context in the wider landscape and so would be at odds with Policy HQ/1 1.a, nor would it be compatible with its location or appropriate in terms of its surrounding area (HQ/1 1.d). The inevitable requirement of external lighting would give rise to harm to the surrounding

³⁶ CD12.2 Figures 9.34-38.

³⁷ CD12.2 Figures 9.39-43.

countryside contrary to Policy SC/9. The harm identified should attract significant weight.

Heritage assets

49. The heritage assets at Hinxton Grange were designed as a cohesive whole in 1835 following Parliamentary enclosure of Hinxton Parish in 1833. The designed parkland landscape is of high value to the significance of the listed buildings and remains intact from the layout as designed. The particular designed view enjoyed westwards from Hinxton Grange across its parkland makes an essential contribution to the significance of the grade II listed building. A positive contribution is also made by the reciprocal views from the A1301, from which the main house sitting elevated within its parkland setting, and thus its status, may be appreciated from outside the appeal site. The importance of these views is that they were designed to emphasise the status and wealth of the occupier.
50. The avenue is a strong feature in the local landscape. Its role in the significance of the heritage assets at Hinxton Grange is recognised in the DAS, which refers to the open views enjoyed from the avenue through gaps north towards the Church Tower at Pampisford and south towards Hinxton Church. Agricultural land within the appeal site forms part of the designed landscape setting of the listed buildings and has high value through the historic and functional association it shares with the listed buildings as the landholding of the farm.
51. The effects the proposed development would have on the heritage assets at Hinxton Grange are agreed, namely the proposals would lead to (1) the loss of open farmland that formed the estate, 2) the loss of open land to the south and west of the designed parkland which allows an understanding of the designed parkland within the surrounding agricultural land, 3) the presence of built development along the park boundary to the south and west, and along and either side of the avenue, which would close off the principal designed views from Hinxton Grange and introduce incongruous modern development, and 4) the loss or closing off of the open views currently enjoyed from the house of the wider area and reciprocal views, including from the A1301.³⁸ The experts agree on the extent of harm these effects would have on the significance of the grade II listed Hinxton Grange as within the middle of the range of less than substantial harm. This harm attracts great weight and importance in the planning balance both as a matter of law and of policy.³⁹
52. There is some measure of disagreement however on the extent of harm to the stable and coach house and the non-designated parkland landscape. The level of harm must correspond with the agreed level of harm identified for the grade II listed Hinxton Grange given that, as is also agreed, there is group value between these assets. Therefore, the level of harm to the stable and coach house would be within the middle of the less than substantial scale. With respect to the designed parkland, the level of harm caused to this heritage

³⁸ CD2.4 paragraph 6.99.

³⁹ *East Northamptonshire DC & Barnwell Manor Wind Energy Ltd v Secretary of State* [2015] 1 WLR 45; and *R (Forge Field Society) v Sevenoaks DC* [2015] JPL 22. *Framework* paragraph 193.

asset would be moderate to high. Suggested enhancements to this heritage asset through the removal of damaged trees and the introduction of public access might give rise to a slight beneficial effect, but would not contribute positively towards its significance in heritage terms.

53. The experts agree that the harm to Hinxton conservation area and the grade II* Church of St Mary and St John the Evangelist, through change to setting, is less than substantial at the lower end of the range.
54. It is common ground that the appeal site comprises part of the setting of the WWII pillbox, which was sited in its present location because of the topography and open fields. Its setting makes more than a neutral contribution to the heritage asset's significance. The proposals, by introducing buildings that would substantially close off views westward, would erode that significance.
55. Harm would be caused to the significance of the grade II listed Hinxton Grange and its separately listed stable and coach house, as well as the non-designated designed parkland, the Hinxton conservation area and the Church of St Mary and St John the Evangelist (grade II*). As a matter of law, great weight and importance must be attached to this harm.
56. It is only if public benefits outweigh the cumulative harm to the significance of the designated heritage assets that planning permission should be granted in accordance with national and development plan policy.⁴⁰ Harm to the significance of the designed parkland is moderate to high and the harm to the WWII pillbox is moderate. *Framework* paragraph 197 requires a balanced judgement to be taken having regard to the scale of that harm and the significance of the assets.
57. The public benefits balance is addressed later, but it is submitted that the public benefits of the proposal do not outweigh the heritage or indeed any other harm. As such, a conflict with SCLP Policies NH/14 and HQ/1 (and in this context in particular HQ/1 1.b arises. For the same reasons, given the acknowledged level of harm, which is not outweighed by public benefits, there is conflict with *Framework* paragraph 196 and 197.

Agricultural land

58. The proposals would result in the loss of 33 ha of grade 2 and 3a BMV agricultural land. SCLP Policy NH/3 directs that permission should be refused unless sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land. The appellant argues that the loss of this agricultural land would be compensated for by the proposals enabling advances in agricultural productivity elsewhere. But this argument relies upon a need for a development of this size for a dedicated AgriTech park, and that the occupiers of the park would generate new technologies that would lead to improved agricultural productivity.
59. For the reasons set out later, no need has been demonstrated for the floorspace in this location. Secondly, the speculative nature of the proposal casts significant doubt upon whether the scheme would attract occupiers who would be capable of generating the new agricultural productivity improvements

⁴⁰ *Framework* paragraph 196 and SCLP Policies NH/14 and HQ/1 1.b.

upon which the appellant relies. Thirdly, and in any event, AgriTech businesses or institutions who may wish to take up floorspace in South Cambridgeshire have ample opportunity to do so in existing business locations, or within future floorspace which will be delivered pursuant to existing commitments or consistently with the policies of the SCLP. As such, any benefits that such organisations may deliver in terms of agricultural advancement would be secured in any event.

60. Accordingly, the proposals conflict with Policy NH/3 of the SCLP. In particular, given the policy conflict which the development generates, and its adverse impacts, the loss to productive agricultural land cannot be considered as sustainable. The loss of this land is also in conflict with *Framework* paragraph 170(b) which requires decision-makers to recognise the economic and other benefits of the BMV agricultural land. For these reasons, the proposals would conflict with Policies NH/3 and HQ/1 1.b of the SCLP and paragraph 170(b) of the *Framework*.

Need and benefits

61. SCDC recognises the economic importance of the AgriTech sector nationally and regionally, and shares the support expressed by Government and of others for fostering and capitalising the opportunities presented by this sector. However, it does not accept that these important objectives require the release for development of a large greenfield site in a sensitive location such as the appeal site, which gives rise to substantial conflict with local and national policy. The objective for the sector can be achieved through the use and redevelopment of existing floorspace, through commitments and through planned growth consistent with the recently adopted SCLP and other components of the recently adopted development plan.
62. The appellant's claims that there is a pressing need for a 50 ha AgriTech park must be considered in the context of there being no identified occupier with identified need for any part of the proposed floorspace, let alone one who is prepared to commit or indeed to express a firm intention to occupy the proposed park or any part of it. The need would seem doubtful when considered in this context alone.

(a) Pattern of existing AgriTech related development

63. It is common ground that there is an established presence of AgriTech businesses and research establishments (both commercial and academic) in and around Cambridge, as well as in the wider East of England region, which is operating successfully.⁴¹ These include some large multinational AgriTech operators, including Bayer Crop Sciences, Monsanto, Syngenta and Certis. AgriTech businesses and institutions are distributed around South Cambridgeshire and the surrounding area. ID32 shows 18 AgriTech businesses occupying existing business parks or locations. It follows therefore that there already exists a cluster of AgriTech businesses dispersed throughout the area, which is not dependent on, nor does it require, co-location on a single site. The existing pattern demonstrates that there is no impediment to AgriTech

⁴¹ CD2.5 paragraphs 2.56-2.49 (pp 32-33) and paragraphs 5.4-5.6 (p 83).

businesses occupying spaces on existing multi-disciplinary business and research parks.

64. There is no evidence to demonstrate that any AgriTech operator already established in Greater Cambridge is failing to thrive or to realise its potential by reason of the absence of space for co-location on a single large dedicated site. No evidence has been submitted that any operator was disincentivised from locating in Greater Cambridge (or indeed the UK) by the absence of sites.
65. A successful cluster does not require co-location as opposed to agglomeration within a geographic area, as demonstrated by the operation of other successful clusters operating in and around Cambridge. The Cambridge biomedical and life sciences cluster is well established and highly successful. It operates from a range of locations in and around Cambridge including within University Departments within the City, at the biomedical campus in the south, the Cambridge Science Park to the north, the Wellcome Trust Genome Campus at Hinxton, and at Granta Park and the Babraham Research Parks in rural South Cambridgeshire.⁴² A 20 mile radius from the centre of Cambridge is a widely used definition of the Cambridge life sciences cluster, demonstrating that this highly successful cluster operates successfully on a distributed basis without co-location on a single site.⁴³
66. Moreover, the opportunities for interaction and knowledge exchange between organisations within the cluster is widely recognised as being successfully facilitated and achieved by networking organisations, exemplars of which are well established in and around Cambridge.⁴⁴ It is notable that such networking organisations, including in respect of venture capital, are already established in the AgriTech sector through AgriTech East and Cambridge AgriTech and they transcend the various locations that comprise the cluster.⁴⁵ Seen in the context of this clear evidence, the need for 50 ha of co-locational space is simply not made out.

(b) Adjacency to agricultural land for field trials

67. The appellant asserts a need for not less than 10 ha of land for field trials, with the quality of that land being determined by matters of soil structure and characteristics, including moisture content, field topography and the ability to carry out rotational cropping. However, what has become apparent during the Inquiry is that there is in fact no need for AgriTech operators to be sited adjacent to fields to be used for crop and seed trials, as such trials could be spread around a range of farms.
68. The National Institute for Agricultural Botany (NIAB), a world leader in plant-based research does not require such adjacency. The NIAB uses several hundreds of hectares around Cambridge and its surroundings, much of it in the Duxford area, for its field trials, notwithstanding that its principal research base

⁴² ID35.

⁴³ APP4.2 paragraph 5.26.

⁴⁴ ID33 pp 1-3, 5-6 and 8-9, CD7.11 p 60, CD 7.5 p 11 and CD 7.18 p 48.

⁴⁵ ID33 pp 4 and 7.

is on the edge of Cambridge, at Huntingdon Road.⁴⁶ The world renowned Rothamsted Research Institute, based at Harpenden, Hertfordshire uses land at Woburn, Bedfordshire and at Brooms Barn Farm in Suffolk for its field trials.⁴⁷ More locally, organisations who use Russell Smiths Farms land for crop trials rotate those fields regularly and, for example, KWS, based at Thriplow, use fields adjacent to the appeal site, at Hinxton, which is some six miles from their Thriplow base.⁴⁸ The need for AgriTech operators to be adjacent to fields to carry out crop and seed trials is not made out.

69. It is difficult to see how on any logical basis factors such as accessibility, quality of environment and a parkland setting can give rise to a need for what is proposed here. The allocation of land and wider policy support for employment development within the SCLP has been formulated and identified by reference to the availability of sustainable modes of transport. For example, established business parks such as the Cambridge Science Park, which is allocated for expansion through SCLP Policy E/1, are located close to main transport hubs, such as Cambridge North Station. Existing business and research parks are of consistently high quality (e.g. Granta Park, Babraham and Cambourne Business Park) and new development, delivered consistently with policy, can be expected to be of the same standard.

(c) The availability of existing, committed and planned employment floorspace and its suitability for the AgriTech sector

70. The generous supply of employment land in the Cambridge area, in qualitative as well as quantitative terms, can accommodate further demand from the AgriTech sector in whatever form it may take. This existing floorspace comprises various forms, including office, B1(b) and B1(c) floorspace, in varied locations. Current and anticipated availability, within just zones 4-5 (the Bio Cluster and out of town sites), comprises 251,500 sq.ft., representing some 69% of the proposed floorspace through the appeal scheme. This unavoidably represents a snapshot in time, but considers only zones 4 and 5 and, as such, it considers only a partial supply of existing floorspace.⁴⁹ For the remaining 13 years of the current local plan period, commitments and planned supply amount to over four times the assessed need. The SCLP provides for a significantly larger quantum of floorspace than is required to deliver 22,000 new jobs to 2031.⁵⁰ The allocated floorspace provided through the SCLP and other Area Action Plans (AAP) are being delivered.⁵¹

71. Existing and established employment locations, including business and research parks, have existing capacity as well as capacity to grow. At Granta Park there is committed but unimplemented floorspace for an additional 62,789 m², which

⁴⁶ LPA2.3 Appendix C. It is notable that NIAB has disposed of its fields located adjacent to its existing and expanding Huntingdon Road base for development, and in so doing has lost access to an existing bridge crossing the A14 to link those fields with others that it owns to the north (see ID47 and ID57).

⁴⁷ ID36.

⁴⁸ CD2.3 p.22.

⁴⁹ APP4.2 paragraphs 5.11 and 6.3 (as amended by ID38).

⁵⁰ CD6.7A paragraphs 2.36-2.37 and CD5.6 paragraph 134.

⁵¹ ID19 and ID46.

could be developed for an AgriTech development.⁵² Chesterford Research Park has consented floorspace for two new buildings of 28,000 sq.ft. and 22,000 sq.ft.⁵³ At the Cambridge Research Park, there is again clear existing capacity along with unimplemented floorspace arising from a 2012 planning permission and a current application for planning permission for 28,000 m² of mixed B-class floorspace, which is to include not less than 10,096 m² of B1(a) and B1(b) floorspace.⁵⁴ There is also available floorspace at the Cambridge Science Park and at Cambourne.⁵⁵ Quantitatively, there is a generous amount of floorspace available to any AgriTech operator who wishes to expand or to relocate to Cambridge or South Cambridgeshire.

72. In qualitative terms, the need for adjacency to fields for trials has not been demonstrated. No qualitative reason for need arises from adjacency. Many existing and proposed business and research parks in rural South Cambridgeshire are surrounded by agricultural fields in any event. The opportunities for knowledge exchange are well established within the Cambridge clusters, including amongst AgriTech businesses and institutions, which operate without co-location on a single site. It is difficult to see why an office based AgriTech business could not operate successfully in one of the established business parks in and around Cambridge or in South Cambridgeshire, nor indeed is there any reason why any AgriTech light-industrial business operating within use class B1(c) could not take up business floorspace in existing or planned locations in the District, or indeed the wider sub-region.
73. The alternative site assessment submitted by the appellant considered in detail only sites of at least 50 ha.⁵⁶ But the need for co-location on a single site has not been demonstrated. The assessment also includes, as a central criterion, matters concerning soil quality and hydrology, associated with the use of at least 10 ha of land for crop trials. However, adjacent land for crop and seed trials is not necessary. The appellant's evidence concerning alternative sites is unreliable and should be discounted. Moreover, Mr Hill's evidence reveals that the decision to promote the appeal site for AgriTech uses was a product of him becoming familiar with the site as a result of passing it when travelling to work. The entire exercise set out in the Planning Statement concerning the assessment of alternative sites (flawed as it is) is an after-the-event attempt to justify a decision to advance a site which was not accompanied by any attempt to consider alternatives and in particular more suitable and less harmful opportunities for provision of floorspace for the AgriTech sector.

(d) Any policy support for the delivery of AgriTech floorspace in the form proposed by the appellant.

⁵² This represents the position as at March 2018, the last monitoring date. Part of this floorspace has now been taken up in the form of the Illumina building.

⁵³ ID37.2.

⁵⁴ There are a range of occupiers at the Cambridge Research Park including B1 and research and development operators (e.g. Horizon and Stemcell Technology).

⁵⁵ ID39 and ID51.

⁵⁶ CD2.5 and updated APP8.3 Appendix J.

74. SCDC wishes to attract new investment and employment, in all sectors with a link to Cambridge, including the AgriTech sector, and the SCLP has been prepared and adopted precisely to secure this. However, and notably, nowhere in either Government policy or expressions of support for the AgriTech sector, set out in the Industrial Strategy (CD7.3), in "Growing the Bioeconomy" (CD7.22) and the UK Strategy for Agricultural Technology (CD7.2), nor in those of the Combined Authority, is there stated to be a requirement for a single 50 ha site dedicated to the AgriTech sector, and particularly for AgriTech development of the very broad nature proposed by the appellant. It is notable in particular that the Cambridgeshire and Peterborough Independent Economic Review (CPIER), September 2018 (CD7.11), recognises the opportunities for the sub-region from the AgriTech sector, but confirms that "business space is not a critical issue in the Cambridge and Peterborough area".⁵⁷ The support expressed for AgriTech, which is shared by SCDC, does not require what is proposed here.

(e) The need for incubator space and floorspace for start-up businesses

75. The need for and benefits of the proposed incubator space must be considered in the following context. Start-up and spin-off businesses are a well-established and important element of the economy of Cambridge and South Cambridgeshire.⁵⁸ The appellant's evidence refers to several named examples of successful start-up businesses in the sectors which are located in and around Cambridge.⁵⁹ That Cambridge and South Cambridgeshire are demonstrably attractive locations for start-up and spin off businesses, including in the AgriTech sector, suggests that there is no quantitative or qualitative constraint related to land supply which is inhibiting the sector.

76. Moreover, SCDC is taking active steps to secure more floorspace for new and growing businesses. The Cambridge Compass Enterprise Zone includes within it the Cambourne Business Park, the Cambridge Research Park and Northstowe. The authorities and landowners within the Enterprise Zone are actively seeking to bring forward new floorspace for start-up and developing businesses.⁶⁰ Furthermore, the SCLP identifies Northstowe, North-West Cambridge, Cambridge Northern Fringe East and the Cambridge Science Park as especially suited to include provision for start-ups, SME's and incubator units.⁶¹ The Bradfield Centre, within the Cambridge Science Park, is a good

⁵⁷ The Combined Authority for Cambridgeshire and Peterborough in its Non-Statutory Strategic Spatial Framework (CD6.8) supports the strategy set out in the SCLP 2018 and is not seeking to depart from it. If, however, in due course, the Combined Authority were to make more direct suggestions in terms of the AgriTech sector or any other sector of the economy through further iterations of the non-statutory spatial plan, SCDC has expressly committed to have regard to such suggestions, which would inform the new joint local plan with Cambridge City, to be produced in accordance with the timeframe set out in SCLP Policy S/13.

⁵⁸ CD6.7A paragraph 8.47 p 183 and CD2.5 paragraph 5.28.

⁵⁹ APP2.2 paragraph 2.2.25.

⁶⁰ ID15 p 2, ID46 Annex 3 and ID48 annexes 1 and 2.

⁶¹ SCLP Policy E/9 paragraph 2. Development at Northstowe is the subject of the extant Northstowe AAP 2007. Development at NorthWest Cambridge is the subject of the extant North-West Cambridge AAP 2009. Development at both Northstowe and at North West Cambridge is presently under construction, as described at ID19.

example of new “incubator” floorspace being provided, as is the new incubator space being delivered at the Babraham Research Park.⁶²

77. There is no identified need for additional provision beyond that which already exists, and which is now being planned for. The provision of incubator space on the appeal site is therefore a factor of limited weight here.

f) Conclusion

78. The appellant’s justification for what it proposes is in large measure based on there being a compelling but unmet need for new AgriTech floorspace to be delivered and that the appeal site is the only feasible location to meet this need. Its case in this respect has not withstood scrutiny. In quantitative and qualitative terms there is ample floorspace available for AgriTech operators to take up, without the need to release this large sensitive greenfield site for development.

Employment and the economy

79. In terms of construction jobs, plainly any development if carried out will generate construction jobs and value. That factor therefore cannot be a benefit of itself which can justify an otherwise unacceptable development in planning terms.
80. The speculative nature of the proposal is such that the claimed operational employment and economic benefits cannot be remotely assured at this stage. The appellant’s forecast of jobs and economic contribution is predicated on an assumption as to the nature of future occupants. The appellant’s economic impact assessment forecasts assume an occupancy profile comprising two large company tenants (UK or multinational) with an estimated 500 staff each, eight large UK/international growth companies with an average of 200 staff each, 25 SME’s with an average of 40 staff each, and 35 start-ups.⁶³ However, not one such occupant who is committed or even has expressed interest in the development has been identified. The appellant’s employment and economic forecasts must be considered with caution.
81. In any event, SCDC does not accept that there is a need for the appeal proposal. There is a generous quantum of employment floorspace available now in the District, as well as committed and planned floorspace to meet the needs of AgriTech businesses and establishments, as well as other sectors operating in and seeking to access the Cambridge economy. In qualitative terms, as the existing distribution of AgriTech businesses demonstrates, the range of existing, committed and planned floorspace is entirely suitable for the sector. No evidence has been given to suggest that AgriTech businesses are being held back or disincentivised from establishing in the Cambridge and South Cambridgeshire area by reason of quantitative or qualitative considerations.
82. It follows that the future employment and economic benefits from any AgriTech business which wishes to establish or grow would be secured without the need for the appeal proposals. The jobs that would be generated by the proposals

⁶² ID39.

⁶³ CD2.4.3 paragraph 115.

could be achieved elsewhere if the required floorspace for AgriTech occupiers can be accommodated elsewhere. Additional AgriTech occupiers wishing to take up floorspace within the Cambridge cluster could go into the existing and planned floorspace if they wished to. Thus, if the proposals were implemented, the benefits, if any, created by AgriTech businesses occupying the appeal site would simply be displaced from other locations, and furthermore could be delivered on those alternative locations without causing the level of harm that the proposals would create. No economic or employment benefits would be foregone as a result of the dismissal of this appeal.

Other considerations

83. SCDC does not seek the dismissal of the proposals on the basis of highways grounds, subject to the section 106 agreement and the imposition of the agreed conditions. Nor does it seek dismissal on the basis of the effects on biodiversity, noise, air quality or local hydrology.

Green Belt

84. That part of the appeal proposals which involves development in the Cambridge Green Belt comprises part of the works to secure access to serve the proposed development. It includes part of a pedestrian/cycle/equestrian overbridge of some 7.5 m to deck, together with a 1.4 m parapet on both sides and associated with bridge abutments and supports; a private transport interchange, together with a vehicular access point from the A505, bus shelters, cycle racks, real-time information and associated infrastructure including signage, lighting, fencing and other security features; in all likelihood at least a barrier at A505 carriageway level; and cycle and pedestrian routes alongside the A505 and north along the A1301 to a crossing point on the edge of Sawston, together with, SCDC considers, an engineered facility to accommodate the change in level from the field edge path to the crossing at carriageway level of the A1301.
85. In terms of impact on the Green Belt, consideration should be given also to the use of the transport interchange, particularly by buses, and to the loss of hedgerow which would be necessary to introduce the new access to the interchange and its associated visibility splays.
- (a) Does the development in the Green Belt comprise local transport infrastructure?
86. Work proposed in the Green Belt is intended to provide suitable access to serve a single private development. Although the overbridge would be available for use by the public, there is no suggestion that the bridge or any part of the works in the Green Belt are intended to be delivered to address any general or local need. Thus, these are private works to meet the needs of a single private development. Enhancements to Whittlesford Parkway as a transport interchange are in any event being promoted by CCC and by the Greater Cambridge Partnership.⁶⁴ That scheme is proposed for a location further to the west, outside the Green Belt, and there has been no evidence to suggest that the appellant's proposed transport interchange is a suitable substitute for that

⁶⁴ CD10.4.

Whittlesford Parkway scheme, nor is there evidence that the appellant would make its private facility available for the same purposes.

87. The term “local transport infrastructure” is not defined in the *Framework*. The word “local” before transport infrastructure must qualify the term in a meaningful way. The term means transport infrastructure which is delivered to meet a public need within a local area, as distinct from infrastructure to serve the future needs of a new single private development. If the position were to be to the contrary, then it would follow that any form of private development would, in principle, be entitled to introduce into the Green Belt transport and access related infrastructure to serve that development. When introducing the reference to “local transport infrastructure” into the NPPF 2012, the Secretary of State, in his Impact Assessment (CD59), stated that in addition to park and ride schemes other local transport infrastructure schemes could be beneficial to communities in the Green Belt, including for example, infrastructure to support more public transport, such as opening new routes, providing bus shelters and small public transport interchanges.
88. This explanation reveals that, so far as the Secretary of State is concerned, “local transport infrastructure” is infrastructure which is “beneficial to communities” in that it would address an existing deficiency or requirement within the local community. It would not therefore include infrastructure which is to serve the future needs of a new single private development. This distinction has also been recognised by Inspectors. A private access road to serve a housing development was found not to be “local transport infrastructure” within the meaning of the 2012 NPPF.⁶⁵ Additional HGV parking at an MSA serving the M25 was “local transport infrastructure”, which served a local public purpose.⁶⁶ A private car park to serve an industrial estate was not, with the Inspector observing that there must be “public interest for local transport infrastructure”.⁶⁷ The two documents submitted for the appellant in this context are also consistent with this approach. These concerned an access road to an existing water treatment works and so performed a critical public function to the benefit of a local community.⁶⁸ The other concerned the grade separation of a junction serving the M1 motorway, which again is public infrastructure intended to benefit a wide range of users.⁶⁹
89. Given the private nature of the proposed works in the Green Belt to meet the future needs arising from its development, those works do not amount to “local transport infrastructure” for the purposes of *Framework* paragraph 146(c). As such, those works cannot amount to “not inappropriate” development in the Green Belt.
- (b) Can the works demonstrate a requirement for a Green Belt location?
90. If a) above is satisfied the next issue concerns whether those works have been demonstrated to require a Green Belt location. Resolution of this issue relates directly back to the case for the principal elements of the scheme. If the

⁶⁵ ID59.

⁶⁶ ID60.

⁶⁷ LPA1.3.

⁶⁸ ID62.

⁶⁹ ID63.

AgriTech proposals are found to be unacceptable in planning terms, the associated access works required to deliver that development would not be required and would not therefore require a Green Belt location. If SCDC's case prevails therefore then the inescapable conclusion is that, for this additional reason, the works in the Green Belt are inappropriate development.

c) Do the works preserve openness?

91. The third issue arising from paragraph 146(c), if the Secretary of State gets this far, is to consider whether the development preserves the openness of the Green Belt. The principle in *Europa Oil and Gas Ltd v SSCLG* is plainly not in dispute. The effect on openness of development such as a bus shelter, a new public transport route, etc. are unlikely of themselves to give rise to an unacceptable failure to preserve openness.⁷⁰ However, the totality of what is proposed here in the form of private access arrangements to a commercial development gives rise to an unacceptable impact on openness which extends well beyond what could be considered to be the inherent effects of local transport infrastructure.
92. The Green Belt is not a designation which protects landscape or visual interests. It is a spatial designation intended to protect openness. The focus must therefore be on the effect of the development in spatial terms on the openness of that part of the Green Belt proposed to be developed. The components of those elements of the development proposed for the Green Belt would be introduced onto a site which is currently open and undeveloped land.⁷¹ The introduction of part of a 7.5 m high bridge (9.9 m with parapets) and its abutments and approaches, as well as a private transport interchange, must have a material effect, when considered in spatial terms, on the openness of a currently undeveloped parcel of the Green Belt. When considered in the context of a policy which is seeking to "preserve openness" that effect can only reasonably and rationally be adverse.
93. Impact on openness may have a visual dimension. However, in the context of Green Belt policy, the focus must be on the effect of the development in visual terms on the openness of the land proposed to be developed. What cannot logically be correct is for the impact of development on openness of land to be judged by reference to the condition of adjoining land, particularly where that adjoining land lies outside the Green Belt. The quality of openness of land in the Green Belt and the effect of development on that land cannot sensibly be diminished by the existence of development on other land, adjoining or otherwise.
94. When considering the impact of the proposed development on the openness of the Green Belt from a visual perspective, the appropriate comparison here is between an open undeveloped greenfield site where openness has not been previously diminished to any material degree at all, with the effect of development on that land comprising the north-western portion of a large bridge, a private transport interchange and other development. The proposed development would adversely affect the spatial dimension of openness, so too would it adversely affect the visual dimension of its openness. It is submitted

⁷⁰ ID59.

⁷¹ LPA3.3B photographs 1 and 2.

therefore that the proposed development fails, and fails substantially, to preserve the openness of the Green Belt. The appellant's case that there is no impact on openness of the Green Belt plainly and demonstrably lacks credibility. Given that two of the appellant's witnesses were under the misunderstanding that Whittlesford Parkway Station, McDonald's restaurant and the petrol filling station were within the Green Belt, it is necessary to treat with caution the appellant's conclusion.⁷²

(d) Conflict with Green Belt purposes

95. The introduction of the proposed development would encroach into an area of countryside which comprises one of a series of open fields to the north of the A505. It would also give rise to urban sprawl, not least by introducing new access-related works onto land north of the A505 where such works are currently absent. The development would conflict with national Green Belt purposes (a) and (c), as set out in *Framework* paragraph 134. The SCLP sets out purposes which are particular to the Cambridge Green Belt. This includes protecting a "landscape which retains a strong rural character".⁷³ The Cambridge Inner Green Belt Boundary Study 2015 identifies a purpose of the outer rural area of the Cambridge Green Belt as "providing a setting for approaches to the Connective, Supporting and Distinctive townscape and landscape".⁷⁴ To introduce substantial built development as proposed into an existing open undeveloped area of farmland on the edge of the Cambridge Green Belt would compromise these local Green Belt purposes too. The proposed development, as it affects the Green Belt, amounts to inappropriate development.

Very special circumstances (VSC)

96. The appellant has identified three considerations which give rise to VSC. The first refers to the benefits of the scheme, but for the reasons above no such benefits arise so as to outweigh Green Belt and other harm. The second and third points refer to the public benefit of the proposed access works. However, proposals to improve Whittlesford Parkway station are emerging, with the support of public authorities, in any event. So far as the suggestion of public use of the proposed bridge and pedestrian and cycle links is concerned, no actual or potential future wider public need for such links has been identified, and given the dispersal of the current residential population, from where such a need would arise is unexplained. There are no proposals for such works set out in the development plan or any other policy document. Moreover, it is difficult to see how such links could justify the extent of development proposed.
97. The harm to the significance of heritage assets, both designated and non-designated requires a separate balancing exercise, as required by *Framework* paragraphs 196 and 197. Given the absence of need or benefits which would be forgone, there are no public benefits which are capable or sufficient to displace the harm to heritage assets here.

⁷² APP5.2 paragraph 6.2.12 and APP8.2 paragraph 5.5.6.

⁷³ CD6.7A paragraph 2.31.

⁷⁴ LPA3.7 paragraphs 4.14.24-25 and Figure 11.

98. Those parts of the development proposed within the Green Belt conflict with SCLP Policy S/4 and, given the effect of the development on the rural character and openness of the Green Belt, with Policy NH/8. As inappropriate development and in the absence of VSC, the development also conflicts with *Framework* paragraphs 143 and 144, in particular.

Planning policy

99. This appeal must be determined against a recently adopted local plan, which it is common ground is up to date and is otherwise in conformity with national planning policy, set out in the current *Framework*. Moreover, the evidence base for the plan recognised that historic patterns of growth were likely to change and in particular that “recent evidence suggests that the local high-tech cluster is “maturing” and that growth in the research and development sector will be slower than in the past, and other sectors will account for high proportions of growth”.⁷⁵ The SCLP recognises that “new sectors are likely to include renewable technology, the creative ICT sectors, digital, health/bioscience, high-technology manufacturing, professional business services, tourism and leisure”. It follows therefore that the SCLP, and its economic and employment policies in particular, were formulated expressly to address and to accommodate the likelihood of new sectors developing over the plan period.⁷⁶
100. “AgriTech” as a commercial sector is not referred to expressly within the SCLP. However, the strategy is to make provision for a range of sectors to emerge and develop over the plan period.⁷⁷ The need for growth sectors, such as AgriTech, was therefore fully considered and addressed through the strategy and policies of the SCLP. The appellant places significant reliance on SCLP Policy E/9, but misconstrues and misapplies that policy. Policy E/9 provides that “development proposals in suitable locations will be permitted which support the development of employment clusters, drawing on the specialisms of the Cambridge area”. There is an issue as to what is meant by “suitable locations”. Suitability must be interpreted having regard to other policies of the plan. Properly construed, Policy E/9 requires more than that. A suitable location, for the purposes of Policy E/9 is a site which conforms, in locational terms, to the spatial strategy and allocations within the SCLP. This does not include sites, such as the appeal site, which have no development plan support whatsoever. Policy E/9 does not therefore assist the appellant at all.⁷⁸
101. The proposed development is in serious conflict with the strategy of the SCLP in terms of meeting and planning to exceed the need for new employment floorspace over the plan period, and in terms of planning for the delivery of floorspace in a flexible and forward-looking manner. The appeal site is unallocated and outside any location on which employment development is supported by the development plan. The proposed development conflicts with multiple policies of the SCLP and, as such, gives rise to a clear conflict with the development plan as a whole. As a result, and in accordance with the relevant

⁷⁵ ID20 Appendix and CD6.7A paragraph 8.4.

⁷⁶ CD6.7A paragraph 8.5.

⁷⁷ ID20.

⁷⁸ ID21.

statutory requirement, a presumption against the grant of outline planning permission arises.

102. The proposed development does not accord with an up to date development plan, so to grant outline planning permission would not amount to sustainable development for the purposes of the *Framework*, and planning permission should be refused.

Conditions and obligations

103. Conditions and a planning obligation are required in order to address matters which are necessary to make the development acceptable in planning terms. Conditions are agreed except for concerns about limiting occupiers to those within the AgriTech sector, and a review of the site wide sustainability strategy. It is common ground that that which is provided for within the obligation is necessary to make the development acceptable in planning terms, and otherwise meets regulation 122 of the Community Infrastructure Levy Regulations 2010.
104. The appellant has advanced its proposals as being necessary to meet the needs of the AgriTech sector. It seeks planning permission on that basis and, if its case in that respect is accepted, it follows that a control must be secured through the planning permission which limits future occupiers to those within the AgriTech sector. This much is common ground, but the difficulty which arises concerns how that control is to be expressed. In large measure this difficulty arises as a result of the lack of clarity on the part of the appellant as to what it means by "AgriTech" in the context of the appeal proposal and how it envisages the appeal site being populated.
105. The appellant has offered multiple definitions of "AgriTech" as it applies to the appeal proposals. In terms of conditions, three alternatives seem to be at large (Conditions 12a, b and c). None of these is sufficiently precise so as to be effective, nor indeed do they reflect the basis on which the appellant has advanced its proposals.
106. If planning permission is granted, SCDC considers that the only precise and effective means of control would be for any future occupiers to demonstrate to SCDC's satisfaction a need to locate on the appeal site, either by reason of an operational need to be located adjacent to fields in agricultural use or by reason of the need to be located together with other existing occupants. Thus, it is submitted, a condition in the form of suggested condition 12d should be imposed. Plainly, such an approach would require on-going input from SCDC. However, if (contrary to the SCDC's case) the appellant's justification of the need for the proposal is accepted, demonstrating compliance with the criteria within draft condition 12d should not be onerous. Conditions containing a substantively similar requirement for an occupier to demonstrate need have been used elsewhere by SCDC, consistent with development plan and national planning policy.⁷⁹
107. For the avoidance of doubt, it is submitted that to seek to incorporate a condition in the form of condition 12a, b or c within condition 12d would not be

⁷⁹ ID45.

appropriate given that, by doing so, the same lack of precision and enforceability referred to in respect of condition 12a, b and c alone would necessarily arise.

108. The appellant resists as unreasonable any review of the site-wide Sustainability Strategy and targets in the event of the adoption of a new development plan. The development would be built-out over a period of up to 15 years, and it is likely that development plan policies (and indeed national planning policy) concerning sustainability targets, including the reduction of CO₂ emissions, will evolve and be modified during that period. Condition 54 seeks to achieve a review of the site-wide Sustainability Strategy and targets in the event of the adoption of a new local plan. Such an approach is not unreasonable given the long implementation. It would be necessary to ensure that the proposed development achieves its stated intention to be an exemplar of sustainability.⁸⁰ Any unacceptable implication to the development as a result of new policies, e.g. to scheme viability, would be capable of being addressed through the condition, and in particular through the entitlement to offer a justification as to why a revised Strategy and targets are not intended to be introduced.

Conclusions

109. For the reasons given, the Secretary of State is invited to refuse outline planning permission and to dismiss the appeal.

The case for interested persons opposing the scheme

The following persons appeared at the Inquiry objecting to the proposed development, and a summary of their submissions is included below.

110. Professor Brown (Hinxtton Parish Council)⁸¹ reiterated the Parish Council's written objections to the proposal, highlighting that the proposed business park would cover an area much the same as that of Hinxtton village in open country fields. It would be deeply damaging to the landscape and environment of the village. Associated traffic would have a crippling impact on the economic life of the village. There is no justification for such a business park, with no relevant scientific expertise or substantial future tenants associated with its marketing aspiration of agricultural technology. The claim that alternative sites received detailed consideration is implausible. Hinxtton has no principled opposition to employment growth and supported the Wellcome Genome Campus, but the appeal scheme is misdescribed and misplaced with wholly inadequate mitigation.
111. Cllr Peter McDonald (SCDC)⁸² gave a local view with a perspective on agri-tech from working in the industry. Concerns were raised about the integration of the proposed development with key agri-tech players such as Rothamsted Research, NIAB, Ceres and large multinational companies. The companies that have indicated an interest in the proposal have limited synergy

⁸⁰ CD2.3 pp 68-68.

⁸¹ ID3.

⁸² ID25.

with others. Other areas such as the Elveden Estate between Cambridge and Norwich with proximity to the University of East Anglia and the John Innes Centre should be preferred. UK economic arguments for agri-tech are strong but this scheme has no involvement from Defra, Natural England (NE), or Cambridge University Faculty of Plant Sciences.

112. There would be no synergy with the Genome Campus, Babraham Campus or Granta Park, which focus on human health. The scheme predicts 4,000 jobs but long-established facilities such as NIAB, Rothamsted and Jon Innes only employ, respectively, about 200, 400 and 300 employees. The Genome Campus employs 1,500 scientists, is fully integrated into UK biomedical research programmes, and is managed by a Trust with full scientific governance. Whereas the appeal scheme would be managed by a commercial organisation with no scientific governance.
113. Rupert Kirby⁸³ is a local resident opposed to the scheme on highway grounds. He elaborated on his written submission concerning three main issues. The baseline data does not reflect the reality of existing traffic conditions. The main impact of the proposal would be on McDonalds roundabout. The appellant's survey of queues on a single day is a gross underestimate of the actual situation, as shown by data submitted by Hinxton Parish Council from January 2018 and May 2019. Congestion results in rat-running through local villages, which is demonstrated by Googlemaps routes. The aim to limit commuting by car to 50% of staff is over-ambitious in this rural location. Census data indicates that this is currently 79%. Notwithstanding that the appellant's assessment was modelled on "Business as Usual", public transport does not justify the proposed modal split. The Wellcome Trust staff use a number of free bus routes, and so 55% commute by car. This is markedly different to what is proposed in the appeal scheme. Even if staff of the proposed development used the shuttle from Whittlesford Parkway they would have to transfer to trains or a normal bus service. The proposed travel plan is far too ambitious for this location.
114. The modal split assumptions are allied with restricted parking provision. The proposed 0.5 spaces per employee would be equivalent to 1 space per 58 m² of floorspace, which would be very low in relation to comparative business parks. This would put the proposal at a significant disadvantage in terms of attracting tenants and finance, except for very low employment density occupiers. It would also result in 'fly parking' around the site in Hinxton, Duxford and in laybys on the A505 and A1301, with parking controls needed over a wide area.
115. Cllr Peter Topping⁸⁴ is district councillor for Whittlesford Ward and county councillor for Duxford Division. The proposal was unanimously opposed by Members of the Planning Committee. The proposal is outwith the SCLP, with wider economic interests for the area, or nationally, that would outweigh this objection. The proposal is not in the right place to support the relevant engine for growth in Cambridgeshire/Peterborough. The economic growth in and

⁸³ ID26.

⁸⁴ ID27.

around South Cambridgeshire is largely driven by knowledge-based research companies taking as their basis work done by the University in a spin-off effect.

116. Agriculturally based research is not opposed per se, but a location further to the north-east should be preferred. KWS seed development company is at Thriplow and the National Cereals Exhibition takes place at nearby Chrishall.
117. The highway improvements now agreed with CCC are welcomed, but concerns remain about the ability of the roads to cope with the possible influx of some 4,000 people, even though some may travel onwards from Whittlesford railway station by bicycle.
118. John F Williams ⁸⁵ is a resident of Ickleton village who previously worked in the agricultural chemical industry and is concerned about the need for the proposal and traffic infrastructure. The normal definition of 'agri-tech' business is that which involves research or development activities associated with technical advances in agricultural production, with most involving field trials. However, other aspects of AgriTech involving research stages for new crop varieties, chemical and machinery/electronic development do not require fields. The appellant's intention is for a general business or science park and so should be rejected out of hand because it does not require agricultural land and is not an appropriate use for productive agricultural land. Agricultural land is precious and increasingly so will be needed for food production.
119. Problems of traffic congestion have been acknowledged by the appellant and improvements in infrastructure are proposed. However, congestion on the A505 has been going on for years with rat-running through villages. Improvement are sorely needed, but this does not justify the proposed development.
120. The whole of the area to the southern side of Cambridge is now subject to massive proposals for development, leading to suburbanisation of what has been an area of farmland and rural villages. The 'overheating' of the Cambridge region is very unsettling for people. The proposal should be rejected to preserve at least some of what little countryside may be left.
121. ClIr Aureole Wragg (Pampisford Parish Council) ⁸⁶ opposes the proposed development on a green field site and on good agricultural land. The area is not designated for development in the SCLP and no mitigation measures would mitigate the loss of this land. An incursion into the Green Belt for the bus/cycle interchange should not have been considered. This part of South Cambridgeshire is an area of almost full employment, so 4,000 more jobs are not required.
122. Pampisford village is on higher ground and so suffers from noise from the A505. For long periods of the day there is stationary traffic through the whole parish from the A11 junction to the roundabout on the A1301, as well as from the direction of the railway station. This results in rat-running through local villages, particularly at peak times. None of the suggested road improvements

⁸⁵ ID28.

⁸⁶ ID29.

would alleviate the situation because of the increased traffic movements that would result from the appeal scheme.

123. Cllr Sian Wombwell (Ickleton Parish Council) ⁸⁷ maintained the parish council's objection because the proposal would have severe and irredeemable adverse impacts on important open countryside in the locality, lead to a loss of valuable farmland, and increase traffic rat-running primarily via Ickleton and Duxford, but also Hinxton. The site is not allocated in the SCLP and the plan operates to protect the open arable fields and valued chalk landscape. The proposed mitigation by an earth bund is flawed because the bund would not entirely screen views of the buildings, and would itself have a severe and permanent impact on the open landscape.
124. The context of the listed Hinxton Grange would be lost, as would BMV agricultural land. The land is currently used to grow high value crops. The business case for the scheme is weak. There is no nexus of expertise or track record in AgriTech, with no partnership with or actual commitment from any plausible party engaged in AgriTech in putting forward the proposals. The use classifications sought by the appellant do not indicate anything other than a general business park, with the focus on commercialisation. There is currently ample provision of office, laboratory and associated commercial space on existing developments. There is no collaboration with Cambridge University regarding the CERES project, a research initiative involving agriculture, life science and existing AgriTech industries backed by Government funding. The appeal site is geographically distant from existing AgriTech concerns in the East of England.
125. Ickleton residents are most concerned about the implication for traffic, with the village experiencing around 4,000 vehicle movements each working day, the bulk of which are not generated by the 300 homes in the settlement. Most are displaced from congestion on the A505 and A1301. Little attempt has been made to study this rat-running, and the proposed mitigation measures are not believed.
126. The Wellcome Trust entered into a legal agreement when it owned the appeal site agreeing not to develop the site unless it was included in a Local Plan, without the agreement of SCDC, or under a Development Order, or in accordance with planning permission granted by SCDC. At the time local communities believed that the land subject to the agreement had been safeguarded as agricultural land in perpetuity.
127. Tony Orgee ⁸⁸ maintained his objection to the proposal and addressed the FEI. With respect to the additional traffic modelling and revisions to the mitigation he raised two issues; the failure to deal with flows between junctions, and traffic movements at the entrance to the appeal site. The proposed mitigation would increase the capacity of a number of junctions, but in parts the A505 becomes one lane where backing up would result that would clog junctions. The mitigation includes traffic signals at certain junctions. But local examples of signalled junctions, such as the A1307, do not give cause for confidence. The appellant's assessment indicates that 1,156 cars would arrive

⁸⁷ ID30.

⁸⁸ ID31.

on site in the am peak hour, with 1,029 leaving in the pm peak hour. Backing up currently occurs at the single entrance to Granta Park, where there are only about 2,800 employees.

128. The additional viewpoints may not represent the enclosed feeling created by the bund for those walking, cycling or driving along the A1301. The restricted views would be a complete change from the present long distance views typical of this area of South Cambridgeshire. Irrespective of the ecological consequences of the proposal, the loss of high quality agricultural land, when there is an need to reduce food air miles and to live more sustainably, would be a retrograde step. The appeal site should be developed only when all other possible potential sites have been exhaustively researched and found to be less appropriate. Such a proposal should have been put forward for consideration in the local plan process, where, if a need was established, consultation could have taken place on a district-wide basis.
129. Dr Peter James (CPRE) ⁸⁹ raised eight objections to the proposal. The site is in open countryside, is unallocated in the SCLP and would be contrary to SCLP Policy S/7. The proposal should have been raised as part of the local plan process and examined in the context of the district as a whole. SCLP Policy S/11 designated Hinxton as an infill village, which would only provide for a limited number of new dwellings. This is in stark contrast to the scale of the appeal scheme.
130. CPRE normally supports provisions for public transport, but does not believe it necessary to use 7 ha of Green Belt land in this case. The scale of the proposed development would itself have a negative impact upon the nearby Green Belt. The Cambridge Green Belt is small, narrow and highly vulnerable to any adverse impact. It is gradually being eaten away by development and may soon be difficult to recognise, which by then will be too late because the surroundings and character of Cambridge will have changed forever. Cambridge is an academic jewel in the national economy, whose future is increasingly threatened by over-development due to the thriving local economy.
131. Modern farming practices can result in large areas of intensive cultivation which are low in biodiversity. But this can be countered by providing wildlife friendly features, whereas improvements to landscape and biodiversity are not going to be achieved by erecting large buildings in the countryside and adding some park-like features. The undulating rural landscape around Hinxton is worthy of protection and should not be urbanised by a large cluster of buildings. CPRE is concerned about the loss of habitat, particularly for overwintering birds. The proposed mitigation measures would not be effective compensation.
132. BMV agricultural land is a national resource and its protection is becoming more important for a nation which imports nearly 60% of its food supply. Of the 40% of food grown in this country some 60% comes from the fens, which are now at high risk of permanent flooding due to climate change. Everything possible must be done to protect BMV agricultural land that is located on higher ground.

⁸⁹ ID37.

133. Despite the laudable intention to increase the use of trains, buses and cycles, the scheme would inevitably generate many car journeys that would affect local roads. This should not be considered as incremental change in isolation from other proposed development in the locality.
134. Light emitted from the proposed buildings and car parks would add to light pollution in this rural landscape, adding to the urbanisation of the landscape on the edge of the Green Belt. This would adversely affect wildlife and appreciation of the night sky.
135. There is concern that development of this scale would further increase flood risk locally and downstream in the River Cam, where other major development is planned.
136. This is a speculative development. None of those who have written in support of the proposal has clearly identified why this site is so significant and why alternative locations, such as Chesterford Research Park, or the new innovation centre at Soham, would not fit their needs. The primary objective of the scheme is to create opportunities for further development in the future. Calling this an AgriTech park is just a convenient cover story.

The case for the appellant

The following summary of the appellant's case broadly follows its closing submissions to the Inquiry, with additional reference where necessary to the evidence adduced.⁹⁰

Introduction

137. The application is for a major development on a site that is not allocated for such development in the SCLP. But the SCLP allows for development of clusters to take place in appropriate circumstances. SCDC's refusal fails to recognise the power and importance of the policy drive to support the AgriTech sector that is clearly established at national and sub-regional levels. The SCLP does not mention the AgriTech sector. Yet it is of huge significance to the future of not only the sub-regional economy, but also to the UK's ability to compete effectively across the globe in this fast-growing sector. There are already a significant number of businesses and other organisations operating in the sector in the Cambridge area, and there is a real opportunity to build on these through the appeal development.⁹¹

The development

138. The AgriTech park would be the UK's first large-scale campus style development purpose-built to accommodate the needs of the fast-growing UK AgriTech sector.⁹² It would assist in the achievement of a number of key, high-

⁹⁰ ID1 and ID69.

⁹¹ ID32. There is agreement that "there are multiple departments at the University of Cambridge and many university related partnerships that undertake AgriTech research and other related activities".

⁹² APP8.3 Appendix K paragraph K2.1.

level policy objectives that seek to place the UK in the forefront of the advances in agricultural technology that are needed to address effectively the twin global challenges of alleviating hunger and radically improving the sustainability of agricultural practices.

139. It would not be purely a research and development campus. Research is the basic science; development is using this to do something; innovation is the process of proving that the “something” works. Commercialisation is the successful production, marketing, sale and servicing of a range of things, including for example physical products, services or computer-related or other applications. The emphasis here would be on the commercialisation process.
140. Draft Condition 10 sets out the amount of permitted floorspace within each Use Class. Draft Condition 12a sets out the appellant’s preferred version of the condition, which both parties agree would be necessary, that would restrict the use of the permitted floorspace to AgriTech purposes. This sets out the appellant’s definition of AgriTech with clarity and certainty about the purpose and nature of the development and of the businesses and other organisations that would occupy the site.

Landscape and visual impacts

141. The original ES assessed the scheme’s landscape impacts by reference to four character areas (L1–L4).⁹³ SCDC asked the appellant to consider introducing further character sub-areas, which resulted in the ES Addendum adding two character areas.⁹⁴ The landscape to the south of the A505 shares some of the characteristics to the north of the road. Viewpoint 6 in the ES Addendum shows common characteristics of the Granta Valley to both sides of the road.⁹⁵ But in any event, this is a non-point because the appellant’s conclusions have not materially changed in the light of the additional assessment.⁹⁶ The respective positions of the landscape experts, both in landscape impact and visual impact, are set out in the table at ID40.
142. SCDC failed to take into account any of the planting that would be in place on completion.⁹⁷ The key difference between the experts relates to the development’s impact in year 15. But SCDC has not in fact carried out a visual impact assessment at year 15.⁹⁸ Furthermore, SCDC wrongly increased its assessment of landscape sensitivity by reference to the fact that the application is in outline.⁹⁹ SCDC also wrongly ignored the secondary mitigation measures identified in the ES.¹⁰⁰ Taking the secondary mitigation into account in addition to the primary mitigation shown on the parameter plans does not amount to “double counting”.¹⁰¹ The methodology is entirely in accordance with

⁹³ CD2.4 paragraph 9.45 and Figure 9.10 (on which L1 is the site, L2 is the South East Clay Hills, L3 is the Chalklands, and L4 is the River Valley Landscapes. CD2.4 pp 9-14 to 9-18.

⁹⁴ ID44. CD12.1 pp 9 and 10 (L5 and L6). CD12.1 Figure 9.10A. Plan at ID40 shows L1–L6.

⁹⁵ CD2.12.

⁹⁶ CD2.12 pp 9 and 10.

⁹⁷ LPA3.3A Appendix 1 p 007 – “Day 1 – excluding proposed “soft” mitigation”.

⁹⁸ LPA3.2 paragraph 9.18.

⁹⁹ LPA3.1 8.10.

¹⁰⁰ CD2.2 p 9-28 paragraph 9.54; and APP5.2.

¹⁰¹ LPA3.1 p 55 paragraph 8.58.

GLVIA3.¹⁰² SCDC considers that 15 years of mitigation would have no material effect in terms of either the scheme's landscape impact or its visual impact.

143. The appellant's analysis is carried out on a worst-case scenario in terms of building heights – i.e. on the assumption that the land profile would be maximised across the site (this could not happen in the real world as the cut and fill balance would not be achieved).¹⁰³ It also assumes that the buildings would all be built to their maximum heights (excluding point features). The assessment is therefore extremely robust.

144. Finally, with regard to cumulative impact, it is common ground between the parties that there is no need for the cumulative impact of any as yet unconsented schemes to be taken into account. If the position changes after the close of the Inquiry, e.g. if the Wellcome application is consented, it may be necessary for the parties to make further representations on this issue.

Heritage impacts

145. The most important elements of the setting to the significance of Hinxtton Grange are the garden and the parkland. These comprise its immediate setting, with the agricultural fields beyond forming its wider setting. The garden and parkland would not contain any built development and would be the subject of restoration proposals. The Tree Report identifies which existing trees are dead, dying or dangerous and which are therefore appropriate for removal.¹⁰⁴ The proposed parkland restoration would be based on the historic map from 1886.¹⁰⁵ The orientation of the house, neither as proposed nor as built, provided a view down the avenue. As originally built, there were groups of trees that would have filtered the axial, or principal designed, view from the house through the garden and parkland and across the agricultural land beyond. Views from the house to the west would not therefore have been as open and relatively uninterrupted as they are now.¹⁰⁶

146. It is also proposed to strengthen the existing hedgerow/woodland planting around the edge of the parkland, on its southern and western sides. Gaps would remain, including one for the proposed path from the south and another on the line of the axial view, beyond which it is proposed to create a square, with buildings beyond which would be orientated not across but along the axis.¹⁰⁷ The more open nature of the boundary of the parkland in its original layout would become more enclosed, significantly mitigating over time the impacts of the built elements of the development on the setting of the Grange.

147. The avenue is also part of the historic setting of the Grange and contributes to its significance. This is presently available for use by vehicles, and whilst it appears not to be much used at present this could change. Under the proposals it would be available for use (other than crossing it) by

¹⁰² CD9.4 p 57 paragraph 4.2.1. CD2.2 pp 9-11 to 9-31.

¹⁰³ LPA3.3A Appendix 2.

¹⁰⁴ ID42. CD2.13 Plan 6. LPA4.2 paragraph 7.7.

¹⁰⁵ APP6.3 Figure 5 and Figure 3 LPA4.2 Figure 9.

¹⁰⁶ APP6.3 Appendix 4 plate 2.

¹⁰⁷ APP8.3 Appendix H. CD2.3 pp 64-65 Figures 41 and 42.

pedestrians and cyclists only. The view from the western end of the avenue to the north, towards the tower of Pampisford church would be unaffected by the development because the land immediately to the north of the avenue is proposed as a wetland area. The view at the western end of the avenue to the south, towards Hinxton church tower and spire, would be interrupted by the proposed bunding and planting on top. The buildings on both sides of the avenue are proposed to be set back from it. On the south side, there would be a minimum 50 m wide buffer, with "small scale buildings aligned perpendicularly to the avenue" and "large areas of linear open space permeating through built development".¹⁰⁸

148. Such glimpses as there are of the Grange from the avenue before it reaches the parkland would not be interrupted by the proposed buildings.¹⁰⁹ The sense that the drive leads to and serves the house, rather than the development, would be retained. The proposed use of the parkland and avenue by the public would not cause any harm to heritage assets or their settings and would enhance the ability to appreciate those assets because more people would be able to see, experience and enjoy them.
149. The access to the northern cluster of development would cross the avenue in the location where a track currently crosses it, and at a point therefore where there is already a gap in the line of trees bordering the avenue. A few trees in this vicinity that are dead, dying or dangerous would be removed, and additional planting is also proposed in that vicinity. Assuming a pro rata distribution of car parking between the development clusters according to floorspace, the amount of traffic crossing into the northern cluster would be around one vehicle a minute on average in the morning and evening peaks, and about half that over a 12-hour day. It would however be possible to locate all or some of the parking that would serve that cluster to the south of the avenue, other than spaces for delivery vehicles and for disabled drivers, thus reducing the amount of traffic using the crossover.¹¹⁰
150. The significance of the Stable and Coach House lies in its relationship to the Grange, with which it has group value and to which it was designed to be subservient. The parkland and agricultural fields form part of the setting of the Stable and Coach House only in functional but not in visual terms. The building is not, and would not have been designed to be, readily discernible from outside its immediate courtyard.¹¹¹ The impact of the development would occur principally as a result of its impact on the setting of the Grange. The impact is agreed to be less than substantial, in the appellant's submission at the lower end of the range.
151. The significance of the undesignated pillbox lies in its role as part of the GHQ line that ran from the mouth of the Avon near Bristol, round London and

¹⁰⁸ CD2.3 p 79 Figure 51. However, it was clarified after the site visit at ID68 that the Landscape and open space parameter plan shows informal open space including planting extending between 33 m to 37 m to the south of the centre line of the avenue.

¹⁰⁹ APP6.3 Appendix 4 Plate 6 and LPA4.2 Figures 20 and 25 (views 3 and 8).

¹¹⁰ Suggested Condition 37 includes "A review of parking to the north of the avenue" in the Design Guide.

¹¹¹ APP6.3 Appendix 3 Figures 2 and 4; Appendix 4 plates 3 and 4.

up via the Wash to Middlesbrough.¹¹² It seems likely that, being positioned alongside the track to Hinxton Grange, which was used as a military headquarters during WWII, it was intended to assist in the defence of the Grange itself. There is no evidence of a searchlight battery having been sited adjacent to the pillbox, but if this was so the proposed development would not undermine the ability to appreciate its role as part of the GHQ line, and in particular in protecting the Grange and the activities inside it. There is no evidence to suggest that the pillbox had any significant role in terms of defence of the river or, even less, Duxford airfield, which would have had its own defences.

152. The significance of Hinxton conservation area lies principally in the fabric of its buildings and the intervening spaces.¹¹³ The village is surrounded by agricultural land and includes man-made features such as major roads and other infrastructure. The appeal site thus forms a small part of its setting. The proposed development would be visible from some places within the village, but the closest building would be around 0.5 km from the closest point of the conservation area. The harm to the significance of the conservation area as a result of the effect on its setting would be at the lower end of less than substantial.

153. The Parish Church of St Mary and St John the Evangelist lies some 800 m from the nearest of the proposed buildings. The appeal site lies within the wider setting of the Church, which in physical terms has broadly the same characteristics as the setting of the conservation area. The photograph from the top of the Church tower sheds very little light on the extent of the setting of the Church and the role that the appeal site plays in this.¹¹⁴ The photo shows only a small part of the view, which is in any event not publicly accessible. The Church tower has a landmark function the setting of which would be affected by the proposed development, but its principal significance, which lies in its historic fabric and its status, would not be affected. The impact on the significance of the Church is therefore at the lower end of less than substantial.

154. It is necessary, in EIA terms, to assess the likely impacts of the development on a worst-case basis having regard to the submitted parameter plans. But the building blocks that are shown on those plans do not represent how in fact the development would appear in reality. For this purpose, regard should be had to the illustrative masterplan, which shows buildings set in an attractive and spacious parkland context with plenty of open space and a permeable development edge.¹¹⁵

155. In the case of all of the designated assets, it is agreed that the harm that the development would cause is indirect (that is, to the settings of the assets and not to the assets themselves), and the harm to the significance of the assets would be "less than substantial" in the language of *Framework* paragraph 196. In relation to the undesignated assets, it is agreed that there

¹¹² APP6.3 Map 7.

¹¹³ APP6.2 paragraph 5.25.

¹¹⁴ LPA4.2 Figure 31 view 14.

¹¹⁵ CD2.3 p 83 Figure 53; p 80 text and Figure 52.

would be some harm to the setting of the parkland, and that there would be some direct benefits as a result of the parkland restoration proposals (though the degree of benefit is in dispute). The appellant's position is that there would be no harm to the setting of the pillbox. Historic England have no objection to the proposed development.¹¹⁶

156. If, giving particular weight to the less than substantial harm that the development would cause to the settings of the designated heritage assets, and giving weight also to the limited harm that would be caused to the setting of the parkland, it is decided that the public benefits would outweigh that harm, then there would be no conflict with *Framework* or SCLP policy, and planning permission could be granted accordingly.

Green Belt

157. The proposed works in the Green Belt would have an overall footprint of 1.865 ha. These would comprise 1.01 ha hardstanding (including the interchange), an earth bank (0.375 ha) and soft landscaping (0.48 ha).¹¹⁷ In spatial terms, therefore, they would be very limited in extent. Bus shelters and secure cycle parking would be small and very limited in their visual impact. A correct analysis of *Framework* paragraph 146 must start from the premise that the category in question can be 'appropriate' development in the Green Belt.¹¹⁸ Some degree of impact on openness and/or Green Belt purposes does not mean that it is, as a result of this, necessarily inappropriate. This is a matter of judgement for the decision-maker.¹¹⁹
158. The Green Belt works comprise transport infrastructure that would serve local needs, of both those working at and visiting the proposed development, along with local people walking/cycling in the area or who arrive at or depart from Whittlesford Parkway Station and would find it convenient to use the new facilities. The works would therefore promote sustainable transport in the local area, both to and from the development and more generally, in accordance with important objectives in *Framework* paragraphs 102(c), 108(a) and 110(a).
159. The type of works proposed are commonly encountered in the Green Belt. They would lie close to existing highways infrastructure along the A1301 to the west of the McDonalds roundabout. In the M1 junction 10A decision the Secretary of State agreed that the scheme comprised local transport infrastructure that required a Green Belt location, on the basis that the "scheme's objectives are all local and the improvements must be undertaken at and around the existing junction which lies in the Green Belt".¹²⁰ In the Cobham MSA decision, which concerned a proposal to add 79 HGV parking spaces to the existing MSA, the Inspector found that, whilst many HGVs using the MSA would be on longer than local journeys, there was nevertheless a need for HGV parking in the local area, and that this would "need to be local to the motorway". The Berry Hill decision concerned a proposal to construct a new access track and Bailey bridge to serve a sewage treatment works in the Green

¹¹⁶ APP6.3 Appendix 2.

¹¹⁷ ID54; APP7.3 Appendix F. CD12.2 Figure 9.45b indicates illustrative design for bridge.

¹¹⁸ *Europa Oil and Gas Ltd v SSCLG* [2014] 1 P&CR 3 (at paras 64 and 65).

¹¹⁹ ID72.

¹²⁰ ID63 DL10; ID60 DL8.

Belt. The parties had agreed that the development constituted “local transport infrastructure requiring a Green Belt location and involved engineering works”.¹²¹ The bridge was found to be not inappropriate development as it would not have compromised the openness or permanence of the Green Belt or any of the purposes of including land within it.¹²²

160. In the Ouchthorpe Lane decision, the Inspector found that a proposed access road in the Green Belt, designed to serve a proposed development of 68 dwellings not in the Green Belt, was found not to be local transport infrastructure as the Government’s intentions indicated by the Impact Assessment for the NPPF.¹²³ This Assessment referred to local infrastructure schemes that could be beneficial to communities in the Green Belt including for example, infrastructure to support more public transport, such as opening new routes, providing bus shelters and small public transport interchanges. This is apposite to the sustainable transport measures proposed by the appeal scheme, including those elements that would be sited in the Green Belt, since they would be beneficial to local communities and would support public transport by opening new routes.¹²⁴

161. The Waterbeach appeal decision concerned the development of a private car park to serve the appellant’s business. The Inspector thought that “local transport infrastructure” meant “those physical assets which enable people and goods to move about efficiently”, and also referred to “facilities necessary to support communities and sustainable development through the movement and circulation of people and goods by various transport modes”.¹²⁵ Again, the sustainable transport measures proposed in the Green Belt for the AgriTech scheme fully meet that Inspector’s interpretation of what local transport infrastructure comprises.

162. The Green Belt works are an essential element of the proposed sustainable transport strategy, and there is no alternative location for them outside the Green Belt. Therefore, if it is decided to grant planning permission for the AgriTech Park, it must follow that a “a requirement” for the Green Belt works to take place in “a Green Belt location” has been demonstrated.¹²⁶

163. The pedestrian/cycle/equestrian bridge, the northern end of which would lie in the Green Belt, would be provided in any event. However, it has been agreed that a contribution in lieu of the bus/cycle interchange and its access may be made in the event that the CCC requests it.¹²⁷ That eventuality would be likely to arise if a satisfactory and acceptable scheme emerges from the Whittlesford Parkway Station Masterplan Stage 2 Report, which the parties agree would also enable the objectives of the sustainable transport strategy for

¹²¹ ID62 DL10.

¹²² ID63 DL18.

¹²³ ID59 DL10.

¹²⁴ CD2.4.10 Plans 11 and 12 shuttle bus and diversion of the Citi7 service into site and also into Pampisford.

¹²⁵ LPA1.3 Appendix PJ1 DL8.

¹²⁶ ID24.

¹²⁷ S106 agreement Schedule 1 paragraph 7.

the development to be achieved.¹²⁸ The Green Belt works are compatible with a number of elements of the Station Masterplan proposals. They would also be “engineering operations” for the purposes of *Framework* paragraph 146(b).

164. The *Framework* envisages that certain types of development, for example engineering operations, local transport infrastructure, and development proposed under a Neighbourhood Development Order (NDO) of a sufficient scale to require planning permission can in principle be brought forward without harming the openness of the Green Belt. By way of example, the impact assessment for the NPPF envisaged schemes of up to 10 houses coming forward under NDOs without impacting on the openness of the Green Belt.¹²⁹ That puts the present case very much in context.

165. Individually and cumulatively the components of the Green Belt works would be small scale and low key. The bridge would be elegant, with SCDC being able to secure a high quality design through reserved matters approval.¹³⁰ The bridge would be elevated at the point where it crosses the Green Belt boundary.¹³¹ This would allow views under the bridge, before it joined the earth banking further west, with the multi-user surface then running down along the earth banking and reaching grade a little over 100 m from the interchange.¹³² The remainder of the multi-user route, connecting the interchange to the station and running north along the eastern side of the A1301, would also be at grade. There would be some built structures associated with the interchange, including bus shelters, bicycle storage/hire facilities etc. which would be no more than would be expected on any small transport interchange.¹³³

166. In assessing the impact that development would have on the openness of the Green Belt it is necessary to take into account the ‘baseline’ situation, including buildings and other structures in the vicinity, both inside and outside the Green Belt. The proposed works would be seen in the context of existing highways infrastructure (i.e. the roads, signs and lighting columns), the BP filling station and the McDonalds restaurant. The remaining (majority) part of the new bridge would also be apparent. All of this would serve to limit views of the Green Belt works from viewpoints to the south and would serve as a backdrop to the Green Belt works in views from the north. Additionally, the Green Belt works would be sited at the very extremity of the Green Belt, reducing their impact on the wider Green Belt still further. Both in spatial and visual terms the Green Belt works would not harm the openness of the Green Belt. It therefore meets the “preserve” test set out in *Framework* paragraph 146.

167. Building in the Green Belt does not necessarily result in encroachment into the countryside. The Green Belt works would be small scale and low key, with much comprising open space. They would also be seen as part of the

¹²⁸ CD10.24.

¹²⁹ ID59 p 61 paragraph (iii).

¹³⁰ CD2.3 p 60; CD12.2 Figures 9.44-9.48; APP5.3 Appendix C.

¹³¹ APP7.3 Appendix J.

¹³² APP7.3 Appendix F.

¹³³ ID59 p 61.

existing transport infrastructure. The Green Belt works would not be seen as development that encroaches into the countryside.

168. There is no evidence to suggest that the Green Belt works would undermine the delivery of any derelict or other urban land. The Green Belt works cannot be located anywhere else (and obviously not on any derelict or other urban land), so building them could not sensibly be said to undermine the prospects of any derelict or urban land being brought forward for development.
169. SCDC also contends that the scheme would conflict with a "local purpose", that is to "maintain and enhance the quality of [Cambridge's] setting".¹³⁴ This is inconsistent with SCDC's acceptance that the scheme would not offend the equivalent criterion in the *Framework* paragraph 134(d), "to preserve the setting and special character of historic towns". But the site is 8 km from the edge of the city, with no intervisibility, and no suggestion that there are any locations from where views of both the city and the site could be obtained. The Green Belt works fall within *Framework* paragraph 146(c).
170. Should it be concluded, contrary to these submissions, that the infrastructure works in the Green Belt comprise inappropriate development, then the appellant submits alternatively that VSC exist that justify the grant of planning permission.¹³⁵ The proposed Green Belt works would facilitate the development and are necessary for it. On that assumption, the VSC lie in the need for a bespoke AgriTech park in this location and the huge benefits that it would bring in terms of meeting key policy objectives and enabling the UK economy to compete effectively in this rapidly growing sector. Also relevant are the public benefits that would arise from the sustainable transport strategy and the net biodiversity gain.¹³⁶ They are, in other words, the material planning considerations that weigh strongly in favour of granting planning permission for the development.¹³⁷
171. The Green Belt works would not be inappropriate development because (a) they would comprise local transport infrastructure that can demonstrate a need for a Green Belt location, (b) they would not harm the openness of the Green Belt, and (c) they would not conflict with any of the purposes for which land is included in the Green Belt.

Transport impacts

172. All transport-related matters have been agreed between the appellant and the two highway authorities following a rigorous and thorough assessment which demonstrates that the impacts are acceptable. The wide-ranging sustainable transport strategy can be delivered comprising a number of elements, including the multi-user route from Whittlesford Parkway Station to the main site, bus service improvements, and the implementation of a

¹³⁴ LPA1.2 p 35 paragraph 7.60.

¹³⁵ CD6.3 paragraph 144.

¹³⁶ The Habitat Impact Assessment Calculator at ID41 for woodland, grassland, wetland and other habitat including the built environment records a net score of +32.15 (derived from a losses score of 171.22 and gains score 203.37) with a hedgerow impact score of +9.94.

¹³⁷ APP8.2 paragraphs 5.5.15 and 6.6.4-6.6.12.

Framework Travel Plan, a Parking Management Plan and a Monitoring Plan, along with sufficient cycle and car parking.¹³⁸

173. The target mode shares, whilst ambitious, are achievable and realistic, and consistent with what is already being achieved locally at the Wellcome site.¹³⁹ The proposed off-site highways works would accommodate, on a Business as Usual (and therefore reasonable worst-case) basis, the traffic that the development would generate, such that delays and queuing on the local and strategic road network would reduce compared to the existing situation. Using the target mode shares, there would be further improvements at these junctions compared to the existing situation. Sensitivity tests show that, with the Wellcome expansion and the North Uttlesford Garden Village (NUGV), neither of which is yet committed, the proposed highway works would still reduce delays compared to the baseline position at all the junctions assessed.¹⁴⁰
174. All the proposed measures would be secured through appropriate and agreed planning conditions and obligations.¹⁴¹ The multiuser bridge and the improvements to the McDonalds roundabout would be provided in any event, but the planning obligations allow CCC to require a financial contribution to be made in lieu of (a) the bus/cycle interchange and (b) the improvements to the Hunts Road and Moorfield Road junctions.¹⁴² If exercised, this option would provide for up to 10,000 m² of floorspace to be occupied, at which point CCC must commit either to undertaking those works or alternative works or releasing the bonds, in which event the appellant would carry them out. Thereafter, the works must be completed before any more than 25,000 m² of floorspace could be occupied.
175. The Secretary of State will need to be satisfied, on the basis of CCC's Compliance Statement, that the provisions relating to CCC's ability to choose whether to require the appellant to pay a contribution in lieu of undertaking the works identified at (a) and (b) above – meet the requirements of regulation 122 of the CIL Regulations and *Framework* paragraph 56. On this, the appellant makes no submissions either way, but if it is decided that they do not meet those requirements, the obligations make provision for all of the works to be completed before first occupation of the development.
176. Essex County Council seeks a contribution of £2.5 m to the cost of a pedestrian and cycle bridge linking the appeal site to the proposed NUGV.¹⁴³ This should be given no weight because it lacks any justification whatsoever. The NUGV is at an early stage and the link is not required in order to make the AgriTech development acceptable. No justification is provided by reference to any Essex policy or guidance relating to financial contributions that are required

¹³⁸ APP7.2 paragraph 4.4.

¹³⁹ CD2.4.10 p 54 Table 4.1: 50% vehicle driver, 10% vehicle passenger, 40% bus/rail, 7% cycle, 3% on foot APP7.2 section 6.

¹⁴⁰ APP7.2 paragraphs 6.71-6.74 (including Tables 6.16-6.21).

¹⁴¹ Grampian conditions cover the works to form the site access roundabout junction with the A1301; and the works to Junction 10 of the M11 and the A11/ A1307 junction.

¹⁴² S106 agreement Schedule 1 paragraphs 7 and 9.

¹⁴³ ID18. The 10 June request for an education contribution has not been pursued.

to be made before planning permission is granted, and the amount sought is not justified by reference to any costings or other relevant material. Nevertheless, the appellant recognises the desirability of a link between the developments should NUGV proceed, and so would enable a link to be provided from its land.¹⁴⁴

177. The expert evidence submitted addresses all transport-related issues raised by third parties.¹⁴⁵ The use of a single survey to establish baseline conditions is normal practice and has never been questioned by either of the highway authorities. The information provided by third parties about baseline traffic conditions is inconsistent and unreliable, as the basis on which it has been collected is unclear. The days appear to have been randomly selected, and it is not known whether it was decided not to record data from the days on which there was less traffic. There is journey time information for a single whole week in May 2019 which shows a consistent pattern of some, but limited, delays in the morning and evening peak hours compared to the free flow journey time.¹⁴⁶ The delays recorded on 16 January 2019 were exceptional and coincided with the closure of the M11.
178. The third party evidence fails to address the future situation with the development and its associated transport measures (including the junction improvements) in place, when assessment shows that delays would reduce at all the junctions assessed. The mode share targets are realistic and achievable, and so the development would be very unlikely to lead to increased rat-running or off-site parking in local roads.¹⁴⁷ These are matters which could, if they arose, be effectively addressed through the Monitoring Plan.¹⁴⁸ It is lack of junction, and not link, capacity that causes current congestion in peak hours. The appeal proposals would improve junction capacity. The new site access junction has been fully considered on an unrealistic worst-case basis, and it would operate entirely satisfactorily.
179. In conclusion, the *Framework* provides that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposed development would not have any adverse effect on highway safety, and the residual cumulative effects on the local road network (including the M11), far from being severe, would in fact be beneficial.

Agricultural land

180. The proposal would result in the loss of 33 ha of BMV agricultural land. SCLP Policy NH/3 provides that planning permission will not be granted for development which would lead to the irreversible loss of BMV agricultural land unless sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land. The

¹⁴⁴ S106 agreement Schedule 1 paragraph 11.

¹⁴⁵ APP7.2 section 8; APP7.4 section 4; APP7.5.

¹⁴⁶ APP7.4 p 7 paragraph 4.16 and Table 4.1; the week is representative, not being a Bank or school holiday week APP7.5 paragraph 2.8.

¹⁴⁷ APP7.4 sections 3 and 4.

¹⁴⁸ APP7.4 paragraph 4.5.

policy does not require the development to be for the purposes of agriculture. The very focus of this development is to improve agricultural productivity and sustainability across the UK and internationally. If it achieved that purpose the development would be compliant with SCLP Policy NH/3.

Economic impacts

181. It is highly significant that the SCLP does not mention the existence of an AgriTech sector in the Cambridge area or the need to support it by making land available for development. The first recognition of the existence of AgriTech as a separate sector of the UK economy was in the Government's UK July 2013 Strategy for Agricultural Technologies.¹⁴⁹ This noted that the full economic potential of the sector was only just starting to be understood, and believed it had major value to the UK and global agriculture and that the UK's competitiveness in agriculture had been in decline for a number of years.
182. In September 2014 the Greater Cambridge Greater Peterborough Enterprise Partnership published its Strategic Economic Plan, which under the heading "Internationally Competitive/Nationally Significant" the Executive Summary included "A leader in AgriTech, underpinned by the highest concentration of best quality farmland in the UK".¹⁵⁰ The Plan also noted that innovation centres and science parks could provide supportive environments for SMEs, and had a number of characteristics, including that physical clustering of organisations made it efficient to deliver business support services in one location.¹⁵¹
183. In 2015 the London Stansted Cambridge Corridor Sector (LSCC) Profile "Agrifood" noted that Agrifood employment in the Corridor had grown by 26% over the previous 4 years, that East Anglia contained some of the most productive agricultural land in the UK, and that there were a number of world class research institutions in the area. AgriTech East was the UK's first business-led AgriTech cluster organisation, and included a summary of the UK Strategy for Agricultural Technologies.¹⁵² In July 2016, the LSCC Growth Commission published its Findings and Recommendations, which noted that London, Cambridge and the Corridor competed for international investment and jobs that would otherwise go overseas, and included the ambition that by 2036 the Corridor would be "the leading technology region in Europe" and "the prime location choice for tech and life sciences firms looking to locate in the UK".¹⁵³
184. None of these ambitions and objectives as they related to AgriTech found their way into the SCLP. Subsequent documents were not considered during the plan preparation process.¹⁵⁴ Not only are the needs of the AgriTech sector not acknowledged, provided for or considered in the SCLP, but if (as SCDC suggests) those needs can be met on existing and allocated sites, which the appellant does not accept – then that is a happy coincidence and emphatically not the result of any proper assessment of those needs and the taking of steps

¹⁴⁹ CD7.2 p 14.

¹⁵⁰ CD7.8.

¹⁵¹ CD7.8 pp 50-51.

¹⁵² CD7.9 sections 2 and 4.

¹⁵³ CD7.10 pp 3 and 28.

¹⁵⁴ ID20.

to provide land to meet them. The SCLP is therefore not out of date so far as provision for the AgriTech sector is concerned; rather, it has failed to make any provision. In those circumstances, the development control system can, and should, step in to ensure that the needs of the sector are properly met.

185. The appellant has set out a full explanation of the nature and importance of the AgriTech sector and of the nature and scale of the global hunger and sustainability challenges which it is helping to meet.¹⁵⁵ This also includes a comprehensive account of the planning and economic policies which seek to promote the AgriTech sector in the UK in order to restore the UK's competitiveness in agriculture.¹⁵⁶ The following highlights key elements of policies that bear especially on the importance of the AgriTech sector to the UK, but more specifically to Cambridgeshire.

- (i) UK Industrial Strategy: "We will put the UK at the forefront of the global move to high-efficiency agriculture".¹⁵⁷
- (ii) Technology and Innovation Future: "Convergent technologies [in food] have clear potential to improve productivity of UK farming and its contribution to the economy".¹⁵⁸
- (iii) East of England Science and Innovation Audit: four themes, of which one is Agri-Tech; "the East of England innovation ecosystem is world-leading, but it needs to continue to evolve rapidly – and it must be empowered and resourced to do so"; recognition of benefits from co-location and clustering and need to make "appropriate physical provision ... to unlock a future growth dynamic".¹⁵⁹
- (iv) CPIER Key Recommendation 3 that the Government "should adopt a 'Cambridge or overseas' mentality towards knowledge-intensive business in this area"; under "Sector in Focus: AgriTech" reference to AgriTech as "one of the four pillars for East of England for knowledge-led growth", this being a "Cambridge-based cluster" with the need to "support new production clusters close to concentrations of agricultural production"; "There is a real opportunity for the area to become an international leader in this sphere, both in innovation and application".¹⁶⁰
- (v) Cambridge and Peterborough Local Industrial Strategy: under AgriTech, "Our region is poised to become the UK capital of this industry".¹⁶¹ There is huge, untapped potential opportunities in the Fens and across the area for growing and strengthening this sector specialism, and by creating better connections with local clusters in clean growth, advanced manufacturing, artificial intelligence and machine learning. It aims to establish our position as the UK capital of AgriTech, and states that AgriTech is one of the strategic growth

¹⁵⁵ APP2.2 section 2.

¹⁵⁶ APP2.2 section 3.

¹⁵⁷ CD7.3 pp 47 and 75.

¹⁵⁸ CD7.4 p 20.

¹⁵⁹ CD7.5 pp 2, 8 and 9.

¹⁶⁰ CD7.11 pp 11 and 57.

¹⁶¹ CD7.12a March 2019 draft. CD7.12b published July 2019.

sectors which does not yet have central agglomerations which will be a key ingredient in its future success.¹⁶²

- (vi) Partnering for Prosperity – A new deal for the Cambridge-Milton Keynes-Oxford Arc refers to knowledge-intensive firms and technology clusters which compete on the world stage to maximise the economic potential of this arc and the contribution it makes to UK output, trading accounts and tax revenues. The Government response refers to the Arc being home to world-leading technology clusters which influence and shape the innovation economy.¹⁶³ Government ambition for the Oxford-Cambridge Arc is to build upon strengths in individual parts of the Arc, especially in science, technology and high-value manufacturing, to transform the Arc as a whole into a world-leading economic area and to broaden the economic base of Cambridgeshire and Peterborough, by expanding its key industrial sector clusters and networks, and by improving the long-term capacity for growth in Greater Cambridge.¹⁶⁴
- (vii) Growing the Bioeconomy: “Our vision is that in 2030 the UK is a global leader in developing, manufacturing, using and exporting bio-based solutions”; “The global market for agricultural biotechnology is set to grow from £22 bn in 2016 to £40 bn by 2022”.¹⁶⁵
- (viii) Cambridgeshire and Peterborough Combined Authority’s Assurance Framework: “Agri-Tech is one of our strategic growth sectors identified by the CPIER; our ambition is to use the Local Industrial Strategy to step up our programme to ensure we are the ‘go to’ centre for UK Agri-Tech”.¹⁶⁶

186. These, taken individually and together, represent a very powerful statement, at the highest levels, of the importance to the UK economy of building on the existing AgriTech sector in the Cambridge area. The importance of taking action now to help achieve these policy aims can hardly be overestimated. Yet the SCLP manifestly fails to make any positive provision for AgriTech development. The SCLP does indicate that it “provides more flexibility than recent past policies as part of delivering the objective to support economic growth by maintaining South Cambridgeshire’s position as world leader in research and technology based industries, research, and education by continuing to support proposals that build on the successful employment clusters”.¹⁶⁷ But in the light of this it is even more surprising, and unsatisfactory, that this is not taken forward into specific provision for AgriTech.

187. There is ample evidence which demonstrates that the AgriTech sector has been experiencing high levels of growth, and that this is expected to continue, both in the UK and worldwide. Agriculture is expected to be one of the fastest growing sectors in adopting the Internet of Things, with an anticipated

¹⁶² CD7.12 pp 18-19 pp 35-36.

¹⁶³ CD7.13 p 7, CD7.14 pp 1 and 2.

¹⁶⁴ CD7.27 pp 7 and 23.

¹⁶⁵ CD7.22 pp 13 and 52.

¹⁶⁶ CD7.32 p 16 paragraph 3.3.23.

¹⁶⁷ CD6.7A paragraph 8.5.

compound annual growth rate of 22% between 2014 and 2024.¹⁶⁸ The European AgriFood Tech Investing Report for 2018 (published in 2019) shows that, since 2013, when the UK Strategy for AgriTech was published, annual global venture capital investment in AgriTech has grown by 360%, and that compared with 2017 upstream investment grew by 200%.¹⁶⁹ AgriTech is a vibrant and rapidly growing sector which is attracting substantial new commercial investment.

188. SCDC relies on BIS Research Paper No 284 "Agri-Tech Industrial Strategy: Evaluation Scoping Study and Baseline".¹⁷⁰ This was published in July 2016, based on data collected in 2013 and 2014, which makes the document somewhat dated. It does not represent Government policy, planning or otherwise. In any event, its first objective was to provide an informed view of how the sector might develop without the Strategy, so the document therefore has no value as evidence of how the AgriTech sector may grow in line with the objectives set out in the Strategy.
189. The appeal site is ideally placed to make a major contribution to meeting these aims and objectives. It falls within all four of the strategic policy designations where a very strong emphasis is placed on the need to sustain and strengthen economic growth, including in the AgriTech sector.¹⁷¹ It is easily accessible to Stansted Airport, London and Cambridge, by road and by rail. It is also geographically within the existing clusters of research/technology and business parks that exist around Cambridge, and more particularly within the southern bioscience cluster. The 'Cambridge cluster' may be taken very broadly to include an area of about 20 miles around the city, but in terms of the reality on the ground, and the commercial market, there are three distinct clusters, each with a distinct character and function.¹⁷²
190. There is clear empirical evidence of the importance of clustering to the growth and success of knowledge-based businesses. SCDC's case seems to be that AgriTech businesses have prospered in the Cambridge area in the absence of a dedicated site. But this quite misses the point. The presence of a significant number of AgriTech businesses and other organisations in the Cambridge area is the result of the strong draw of the area, which derives from a number of factors including its strategic location, the presence of Cambridge University and of the bioscience and the electronics/digital/ICT clusters, and the availability of venture capital funding and a nationally significant cluster of business support services for high growth technology companies.
191. There is powerful and convincing expert evidence about the benefits of clustering, and how this has been a key factor in achieving strong growth in other sectors of the economy. A single large bespoke site for AgriTech is what is required if policy ambitions are to be achieved. Furthermore, it cannot be inferred from the existence of a number of AgriTech businesses in the Cambridge area that they are all prospering as well as they might be had they

¹⁶⁸ APP2.2 paragraph 2.2.6.

¹⁶⁹ APP2.2 paragraphs 2.2.9-2.2.11; CD7.31.

¹⁷⁰ LPA2.5 Appendix A.

¹⁷¹ APP8.3 Appendix D. ID22. CD7.13 p 21 Figure 1.

¹⁷² APP4.2 paragraphs 4.28-4.31.

been able to enjoy the benefits of clustering on a single site. Not all of the space that is currently occupied by AgriTech businesses is particularly well-suited to use for that purpose.¹⁷³ The units that would be available in the appeal development would, by contrast, be specifically designed for such businesses. Support from existing businesses is very clear about the benefits that the development would bring to the AgriTech sector, including access to and collaboration with the AgriTech community that would establish itself there.¹⁷⁴

192. The proposed incubator units would provide ideal space for AgriTech start-up companies. These businesses would be able to grow into larger premises within the development. There is no likelihood of as much as 3,000 m² of new incubator space being developed on one site in the future, and certainly not one dedicated to AgriTech start-ups. The early provision of the incubator space would therefore be particularly important because it would enable start-up companies in the AgriTech sector to come into being and then survive the challenges of the first few years of operation. Without a critical mass of commercial space, a stand-alone incubator would not be financially viable without public sector support.
193. A key aspect of clustering is the way in which co-location allows businesses and other institutions that operate in the same sector to collaborate and draw on each other's knowledge and expertise. This is a very well-established phenomenon and is something that is recognised and encouraged by policy. Access to the best scientific talents as well as to complementary skills offered by workers in allied fields such as computer sciences and engineering is also critical. The proposed development would have all of these attributes.¹⁷⁵
194. There is no evidence that the presence of a "virtual cluster", in the form of various networking and other similar organisations, is any substitute for physical proximity.¹⁷⁶ Indeed the evidence is clear that co-location is essential if the beneficial effects of clustering are to be fully and properly realised. The creation of a pool of specialised skills and labour resources creates clear benefits for both employees and employers. Businesses benefit from the sharing of information, knowledge and material inputs such as R&D outcomes, infrastructure and specialised equipment and facilities. Close proximity of businesses speeds up this process of "creative collisions". Clustering around universities and research institutes helps to deepen and accelerate the development of new knowledge and scientific discovery. Clustering also means that the commercialisation process is likely to be more effective. Thus, the co-location of businesses and research activity in the AgriTech sector at a single site would result in the sector being more competitive and successful in the longer term compared to a dispersed model.
195. Absent a dedicated AgriTech site the future growth of AgriTech in the Cambridge area would be significantly constrained, and it is likely that much of

¹⁷³ ID32 p 2.

¹⁷⁴ CD4.1.

¹⁷⁵ ID11.

¹⁷⁶ ID33.

the AgriTech-related business activity that would otherwise have taken place in the Cambridge area would instead go to locations elsewhere in Europe, the USA or the Far East.¹⁷⁷ The AgriTech park would be able to draw on the expertise base in and around Cambridge.¹⁷⁸ AgriTech will move towards inter-disciplinary solutions which require the combination of multiple technologies. It is unsuitable for locations which only specialise in agri-science, but very suitable for Cambridge which provides a wealth of enabling technologies including engineering, ICT, data, physics, chemistry and environmental sciences as well as plant and crop science.

196. A further advantage of the appeal site is that it would enable businesses and other organisations based there to have access to agricultural land for crop and seed trials and other activities that involve the trialling of new agricultural methodologies, technologies and practices. For that purpose, at least 10 ha of land would be set aside within the appeal site.¹⁷⁹ There is also other adjacent and nearby agricultural land within the appellant's ownership that has already been used for crop trials on a substantial scale and could be used for that purpose in connection with the proposed development.¹⁸⁰

197. Much of the trialling work for new technologies and techniques, rather than "traditional" crop and seed trials, which are often undertaken on a large scale, will not require large amounts of land and would be able to take place within the appeal site. Not just on the 10 ha, but also on land that would be available between the buildings. In many cases only small areas of land are needed. But businesses along the supply chain need to work together for a cluster to work effectively and access from benchtop to field scale land is essential. For many trials (such as robotics) there is a need for the personnel to be close to the workshops, as access to the trial plots is often required a number of times each day. If parts of the AgriTech market are driven away because of lack of field trial access, the whole cluster effect would inevitably be devalued.

198. There are many examples of locations where agricultural research is undertaken on land that is adjacent, or very close to, the organisation's premises. In the UK these include; NIAB ¹⁸¹, Rothamsted Research in Hertfordshire ¹⁸², Peatlands Science Park in Scotland ¹⁸³, and Syngenta near Bracknell ¹⁸⁴. The appeal site was not suitable to accommodate NIAB's requirement for a new field trial station, but NIAB's letter of representation makes it clear that "ideally the fields used for the trials should be nearby".¹⁸⁵ The exemplar sites from abroad are also of key relevance because they

¹⁷⁷ APP3.2 paragraphs 5.41, 5.69-5.78, and 6.17-6.20.

¹⁷⁸ APP2.2 pp 48-53 section 4.4.

¹⁷⁹ CD2.3 p 36 Figure 20.

¹⁸⁰ ID16. CD2.2 (the blue land is other land within the appellant's control).

¹⁸¹ ID47 and ID57.

¹⁸² ID36.

¹⁸³ APP2.2 paragraph 2.4.5.

¹⁸⁴ APP2.2 paragraphs 2.4.6-2.4.7.

¹⁸⁵ LPA2.3 Appendix C paragraph 8.

demonstrate the success of large, inter-disciplinary clusters which draw on a wide range of new agricultural technologies.¹⁸⁶

199. There is no alternative to the appeal site if the appeal development as proposed is to be accommodated on a single site. If it is accepted that a single site dedicated to AgriTech is what is required, that is an end of the matter. The appellant undertook an alternative sites assessment which was updated for the purposes of the appeal.¹⁸⁷ SCDC has criticised the 50 ha site size criterion, but this is an appropriate basis for this exercise. In any case, SCDC has not suggested any site that might be suitable and available for the appeal development, either in South Cambridgeshire, the wider Cambridge area or the search area that was chosen for the alternative sites assessment. Elveden has been mentioned as a possible alternative location for the appeal development. However, it lacks the appropriate infrastructure and is about 30 miles from Cambridge, which is well outside the area of the Cambridge clusters.
200. SCDC considers that there is ample employment floorspace and land (including allocated sites) on which the demand from AgriTech organisations could be met. There is no substantial dispute about the quantum of available floorspace and land.¹⁸⁸ The dispute is about whether that floorspace and land is or would be suitable not merely to accommodate the demand for it, but also to provide the right type of accommodation in the right environment so that the policy ambitions for the AgriTech sector can be met.
201. Existing business parks are also unlikely to accept AgriTech occupiers on a scale that would allow the benefits of co-location and collaboration to be realised.¹⁸⁹ At Cambourne Business Park the land to the south of the access road that is now (largely) allocated for residential development has been available for commercial development for over 20 years but has not been taken up because of its poor location. What remains is unlikely to be attractive to AgriTech operators.¹⁹⁰ At North East Cambridge the AAP is not due for adoption until 2022, and there is an issue concerning the relocation of the existing sewage treatment works that is not yet resolved.
202. Savills do not have a register of AgriTech occupier requirements because they do not have a scheme to offer to the market. Nor are they aware of any such requirements for the space that they are marketing in the southern and northern clusters, either because they would not be likely to be welcome in those locations or because the space is in any case not suitable for or attractive to them. General requirements in these specialist sectors are rarely registered; more typically prospective occupiers will register interest in a specific location but only once this has planning permission.¹⁹¹
203. Future tenants are not known at this stage because there would be a 10-15 year time horizon to develop the park fully and because of the speed at which AgriTech is developing. Many of the technologies have not yet emerged

¹⁸⁶ APP2.2 paragraph 2.4.4. APP2.3 Appendix 2. ID11.

¹⁸⁷ CD2.5 section 5 Appendix D. APP8.3 Appendix J.

¹⁸⁸ APP4.2 paragraphs 5.10-5.13 and 6.3, as updated by ID38.

¹⁸⁹ APP4.2 paragraph 6.7.

¹⁹⁰ Plan attached to ID46.

¹⁹¹ APP4.2 paragraphs 6.9-6.11.

or been commercialised. This has been true of the other business parks developed in the past for the technology and life sciences sectors. Inward investment, and new start-ups and spinouts not currently active in the UK, would be attracted to the AgriTech park over time. Any attempt to base an assessment of demand only on AgriTech businesses that are already in the area is thus fundamentally flawed.

204. The quantified economic benefits of the development have not been challenged.¹⁹² This includes an assessment of displacement effects. The net employment supported by the project (after completion) at regional level is estimated at 4,887 jobs, with a GVA p.a. (at 2018 prices) of at least £278 m.¹⁹³ SCDC questions this only on the basis that the floorspace proposed in the development could be provided in a disaggregated manner across a number of sites elsewhere. The appellant fundamentally disagrees with this, and the quantified benefits are real and significant weight should be attached to them.
205. The case for the development of a dedicated AgriTech park is therefore very clear, and there is no prospect of the need being met other than on the appeal site, which, with its distinct locational and other advantages, is ideally placed to do this. The need already exists and should therefore be met as soon as possible. There is no sound reason to delay the decision on whether the site should be released until the Local Plan review. The need can be met at the appeal site consistently with the development plan and with only limited adverse impacts (on the landscape and on heritage assets). There is no preferable alternative site on which the need could be met, and delay would mean that inward investment would be lost, and the UK would fall further behind in terms of its international competitiveness in agriculture and AgriTech.¹⁹⁴

Development plan

206. The proposed development complies with the development plan. As such, the development should be permitted unless material considerations (i.e. the factors that are relevant to the determination of the appeal other than the development plan) indicate (i.e. justify) the appeal being determined other than in accordance with the plan. The appellant's position is that all the material considerations before the Inquiry lend further support to the case for planning permission to be granted.
207. If, contrary to the appellant's case, the Secretary of State was to conclude that the proposed development would not comply with the development plan, the appellant's position is that the same material considerations would strongly justify the grant of permission other than in accordance with the plan.
208. The proposed development would comply with the objective of Policy S/1 for South Cambridgeshire "to demonstrate impressive and sustainable economic growth"; the objective of S/2(a) "to support economic growth by supporting South Cambridgeshire's position as a world leader in research and

¹⁹² AAP2.2 p 44 section 4.2. APP3.2 p 35-39 section 5.4.

¹⁹³ APP3.2 p 39 Table 5.2.

¹⁹⁴ APP8.2 paragraph 6.6.12.

technology based industries, research, and education, and supporting the rural economy”; and the objective of Policy S/5 to create 22,000 additional jobs over the plan period “to support the Cambridge Cluster and provide a diverse range of local jobs”.

209. Furthermore, and importantly, the proposed development would accord with Policy E/9. This policy supports development proposals in suitable locations which “support the development of employment clusters, drawing on the specialisms of Cambridge in a range of sectors listed in the policy as well as “other locally driven clusters as they emerge”. AgriTech is not one of the named sectors in the list. The supporting text states that Policy E/9 deliberately provides flexibility by supporting the development of new locally driven clusters where they emerge. The policy has been carefully drafted to refer to “suitable locations”. SCDC is wrong to contend that “suitable locations” means “existing businesses located in the rural areas, established employment areas, allocations and within development Frameworks”.¹⁹⁵ SCLP Policy S/7 allows development outside development Frameworks “which needs to be located in the countryside”. Or, putting it another way, if SCDC’s argument was right then Policy E/9, which is the very policy in the SCLP designed to support clusters, would rule out clusters coming forward in the countryside even if they could demonstrate a need to be there.
210. The problem with SCDC’s interpretation and application of Policy E/9 in the present case is that it flies in the face of the *Framework* and of the approach that it says the SCLP takes. If SCDC’s interpretation and approach are right, then for AgriTech; (i) the SCLP would in fact have no flexibility to respond to the rapid changes that have taken place both to policy and in terms of the sector’s rate of growth; nor (ii) would the SCLP have made appropriate provision for AgriTech to emerge and develop over the plan period. Plainly, then, SCDC’s reading of Policy E/9 is wrong. In this context “suitable” simply and obviously means “suitable, taking into account all other relevant policies in the plan”. For the reasons set out in the appellant’s evidence, the appeal site is incontrovertibly a suitable location for the proposed development.
211. On this basis the proposed development would accord with Policy NH/8. But even if (contrary to the appellant’s case) the Green Belt works would be inappropriate development in the Green Belt the wider public benefits of the overall scheme (i.e. the creation of a world-class AgriTech park with all the economic, environmental and social benefits it would deliver) would clearly constitute the VSC necessary to justify the grant of planning permission. On either scenario the proposed development would therefore accord with local and national Green Belt policy.
212. Similarly, with regard to the protection of heritage assets, it is common ground that the proposed development would cause less than substantial harm to a limited number of designated heritage assets, which must be weighed against the public benefits it would deliver. Policy NH/14 does not expressly contain an equivalent provision but plainly the same approach must be taken if the policy is to be applied in a way that is consistent with national policy. The benefits that the proposed development would deliver very heavily outweigh

¹⁹⁵ APP1.2 p 26 paragraph 7.13.

the harm that it would cause to heritage assets. Harm to undesignated assets is justified here. On this basis, the proposed development would accord with both national and local policy in relation to the protection of heritage assets. With regard to landscape and visual impact, SCDC's analysis is flawed and the proposed development would comply with Policy NH/2. It is common ground that the scheme complies with the SCLP's transport Policies TI/2, TI/3 and TI/8.¹⁹⁶ The public benefits that the scheme would deliver would very heavily outweigh the loss of agricultural land in this case, so the proposal would comply with Policy NH/3, which allows BMV agricultural land to be lost where "sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land".¹⁹⁷

Conditions and planning obligations

213. The following user restriction would be sufficient to ensure that occupation was restricted to AgriTech companies:

*The B1 floorspace hereby approved shall be used for no purpose other than AgriTech namely the science-based and/or technology-based development of products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain.*¹⁹⁸

214. This would provide adequate safeguards, requiring all occupiers to be engaged in AgriTech. It is precise, reasonable and enforceable, and would therefore be effective to ensure that the development was only occupied by organisations that are genuinely undertaking activities in the AgriTech sector. SCDC's complaint that the concept of AgriTech is nebulous is odd, given the Government's recognition six years ago of AgriTech as a discrete sector of the economy.

215. SCDC wants an additional level of control, namely that each occupier should have to demonstrate a need to occupy space at the AgriTech park, either by virtue of the need to be in proximity to the agricultural land available for crop and technology trials, or by virtue of the need to co-locate with other AgriTech occupiers. This is not necessary. There is no policy requirement for a needs test.¹⁹⁹

216. SCDC's submission that, absent a needs test, all of the use class B1 floorspace could be used for manufacturing is wholly unrealistic and unlikely to happen. In any event, the imposition of a needs test would overcome SCDC's objections to the way in which the AgriTech user restriction is drafted.

217. If the Secretary of State considers, contrary to the appellant's submissions, that a needs test meets the *Framework* tests then the appellant proposes the following wording:

The B1 floorspace hereby approved shall be used for no purpose other than AgriTech namely the science-based and/or technology-based development of

¹⁹⁶ SoCG2 at CD1.7.

¹⁹⁷ APP8.2 at p 47 section 5.6 and ID23.

¹⁹⁸ Other options are included in the draft conditions for consideration.

¹⁹⁹ CD6.7A paragraph 8.45.

products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain. Prior to first occupation of any B1 floorspace (other than the occupiers of the incubator building), or prior to any subsequent occupier within the first 10 years from the date of first occupation, details of the proposed occupier(s) shall be submitted to the local planning authority for approval. The details shall demonstrate either: a need for the prospective occupier to be located on the site for reasons of proximity to land in agricultural use; or a need for the prospective occupier to be co-located with other AgriTech occupiers on the site. No B1 building shall be occupied until the local planning authority has given its written approval.

218. SCDC would want the needs assessment to be submitted as part of any reserved matters application, but this is wholly unworkable and unreasonable as a committed occupier for each part of the development may not be known at that stage. The appellant could not respond flexibly to meet the needs of potential occupiers. The condition would be used to revisit the question of need at the reserved matters stage, when this would already have been established by the grant of outline planning permission. An occupation restriction would plainly be sufficient should a needs assessment be thought necessary.
219. It would not be necessary or appropriate to require the scheme to comply with as yet unknown sustainability standards in future local plans, as is suggested in Condition 54. Phased housing schemes are not required to review their affordable housing offer following a local plan review, and there is no reason why a different approach should be taken with regard to sustainability targets. In any event, the proposed condition is vague and unworkable as it is not clear when an exception to the requirement might arise. The phrase “whether by reason of viability impact or otherwise” is entirely unclear as to its intended operation. The suggested pre-commencement conditions are agreed.²⁰⁰
220. The section 106 obligations require the appellant to undertake the proposed off-site highways works to the McDonalds Roundabout and the proposed shared multi-user route.²⁰¹ The parties agree that these obligations are regulation 122 compliant. With regard to the other off-site works, CCC has requested that it should be able to require the appellant to pay CCC to do the works (or such alternative works as CCC may choose to do in their place). The appellant is content with this and has agreed the wording of additional obligations to secure it. The Secretary of State will however have to consider whether these additional obligations are regulation 122 compliant, i.e. whether they can properly be said to be necessary to allow the development to proceed. In the event that the Secretary of State was to conclude that the additional obligations are not compliant then the clauses would fall away, and the appellant would be required to undertake the works.²⁰²

²⁰⁰ ID67.

²⁰¹ S106 agreement Schedule 1 paragraphs 6.1 and 8.1.

²⁰² S106 agreement Schedule 1 paragraphs 7.8-7.10 and 9.8-9.10.

Other matters

221. The impacts of the development in terms of air quality, the water environment and noise were covered in the ES. A briefing note has also been provided to cover these matters.²⁰³
222. The Wellcome Trust Ltd entered into a section 106 obligation, dated 5 December 2002, when it was the freehold owner of the Hinxton Estate, of which the appeal site formed part.²⁰⁴ This covenanted not to change the use of the Hinxton Estate, or any part of it except (a) in accordance with the Local Plan, or (b) under a Development Order, or (c) in accordance with a planning permission granted by the Council. SCDC could not seek to use the obligation to prevent the proposed development coming forward in the event that the Secretary of State granted outline planning permission for the appeal scheme. Condition (c) would, as a matter of construction, likely encompass a grant of permission on appeal; further and in any event SCDC could not lawfully refuse to release the deed in the event that the Secretary of State had granted permission for the proposed development.
223. The appellant and SCDC both invite the Secretary of State to determine the appeal on the basis of the revised landscape and open space parameter plan.²⁰⁵ There is no possible prejudice to any interested party. In the event that the Secretary of State considered that there might be prejudice to an interested party there are two solutions: (i) allow the interested party/parties a further opportunity to comment on the revised plan; or (ii) determine the application on the basis of the original parameter plan, as the changes are so minor that they could in any event be carried out within the scope of Condition 6, which requires the development to be carried out in accordance with the approved plans save for minor variations.

Overall planning balance

224. The development complies with the development plan, read as a whole. There are no material considerations to indicate that planning permission should be refused. If the Secretary of State finds that the development materially conflicts with the development plan, the economic benefits of the development, and the need for it, decisively outweigh that conflict.²⁰⁶ In particular, it would bring over 4,000 new jobs to the region, result in a GVA of at least £278 m p.a., and enable the UK to fulfil key national and sub-regional policy objectives, which were not even taken into account, let alone provided for, in the SCLP, to put the UK at the forefront of the global move to high-efficiency agriculture and to establish the area as the UK capital of AgriTech. On either basis, therefore, the appeal should be allowed, and outline planning permission should be granted for this nationally important development.

²⁰³ ID53.

²⁰⁴ LPA1.3 Appendix 2.

²⁰⁵ ID50 (better copy at back of ID58).

²⁰⁶ APP8.2 section 9; NB the reference in para 9.1.8 to "the material considerations outlined in Section 6 and the benefits identified in paras 9.2.1 to 9.2.16" should read "the material considerations outlined in Section 6 and in particular the benefits summarised in para 6.2.19".

Written representations

Pre-application consultation

225. The appellant's Statement of Consultation sets out the consultation that has taken place to inform the development proposals.²⁰⁷ Representatives of the appeal scheme first attended a meeting at Hinxton Village Hall with community representatives in November 2015. Public exhibitions were held in June 2016 and May 2017. The 2016 exhibition was advertised in the local press and a postcard was sent to approximately 1,500 homes in the surrounding villages. Over the three days of the exhibition 224 people formally signed in, but a number did not complete registration. Following receipt of feedback forms an FAQ document was published on the project website.²⁰⁸ In January 2017 a meeting was held with Hinxton Parish Council and village residents, which was attended by about 40 people. Questions put at this meeting were considered in a March 2017 FAQ document.²⁰⁹

Application stage

226. SCDC received 252 written responses to the application.²¹⁰ These included 198 objections and 42 letters in support of the proposal. Observations or comments, without expressing a view, were submitted by 12 respondents. The main objections are summarised as follows:²¹¹

- Site not allocated and application premature
- No designated end user
- No need or justification for development of this scale
- Not sustainable given distance to housing and services
- Large number of science/business parks in the area
- No relationship with existing bio-tech/research parks
- Impact on heritage assets
- Loss of agricultural land and open/rural character
- Urbanisation with scale and height of buildings
- Traffic concerns for A1301 A505 A11 and M11
- Vehicle trip rates underestimated
- Traffic congestion and parking in nearby villages
- Increased flood risk and reduced aquifer recharge
- Noise and light pollution and impact on air quality health and well-being
- Bus/cycle interchange impact on the Green Belt
- Loss of wildlife habitats
- Impact on Duxford aerodrome
- Other better locations such as Norwich and near Northstowe
- Relationship concern with expansion of Genome Campus in Hinxton

227. The main issues cited by those supporting the proposal are summarised as follows:²¹²

- The need for the scheme and job creation

²⁰⁷ CD2.6.

²⁰⁸ CD2.6 Appendix F.

²⁰⁹ Appendix H of CD2.6.

²¹⁰ CD4.1.

²¹¹ CD5.1 paragraph 68.

²¹² CD5.1 paragraph 69.

- An opportunity for trials and small food business startups
- Well placed for transport access and improve pedestrian/cycle access
- Social and environmental benefits with sustainable food distribution
- A local community asset and opportunity for producers food hub
- Important for UK to have its own high tech facility and cluster research
- Deliver positive outcomes for farming
- Opportunities for collaboration with proximity of other business parks
- Location embedded in a rural/agricultural area
- A hub for businesses to support each other

Inquiry stage

228. The Planning Inspectorate received 30 written representations at the appeal stage.²¹³ These are summarised as follows.
229. District Councillor Peter McDonald provided a local view and a perspective on agri-tech as someone working in the industry. Whilst not denying the importance of AgriTech in the UK economy there are concerns about the context and integration of the proposal at Hinxton. It would not be integrated with the key UK AgriTech players, including Ceres which is the UK's primary AgriTech collaboration and has already received £4.8 m of Government funding. There has been limited discussion with local farmers about collaboration, and concerns about soil health and natural capital. Other concerns include scientific governance, employee numbers, the need for trials at Hinxton, along with measures for crop protection and pest management.
230. Specific comments addressing the Collinson Associates submission include concerns about investment in the proposal from significant players in the sector, and the focus on European crops. A large site with no infrastructure issues located mid-way between Cambridge and Norwich is already heavily involved in AgriTech. The proposal does not mention involvement by Defra, Natural England, or the Government's agri-advisory service. There is no integration with Cambridge University Faculty of Plant Sciences, the College of West Anglia or any other major research facility. Hinxton already has a well-established human biotech/gene-based R&D centre at the Wellcome Genome Campus.
231. Sir Jim Paice former Member of Parliament and Minister of Agriculture from 2010-2012 supports the proposal. The Cambridge sub-region has been the centre for agricultural research and technology for many years. The site is close to other Science Parks with many synergies. The UK agricultural industry is going through considerable change and productivity has to improve whilst reducing inputs for climatic and economic reasons. The synergies between robotics, plant breeding, specialist IT systems, plant chemistry and bio-science are considerable and the chance to work together on a single site would benefit all. The site is opposite the Genome Centre and benefits from existing transport routes, including the M11, Stansted airport and Whittlesford railway station. There is a clear need for a special AgriTech park, and this site is highly suitable for it.

²¹³ Part 1 Red folder in Appeal File.

232. James Palmer Mayor of Cambridgeshire and Peterborough supports the proposal in principle. The recent Independent Economic Review made clear that implementation of technology into the agricultural industry is vital to its future success. The link between food production and the local knowledge intensive industry is key to the future prosperity of agriculture across the globe. A link between Peterborough University's Agri-tech faculty and Hinxton Park could be forged for mutual benefit.
233. Rupert Kirby is a local resident concerned about unrealistic parking ratios and the reality of the existing highway capacity. Institutional finance will not be forthcoming for a scheme with such a restricted car parking ratio of one space per 58 m² gross floor area. Parking is essential for schemes that are not in central Cambridge. There is a risk of approving the scheme on the basis of an unachievable parking standard required to reduce the highways impact on an already overstretched network. Development of this scale should not take place until there is full access to the M11 at junction 9 and the A505 has been widened to dual-carriageway to avoid huge queues on the network and rat-running through villages. There would be severe consequences for highway safety and environmental impact from queuing and satnavs directing drivers to take much longer routes to avoid congestion.
234. John Shropshire OBE is CEO of G's Group Holdings Ltd, a grower-to-marketing organisation, and supports the proposal. World agriculture is entering a period of dramatic opportunity and change. The Cambridge region could be at the centre of the new technically-driven agricultural revolution. To do so the tech sector will need to be closely aligned with the agri part and creating a designated AgriTech cluster in proximity to academic research in Cambridge and the expertise of East Anglia farmers will be essential to achieve this goal.
235. Tim Nowak Executive Director of the World Trade Center St Louis writes in support of the proposal and sees how it would support the development of the UK AgriTech sector. The proposal is seen as a potential international partner and the certainty of planning permission is necessary to progress the interest in collaboration.
236. James Carter Director Britannia Bud Company Ltd is an international AgriTech entrepreneur considering the UK as a location for investment. The appeal site would provide an optimal location with prime positioning for national logistics and proximity to high quality staff. The certainty of planning permission is necessary to progress interest in the site.
237. D William A Burgess Chairman of Produce World Investments Limited, a business which employs c500 people and grows/markets fresh produce to major retailers, supports the proposal. The East of England is in a great position to be world leaders in this field. The proposed AgriTech park is essential to facilitate a new cluster of companies to help deliver the much-needed growth in this sector.
238. Dr Ann Limb CBE DL Chair of the London Stansted Cambridge Consortium (LSCC) supports the proposed development provided the growth is sustainable and achieved in accordance with relevant local national policies. The LSCC is a strategic partnership of local government, colleges and universities together with business organisations in the geographic area of the Innovation Corridor.

The Corridor is important as the leading cluster for life sciences and tech in the UK. The proposed development would have a beneficial impact on the agriculture and AgriTech industries locally, nationally and globally, with significant overlap with the life sciences cluster in the area. Pending planning certainty LSCC would like to explore further collaboration with the appellant and the AgriTech community which would be based at the site.

239. David Flanders PhD is CEO of Agrimetrics, a big-data AgriTech company, and supports the proposal. Agrimetrics provides, connects and analyses complex data to drive greater productivity for AgriFood businesses and deliver food sustainability. The appeal scheme would have a positive impact on the agriculture and AgriTech industries locally, nationally and globally, bringing new investment to the area. Pending planning certainty Agrimetrics would like to explore further collaboration with the appellant and the AgriTech community that would be based at the proposed site.
240. Jinzhaoli Li Managing Director Cambridge China Centre expressed support for the proposal. The Centre facilitates interaction and collaboration between members. The AgriTech start-up and scaleup companies in the Centre's membership would greatly benefit from the office space in an incubator building and access to an on-site AgriTech community and development at the appeal site. The Centre has had interest from China in potential investments in the AgriTech sector and would be keen to explore further collaboration with the proposal.
241. Dr Sean Butler from Cambridge AgriTech Ltd, a syndicate composed mainly of owners and directors of some of the largest food and agricultural businesses in the UK, expressed support for the proposal. The Cambridge area is already an acknowledged hub for AgriTech, and it is important that the infrastructure available in the region keeps up with demand. Start-up and scale-up companies would greatly benefit from the office space in an incubator building, and access to an on-site AgriTech community at the site. The proposal would have a beneficial impact on the agriculture and AgriTech industries locally, nationally and globally.
242. Michael Coto Co-Founding Partner Primera Impact supports the proposal. Primera Impact is a Cambridge-based investment fund which aims to catalyse game-changing startups in the health, energy, environment and AgriTech sectors. The level of innovation in Cambridge is exceptional, but many of the most promising start-ups lack the early stage support necessary to reach their full potential. The companies Primera Impact work with would greatly benefit from office space in an incubator building and access to an on-site AgriTech community and development at the appeal site. Pending planning certainty, Primera Impact would like to explore further collaboration with the appellant and the AgriTech community which would be based at the proposed site.
243. Ed Fuchs CEO and Co-Founder Folium Science supports the proposal. Folium Science leads the way in bioscience to replace antibiotics with an alternative technology for agriculture and animal husbandry. Folium Science was an AgriTech start-up founded in Cambridge, but had to initially relocate work to Bristol as there were no suitable office locations near Cambridge. With the building of an agricultural strategy a location in Cambridge is now sought. There is a need for office, lab and crop trial space at the proposed AgriTech

development. The stage has been reached where planning certainty is required in order to progress discussions.

244. Oli Hilbourne Founder/Director of Operations Outfield, an early stage agri-tech startup based in Cambridge, supports the proposal. Outfield is developing systems to help apple growers to better manage crops using drones and image recognition and has benefitted from the startup ecosystem in Cambridge. But there is little business support tailored specifically to agri-tech companies. The proposal would support Outfield's scale-up and that of other local companies, but planning certainty is required in order to progress any discussions.
245. Matt McLaren CEO Entomics Biosystem supports the proposal. Entomics Biosystem is a Cambridge-based startup looking at the up-cycling of food waste streams into high value agricultural resources, such as functional feeds for farmed salmon, using insects as the conversion engine. The appeal scheme would be a massive opportunity to develop a world-leading hub that supports growth and innovation spanning the diverse world of 'food'. East Anglia is already a leading region in terms of agricultural knowledge, research and identity. There is an opportunity to create more synergies across the entire food production chain. Dedicated resources are required to bring these disparate threads together, and this ambitious and timely project would address that need. If the project becomes a reality Entomics would be interested in becoming a key partner, potentially having some physical presence at the site in addition to forging commercial and research collaborations. However, in order to progress these discussions planning certainty is required.
246. Richard Hobson Founder and CEO Herdsy Ltd supports the proposal. Herdsy is an AgriTech start-up with offices in Cambridge and Ireland. It is set to become the world's largest livestock tracking company. Cambridge suffers from a lack of affordable office space. Cambridge helps create start-up AgriTech companies and then loses valuable jobs and tax revenue as competition from larger tech and pharma giants forces them to look elsewhere to grow. The appeal scheme would attract global talent and lay the foundations for the continued success of AgriTech in the UK, an industry that currently employs 545,000 people and is worth £14.5 billion. Herdsy would consider office space in an incubator hub at the appeal site but require planning certainty in order to progress any discussions.
247. Whittlesford Parish Council supports the surrounding Parish's objections.²¹⁴ The proximity to Hinxton and scale of the development would have a damaging impact on such a small village. The proposal does not comply with existing and emerging planning policy. No significant scientific-based activity has been identified by which the site could benefit from the purported potential to offer quality arable land for crop trials. The NIAB is developing its own crop science research facility with Cambridge University on the northern side of Cambridge. By default, the appeal scheme could become a general business and warehouse park.
248. The traffic surveys are flawed and not credible. The A1301 and A505 are very congested at peak times. The proposed modification to the roundabout

²¹⁴ ID5.

are wholly inadequate and the surrounding villages would suffer from rat runs. The environmental impact of the proposal is of concern regarding aquifer damage, air, water and light pollution and landscape harm. The traffic and environmental impact have been underestimated by the appellant.

249. Since the appeal was lodged there have been two further developments which could have considerable negative influences on the life styles of people living in Hinxton and the surrounding villages. Immediately adjacent to the southern boundary of the appeal site Welcome Trust have applied for permission to build 1,500 new houses, a hotel, shops and bars along with the creation of 4,200 new jobs on the associated business area. On the eastern boundary of the Wellcome Trust site a proposed new garden village of 5,500 new houses in Uttlesford is under consideration by the Secretary of State. There are also proposals for the substantial increase in the number of jobs at Babraham and Granta Park in Great Abington. SCLP does not envisage this scale of development. The Parish Council would like the Secretary of State to carry out a full review of all these development proposals as one exercise, where all the infrastructure deficiencies could be evaluated, and recommendations made on remedial action and funding prior to the applications being considered further.
250. Victoria Nichols, a local resident, supports the objection by Hinxton Parish Council, with primary concerns as follows. A development of this scale would completely compromise the historic village environment within which Hinxton exists. There is no 'AgriTech' operator associated with the proposal and no scientific leadership or focus. There is already significant traffic pressure on the A1301 and the A505 both morning and evening in both directions. The appeal scheme would bring the A505 to a standstill and push more traffic through Hinxton and Ickleton. There is not the infrastructure in place to support the proposal. Environmental concerns include aquifer damage, flood risk, pollution, biodiversity and landscape harm. This is not the right location.
251. Tony Orgee, a local resident, maintains an objection to the proposal, and notes that development plans for the area have been approved, which strengthens the objection. A proposal of this magnitude needs to be considered in the context of developing a new local plan. There is a commitment to commence reviews in 2019 for a joint plan. In addition to prematurity, concern is expressed about traffic and transport infrastructure. Local roads would not be able to cope with the additional volume of traffic resulting from commuting, even with the suggested mitigation measures. Reliance on non-car transport is unrealistic and the proposed bus/cycle/rail interchange is not appropriately sited and is inappropriate in the Green Belt. A strategic plan for the whole area is required.
252. HPC's concerns about possible impact on biodiversity, aquifers and flood risk are fully shared. Unlike other development in the area the proposed development would be situated in open countryside with long distance views. Tall buildings and roadside bunds would be alien features in the Chalklands LCA resulting in harm to the landscape. Much of the grade 2 and 3 agricultural land on the site would be lost. Adverse impact on air quality and noise have not been quantified, but the ES acknowledges a substantial adverse effect from light pollution.

253. SCDC's commitment to the development of 'employment clusters' does not specifically cite 'AgriTech'. The proposal would presumably fall into Use Class B1(b) – high technology / research and development. There is concern that if the AgriTech aspirations for the site were not realised then it could simply transform into another general B1(b) use.
254. Hinxton Parish Council (HPC) endorses SCDC's nine reasons for refusal. The appeal scheme would be 300 m from the village's High Street, and with several thousand employees would have a deeply damaging impact on the village of about 150 homes. The proposal does not comply with relevant planning policy. HPC is not opposed in principle to a manageable level of commercial development, AgriTech or otherwise, and Hinxton Hall has hosted the Genome Campus for 25 years. But the appeal scheme is of a fundamentally different nature, with no evidence of any scientific leadership or focus. Nor is there any justification for its being classified for planning purposes as B1(b) and by default would become a general business and warehouse park. The NIAB intends to develop the Cambridge Centre for Crop Science with the University of Cambridge to enhance research in crop sciences and resilience of food security on the northern side of Cambridge. This accords with SCDC's aspiration to focus AgriTech industrial development in the Cambridge-Norwich corridor.
255. The traffic analysis supporting the proposal is not credible and greatly understates potential congestion. The proposed mitigation, improved roundabout and modal shift, are inadequate. The model ignores associated service traffic and possible nearby development. Environmental concerns relate to aquifer damage, increased flood risk, air/water/light pollution, biodiversity and landscape. Hinxton village is prone to flooding. Hydraulic modelling is inadequate despite the site's designation as a groundwater source protection zone of High to Intermediate vulnerability.
256. Robert Spriddell, Royston, supports the proposal as the concept of AgriTech is very important for the UK and Cambridge region economy. This is an ideal location, given the proximity of the University, Research Parks and the Genome Park. The developers are highly integrated into the agricultural community in the region and long-standing investors in the AgriTech arena.
257. Little Abington Parish Council (LAPC) considers the proposal speculative with few, if any, clear plans for the type of research and activities on the site, and the great number of matters left for the detailed applications. A development of this scale cannot be considered in isolation but must be considered within the overall strategic vision for South Cambridgeshire.
258. It is unrealistic to expect only half of the proposed 4,000 employees would drive to work. Local experience contradicts the findings of the traffic surveys and modelling. The A505 and A1301 are already over capacity with traffic jams for long periods and dangerous backups to the M11. The fixes around McDonalds roundabout are inadequate. A strategic plan and significant investment are necessary to solve the problems of an inadequate road network, which must include improvements to Stump Cross and better access to the M11. The train service to Whittlesford Parkway is full, the service unreliable and with local car parks at their capacity commuters park in the

street. Estimates of a five-minute cycle ride or 20-minute walk to the proposed development seem astonishingly optimistic.

259. Pollution from additional road traffic would impact on the environment. Strategically it would make more sense to site the proposal close to other agricultural research sites in East Anglia. There is concern about underoccupancy and decay if the proposed business model was not workable. Residents are already affected by intrusive background noise and overnight lighting from Granta Park, and there is concern about impact on the aquifer and flood risk. The intention to provide public access and community facilities would be worthless unless enshrined in law.
260. Paul Breen, local resident, considers that the AgriHub is merely an excuse for yet another industrial estate. 4,000 extra staff would add to the existing chaos on roads around Hinxton. Run-off would add to local flooding and harm extraction from the aquifer. The loss of prime agricultural land would be unacceptable, and the proposal would be inappropriate development in a beautiful location.
261. Campaign to Protect Rural England (CPRE) object to the proposed development in an area of open, rolling, Cambridgeshire countryside. BMV agricultural land is a national resource whose protection for the purpose of food production is becoming increasingly important. CPRE supports SCDC's reasons for refusal, particularly in protecting the Green Belt and landscape around Cambridge which is increasingly threatened by incremental and permanent erosion of the countryside as the local economy thrives. Other concerns raised by CPRE are that the generation of many car journeys would overwhelm the capacity of local roads, light pollution, flooding and about speculative development. None of the institutions expressing support for the proposal have said that they need space for expansion and would definitely be interested in occupying one of the buildings. The business case for the enterprise must be examined carefully to ensure that it would be worth the price of sacrificing this part of the countryside.
262. Great Abington Parish Council (GAPC) supports SCDC's refusal of this speculative proposal, which has few, if any clear plans for the type of research and activities on the site. Alignment with local development strategies is important given significant developments in progress in or near Sawston, including a trade park, along with the prospect of development in North Uttlesford. A major proposal such as the appeal scheme must be considered in the wider strategic context and the SCLP. GAPC shares the views of LAPC about traffic and transport implications, and harm to the environment.
263. Duxford Parish Council continues its rejection of the scheme, especially since the adoption of the SCLP, the application by the Wellcome Trust to expand the Hinxton Campus, and the announcement by the NAIB and Cambridge University of the development of a joint AgriTech park to the north of Cambridge. These further reduce the need for a scheme to the south of Cambridge, along with the continually increasing flows of traffic along the A505 and A1301.
264. Pampisford Parish Council feels strongly that this is not an appropriate use of good agricultural land. There are no obvious institutions interested in using the site for research, and there are other research centres in the area,

including an Agri-Tech hub at Soham supported by NIAB, some of which are expanding. 85% of Cambridge funding for research is from EU sources, so with Brexit there is a question about the expansion of such facilities. The road system cannot cope with current traffic and there are no significant plans for mitigation. The proposed flyover and urban sprawl with earth bunds and light pollution would adversely affect the open character of the landscape. The scheme would affect recharge of the aquifer and increase flood risk downstream. The loss of grade 2 agricultural land cannot be afforded at a time when all possible arable land will be required in order to improve food security. The proposed development is not included in the SCLP.

265. Sam Nichols, local resident, supports the objection by HPC, with primary concerns as follows. A development of this scale would completely compromise the historic village environment within which Hinxton exists. There is no 'AgriTech' operator associated with the proposal and no scientific leadership or focus. There is already significant traffic pressure on the A1301 and the A505 both morning and evening in both directions. The appeal scheme would bring the A505 to a standstill and push more traffic through Hinxton and Ickleton. There is not the infrastructure in place to support the proposal. Environmental concerns include aquifer damage, flood risk, pollution, biodiversity and landscape harm. This is not the right location.
266. Ickleton Parish Council (IPC) agrees with SCDC's reasons for refusal. The proposal would have a strong and irremediable adverse impact on important open countryside, result in a loss of valuable farmland for no good reason, and increase traffic rat-running via Ickleton and Duxford villages. SCLP makes no provision for a business park on this site and seeks to preserve landscape character. The proposed earth bunds would be destructive to the open rural landscape as would the concentration of buildings and car parks. The proposal would cut off views to open countryside that surrounds the grade II listed Hinxton Grange. Views of the proposed development from Hinxton would have an adverse impact upon the Hinxton conservation area and listed buildings, including the church. There is also concern about the effects on biodiversity, light pollution, aquifer damage and increased flood risk.
267. NIAB and Cambridge University with other academic entities acting together in the Ceres consortium is largely based to the north of the city. Elveden would be a more logical location free from the infrastructure issues associated with the appeal site. Cambridge University, University of East Anglia and John Innes already collaborate in the Cambridge to Norwich Tech Corridor. In the absence of a serious local academic player or private sector concern with relevant expertise IPC questions the credentials of the appellant.
268. With planned expansion of the Wellcome Genome Campus immediately to the south of the appeal site it is impossible to believe that there is sustainable capacity for two proposals of this scope in the local area. It is doubtful that Whittlesford Parkway would have sufficient capacity to facilitate both. The appellant has never understood the nature of rat-running in the area and has not considered the impact of the proposed development.
269. The consultation process and community engagement has been unsatisfactory, with selective disclosures about the true nature of the project. The AgriTech hub was portrayed as involving field trials and laboratories and

NIAB was named as an interested party. At workshops and meetings many vague references to contributions to solutions for infrastructure problems were made. But actual commitments are cosmetic, minimal in nature considering the existing problems, and do not remotely address what was outlined at the workshops and exhibitions.

Other correspondence submitted in the lead up to the Inquiry ²¹⁵

270. Cllr Peter Topping, District Councillor for the Whittlesford Ward of SCDC and County Councillor for Duxford Division of Cambridge County Council, continues to oppose the scheme principally as it is outwith the SCLP. There are no compelling reasons, such as the wider economic interests, or nationally, that would outweigh this objection. The proposal is not in the right place to support the findings of the CPIER report on the economic outlook for Cambridgeshire and Peterborough. There has been a strong agricultural research trend along the Cambridge-Norwich axis. Cllr Topping is not aware of any large agri-sector company proposed as anchor tenant for the scheme. KWS seed development is at Thriplow, and the national Cereals Exhibition is at Chrishall. More recent work on the mitigation of traffic issues is welcome, but there are still concerns about the ability of the area to cope with the influx of 4,000 people.
271. Cllr Bridget Smith, Leader South Cambridgeshire District Council, along with HPC, IPC, DPC, PPC, WPC, GAPC and LAPC expressed concerns about the propriety of the submissions in support of the proposed development by James Palmer, Mayor of Cambridgeshire and Peterborough, and his interpretation of the CPIER.
272. Hazel Technologies Inc, a US based producer of postharvest technologies for reducing produce waste, supports the proposal and is considering the UK as a location for investment and a potential R&D expansion site, with genuine interest in the appeal proposal. Cambridge has several benefits, including proximity to Kent, the key produce and logistics region in the UK, access to Stansted and London airports, and is a hub of scientific business in the UK. Hazel Technologies would benefit greatly from participating in that community. It has had an ongoing dialogue with the appellant and is now at the point where the certainty of planning permission is necessary to progress interest in the site.

Written submissions in response to FEI ²¹⁶

273. Hinxton Parish Council stated that there is nothing in the FEI that significantly alters the substantial material objections to the proposal. The appellant has had to revise its earlier traffic analysis which failed to acknowledge the severe peak congestion on the A505 and A1301. The revised modelling still does not predict the well documented long queues at peak times on the A1303 approach to the McDonalds roundabout from the south. The proposed new mitigation measures lack credibility, and do not deal with the narrowing of the A505 to single lanes, the grid-locking effect of three new sets of traffic lights, or rat-running through villages. The computer simulations and wide-angle images in the additional material confirm the extent to which the

²¹⁵ Part 1 Red folder in Appeal File.

²¹⁶ Part 2 Red folder in Appeal File.

scheme would dominate and oppress the surrounding countryside. The amendments withdraw use by local residents of the proposed mixed-use centre.

274. Great Abington Parish Council maintains its objection because of traffic issues. The A505/A1301 roundabout is beyond its capacity at peak times. The proposed additional traffic lights and limited capacity between junctions would result in traffic backing up at peak times. Roadside bunds would be intrusive and alien features in an area with an open aspect and long-distance views. Irrespective of ecological claims, high quality agricultural land should only be built on in the most extreme circumstances. The originally proposed public availability of facilities such as a gym, restaurants and creche was a potential benefit, and its removal without explanation would not be well received.
275. Tony Orgee maintains objections on highway and landscape grounds, and concerns about the loss of agricultural land. The proposed new mitigation measures concern junctions and fail to address the issue between junctions. Insufficient consideration has been given to traffic movements at the proposed entrance to the site. Bunds would give the area a much more enclosed feel creating a complete change from the existing long-distance views typical of this part of South Cambridgeshire. No explanation has been given for the appellant's change of stance on public access to facilities.
276. Pampisford Parish Council states that the additional information is not a reason for overturning the refusal. The agricultural land is not designated for commercial or research purposes in the SCLP and brownfield sites are available. With almost full employment the area does not need 4,000 more jobs. Most workers would use cars on already overloaded roads.
277. James Binney Will Trust expressed concerns about pressure on existing transport infrastructure given the scale of the proposed development, which has scant local support. The Trust concurs with the views of Pampisford Parish Council. Planning proposals for this area just beyond the Green Belt include the Babraham Institute, Granta Park Phase II, Gonville and Caius at Duxford, Huawei land acquisition at Sawston and the Wellcome Trust expansion. These all have links to intellectual exchange, research and development with the University of Cambridge. But this would not be the case for the appeal scheme, which is private and commercial. The appellant is unable to identify a single creditable prospective occupier. The existing traffic problems and noise would not be solved by piecemeal mitigation. Comparison with the Wellcome Trust's Green Travel Plan is disingenuous given the way that this plan is highly organised compared with that proposed in the appeal scheme. Notwithstanding the proposed bunds and planting, the appeal scheme would produce light pollution and impair views that would harm heritage assets at Pampisford Hall and its listed arboretum. Concerns were also expressed about the effects on local archaeology and wildlife. A legal agreement inhibits development on the appeal site for any purpose other than farming. It is high quality agricultural land that has been used for seed trials, but was previously proposed by the owners as an Eco Town, before this proposal was withdrawn after consultation.²¹⁷

²¹⁷ ID64 written representation by A Binney.

278. Michelle Irwin is concerned that the area is at great risk of being significantly overdeveloped, crippling the local road network for local people.
279. Ickleton Parish Council notes that one of the alterations to the proposals is that local residents would not have access to facilities of the mixed-use centre originally proposed, which was promoted as a benefit to local communities. The additional material fails to establish a credible business case. The failure to acknowledge severe peak congestion on the A505 and A1301 continues despite the submission of further analyses. The three new sets of traffic lights on the A505, new site entrance roundabout and pedestrian/cyclist-controlled crossings, would add to driver perception that the A1301 and A505 are slow roads subject to congestion. This would be a recipe for rat-running through local villages.
280. The CGI representations bear out submissions about the substantial damage to the landscape, with the bridge, bunds and the development itself comprising large urban intrusions into a rural landscape.
281. The proposed development would have a massive requirement for water in the driest part of the UK. With an ongoing trend towards drier weather patterns water is a finite resource and the sustainability of the proposed development is questioned.
282. The Ickleton Society refers to insufficient traffic mitigation, resulting in backing up to the M11 and rat-running through villages. The additional information and photographs continue to seriously underplay the visual impact of the proposal. The wide-angle views give a false impression of the visibility of the buildings and bund and their impact on the long open views of agricultural land. With no serious agri-tech business interest in relocating to this site there is no justification for development of a greenfield site contrary to the SCLP.
283. Andrew Walker notes that the scheme would breach the SCLP and significantly alter a particularly attractive tract of South Cambridgeshire landscape. It would also add to already unacceptable traffic congestion, without mitigation, and result in intolerable increased pressure on other infrastructure.
284. Virginia Walker supports the objections by HPC and SCDC, and in particular is concerned about the proposal not being included in the SCLP and conflicting with national policy. Hinxton is declared as an 'infill village' only. The proposal has no potential involvement with national crop trials. Current traffic levels are unsustainable with no serious mitigation proposed. The appeal site is valuable arable land and is scenically and environmentally very important. There are alternative areas in the UK crying out for employment so why force further development in an area already under unsustainable pressure for housing, employment and infrastructure.
285. Nicholas Bosc considers that the proposal would have a considerable negative impact on road traffic on the A505, the environment, and the real estate market.
286. Other submissions supported the views of HPC. Some considered that the AgriTech park was a fig leaf to cover a purely commercial venture which

would not offer any of the claimed benefits. There is no business case for the proposal and still no significant investors. Research could be done in other more suitable locations supported by major research organisations. The Wellcome Trust entered into a section 106 agreement restricting development. Major development proposals in the area include; the Wellcome Trust application, a 500-acre site purchased by Huawei at the Spicer site, the Sawston Unity Campus site, expansion at the Babraham and Wellcome Institutes, all of which need proximity to Cambridge University. No sensible landscape or heritage mitigation has been offered as the proposed bunds would not screen the proposed development. Northbound access to the M11 and adaptation of local roads would be necessary. The development would harm beautiful rolling open countryside, which along with the flora and fauna, deserves protection.

Written representations from other consultees

The following sets out the views of other consultees, where these are not summarised elsewhere in this report.

287. Sawston Parish Council ²¹⁸ endorses the submissions of the other parish councils. CCC recently announced a study of the A505 corridor. Piecemeal solutions such as the appeal scheme are premature, mutually exclusive and unlikely to result in satisfactory mitigation in the longer term. The site is unallocated in the SCLP. It would be a new site, with no extant established businesses, and therefore no locus or gravitational effect to attract other AgriTech companies. Demand is questionable given that at Chesterford Research Park 65% of the permitted floorspace remains unbuilt.
288. A major concern is that the proposed organisational structure does not appear to involve any overall scientific directorship of the site. It is unclear how tenants would be selected other than by their ability to meet rental or leasehold costs. Some of the interest in this site comes from companies involved primarily in distribution rather than research. In the absence of any clear commitment from bona fide research organisations, there is a risk that distribution use class B8 usage, with associated HCV movements, could eventually form a significant proportion of the activity on the site. The cumulative impact with other proposed development in the area should be taken into account.
289. Essex County Council (ECC) referred to a bridge link over the A11 to link proposed major residential development with the proposed AgriTech site. Such a bridge was estimated to cost £5 m. Given the mutual benefit that the AgriTech site and the NUGV would gain from a bridge, Essex Highway Authority requested a contribution of £2.5 m. Amendments to the obligation were requested to provide a financial contribution towards the provision and implementation of links across the A11 to be agreed with ECC as Highway Authority. The proposed provision of a 'landing zone' for a bridge was considered insufficient. ECC also initially requested a contribution of more than £2 m for childcare based on the Essex Adopted Developers Guide, but later noted that the appeal scheme was proposing 3,000 m² of mixed D1 floor space,

²¹⁸ ID4.

and that it was for the appellant to provide evidence to SCDC to judge if this provision was sufficient.²¹⁹

290. A list of consultees who made no comment on the application is included at paragraph 57 of CD5.1.²²⁰ The following includes other responses to consultation summarised in SCDC's report.
291. Cambridge Fire and Rescue recommended a condition to provide fire hydrants.
292. British Horse Society asked why access under the existing A505 bridge near the station could not be used to negate the need for the enormous bridge over the A505/A1301.
293. Cambridge Past Present and Future recommended refusal as the proposal is not plan led and should not be determined in isolation. There should be no development north of the entrance drive to the Grange as it would harm the setting and character of the historic parkland and listed building and would be a precursor to further expansion.
294. The Environment Agency (EA) has no objection in principle, subject to conditions.
295. Historic England has no objection on heritage grounds, but its comments did not consider the setting of grade II listed buildings on site.
296. The Lead Local Flood Authority required more information about drainage.
297. Natural England (NE) does not consider that the proposal would trigger its Impact Risk Zones regarding designated sites. NE supported the EA concerning hydrology and recommended a site wide biodiversity strategy. It added that the proposal should be compliant with the requirements of Policy NH/3 to protect agricultural land.
298. Great Chesterford Parish Council expressed identical concerns to that of HPC.
299. Uttlesford District Council requested that the proposal considers the North Uttlesford Garden Community in transport modelling.
300. Agri-Tech East supports the proposal.
301. The Wellcome Trust commented that its Genome Campus is recognised as being of national and international importance. It added that it is imperative that the AgriTech proposals do not fetter the ability of the campus to optimise the opportunities emanating from genomics and biodata, particularly with regards to local infrastructure capacity.

²¹⁹ ID6, ID17 and ID18.

²²⁰ CD5.1.

Conditions and obligations

Conditions

302. SCDC and the appellant largely agree about the imposition of planning conditions in the event that outline planning permission was granted, but two conditions remain in dispute.²²¹ These concern firstly controls on the occupation of the site, and secondly provisions to update sustainability standards in future. The need for, and wording of, suggested planning conditions is considered in the following Conclusions section of this report. But it is necessary to set out here the main parties' respective positions on the first dispute concerning an occupation restriction.

303. The appellant suggested three alternative conditions regarding an occupation restriction.

Condition 12a: The B1 floorspace hereby approved shall be used for no purpose other than AgriTech namely the science-based and/or technology-based development of products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain.

Condition 12b: The B1 floorspace hereby approved shall only be used for any or all or the following purposes namely research into, development of, commercialisation of and production of goods, services and applications for use in agriculture, horticulture and the food chain.

Condition 12c: The B1 floor space hereby approved shall only be used for the purpose of research into and development and commercialisation and production of products, services and applications for use in agriculture, horticulture and the food chain.

304. The appellant considers that suggested Condition 12a would provide a user restriction sufficient to ensure that occupation was restricted to AgriTech companies. SCDC considers that 12a would be insufficiently precise and not supported by adopted policy. SCDC adds that the AgriTech sector definition would be too broad and uses could be unrelated to adopted Policy E/9, with no relevance to clusters drawing on the specialisms of the Cambridge area. It would also allow for large scale speculative development and lacks specific evidence of a requirement for companies locating to the site to be provided. Furthermore, ancillary uses could occupy a significant (undefined) amount of floorspace and the ancillary uses definition has no requirement for such uses to link to an AgriTech occupier on the site.²²² SCDC notes that 12b does not refer to AgriTech and considers that it is too broadly scoped to be of any useful purpose in relation to possible enforcement. The appellant submits that Condition 12a fully reflects the proposed AgriTech uses, in accordance with the definition for AgriTech as set out in APP2.1/2.2, and is therefore not imprecise, does not allow for large-scale speculative development, and is necessary and fully supported in respect to Policy E/9.

²²¹ ID49.2.

²²² LPA2.1 and LPA2.2.

305. Condition 12d was also discussed at the Inquiry. This would provide that: *Other than a reserved matters application for the incubator building pursuant to Condition 17, any reserved matters application for floorspace within the B1 use class of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, shall be accompanied by a needs assessment which sets out the nature of the prospective occupier(s) and their specific requirements for locating onto the site. The needs assessment shall demonstrate either: (a) an operational need for the prospective occupier to be located on the site in relation to the proximity to nearby land in agricultural use; or (b) need for the prospective occupier to be located adjacent to other permitted businesses on the site. Prior to the occupation of any business within the incubator building, a needs assessment demonstrating compliance with either criteria a) or b) above shall be submitted to and approved in writing by the local planning authority. Subject to any needs assessment being approved by the local planning authority, the first and subsequent occupation of any building shall be substantially in accordance with the associated needs assessment.*

306. The appellant objects to this condition because it would seek to introduce a needs assessment in respect to any reserved matters application for floorspace, which would be unnecessary, overly restrictive and unreasonable. In the event that planning permission was granted, the need for the development and principle of AgriTech use would have been satisfied and therefore there would be no further requirement for a needs assessment. The planning application and appeal would have been the forum to justify the need. In addition, the appellant argues that this condition would impact on funding and securing tenants and in this respect represents a condition that unreasonably impacts upon the deliverability of a development, placing an unjustifiable and disproportionate financial burden on the appellant, thus failing the test of reasonableness. Additionally, other Conditions 10 and 12a-c would place restrictions on use and a condition requiring the appellant to demonstrate need is unnecessary and unjustified. In the appellant's view the condition is also onerous as the requirements are loosely drafted with no agreement as to what the exact requirements are that SCDC needs to be satisfied with.

307. As an alternative the appellant suggested Condition 12e: *The B1 floorspace hereby approved shall be used for no purpose other than AgriTech namely the science-based and/or technology-based development of products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain. Prior to first occupation of any B1 floorspace (other than the occupiers of the incubator building), or prior to any subsequent occupier within the first 10 years from the date of first occupation, details of the proposed occupier(s) shall be submitted to the local planning authority for approval in writing. The details shall demonstrate either: (a) a need for the prospective occupier to be located on the site for reasons of proximity to land in agricultural use; or (b) a need for the prospective occupier to be co-located with other AgriTech occupiers on the site. No B1 building shall be occupied until the local planning authority has given its written approval.*

308. However, SCDC objected to Condition 12e arguing that the first part of the condition (compliance) suffered from the same defect as Condition 12a/b/c.

The second part of the condition (needs assessment) was not agreed because (a) there would be no requirement for a needs assessment to accompany a reserved matters application, which could lead to large scale speculative development where presently there are no confirmed prospective occupiers for any of the floorspace being sought, and (b) there is no requirement for subsequent occupation to accord with the identified need.

Obligations

309. The obligations in the section 106 agreement are summarised in Annex A to this report. The agreement includes a clause that if the Secretary of State concludes that any of the obligations are not compatible with any of the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (CIL Regs) and attaches no weight to that obligation then that obligation shall cease to have any effect and there shall be no obligation to comply with it. SCDC submitted a CIL Compliance Statement, which sets out its view that the obligations are necessary, directly related to the proposed development, and fairly and reasonably relate to the proposal in terms of scale and kind.²²³ The Conclusions section of this report considers how the obligations square with policy and statutory requirements.

Conclusions

Preliminary matters

310. The following conclusions are based on the written submissions, the evidence given by those who appeared at the Inquiry, and inspections of the site and its surroundings. In this section the figures in parenthesis [] at the end of paragraphs or sections indicate source paragraphs from this report. [10]
311. The application is for outline planning permission with all matters reserved, but includes parameter plans for land use, movement and access, landscape and open space, development density and height, which would be imposed by planning conditions. I am satisfied that the ES and FEI submitted for the appeal scheme, which were available for comment during the appeal proceedings, reasonably comply with the requirements of the EIA Regulations. In considering the appeal, and in making my recommendation, I have taken into account the Environmental Information, which includes all the evidence adduced at the Inquiry. In doing so I have come to a different view about the significance of, and weight to be given to, some environmental effects from that set out in the ES and FEI. [1,2]
312. South Cambridgeshire District Council (SCDC) refused the application on 9 grounds. SCDC considered that the proposal would conflict with relevant policies concerning; (1) unsustainable development located outside of the village development Framework and within the open countryside; (2) prematurity; (3) harm to the Cambridge Green Belt; (4) an inadequate Landscape and Visual Impact Assessment (LVIA) and failure to preserve or enhance the local character of the area and unacceptable adverse impact on

²²³ ID65.

the countryside and landscape character; (5) insufficient information in the Transport Assessment; (6) a Stage 1 / 2 Road Safety Audit had not been carried out on all the submitted drawings; (7) insufficient information about parking demand and provision; (8) harm to the setting and significance of heritage assets; and (9) the loss of Best and Most Versatile (BMV) agricultural land. [3]

313. The application was determined in the context of the then adopted development plan, but these policies were superseded in September 2018 with the adoption of the South Cambridgeshire Local Plan 2018 (SCLP). Reason for refusal 2, concerning prematurity, was subsequently withdrawn in April 2019. Following the submission of further analysis, the appellant, Cambridgeshire County Council (CCC) and Highways England signed a Statement of Common Ground on Transport Planning Matters, dated 16 May 2019 (SoCG2). This enabled the main parties to agree at the Inquiry the terms of planning obligations. On this basis, SCDC withdrew reasons for refusal 5, 6 and 7. [4,6]
314. An amendment proposed by the appellant at the Inquiry would involve a minor alteration to the landscape parameter plan. The revised scheme would not be substantially different from that considered by SCDC and consideration of the amended proposal would not be prejudicial to the interests of any party or persons. It is a matter for the Secretary of State to consider, but it seems to me that it would be appropriate here to determine the appeal on the basis of the amendment proposed at the Inquiry. It would also be acceptable to amend the description of the proposed development to include reference to 'surface' water. [8,9,223]
315. The development proposed is an AgriTech technology park comprising up to 112,000 m² (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland; vehicle and cycle parking; service areas; bus/cycle interchange on land west of the A1301 / north of A505; and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301/A505 and River Cam, site re-profiling, drainage works, foul and surface water pumping stations and primary electricity sub station; telecommunications infrastructure and other associated works.
316. Planning conditions would limit the gross external floorspace of the permitted use classes as follows; B1a office / B1b R&D / B1c light industrial (92,000 m²), B1b laboratories (11,800 m²), A3 / A5 (2,000 m²), D1 (3,000 m²) and D2 (3,200 m²). Suggested planning conditions would require at least 10 ha of land within the site to be made available for crop/technology trials and demonstration, and for the early provision of 3,000 m² of incubator units. [12-16]
317. Late notification about the appeal was given to 12 objectors. However, there was a reasonable opportunity for objectors to appear at the Inquiry, or to submit written representations before the Inquiry closed, and so no prejudice arises from the delayed notification. [7]

Main considerations

318. The Secretary of State's reasons for recovering the appeal state that it involves proposals for significant development in the Green Belt. However, the direction did not include details about any matters about which the Secretary of State particularly wishes to be informed for the purposes of considering this appeal. The evidence indicates that the main considerations here are as follows. [5,10]

- (1) The effects of the proposed development on the openness of the Green Belt and upon the purposes of including land within it, and whether the development conflicts with policy to protect the Green Belt.
- (2) The effects of the proposed development on the character and appearance of the area.
- (3) The effects of the proposed development on heritage assets.
- (4) The effects of the proposed development on agricultural land.
- (5) The effects of the proposed development on the local road network and the need to travel by car.
- (6) The effects of the proposed development on other matters.
- (7) The effects of the proposed development on employment and the economy, including the need for and benefits of the proposed AgriTech technology park.
- (8) The planning balance.
- (9) The extent to which the proposed development would be in accordance with the development plan for the area.
- (10) The extent to which the proposed development would be in accordance with the National Planning Policy Framework (the *Framework*) and the National Planning Practice Guidance (the *Guidance*).
- (11) Whether any permission should be subject to planning conditions or obligations and, if so, the form that these should take.

319. The remainder of this report addresses the matters outlined above, using the following approach. For each of the main considerations 1-7 above the report considers the likely effects of the proposed development. Impacts are described and significance assessed taking into account, where appropriate, necessary planning conditions and obligations. The significance of effects is a matter of judgement, and for consistency a rating scale is used for negative and positive effects (harm and benefits), increasing from negligible, minor, moderate, substantial and finally major significance. In considering the relative weight to be given to various considerations a scale is used; increasing from negligible (little or no weight), slight, moderate, substantial, and finally great weight. However, there is scope within these bands for varying degrees of fit, and reference to these categories implies no mathematical or objective basis for analysis across the range of considerations involved in this case. My recommendation is based on these findings.

(1) Green Belt

320. The part of the appeal site that lies north of the A505 is within the Green Belt, as defined in the development plan for the area. The *Framework* states that the Government attaches great importance to Green Belts. It adds that the essential characteristics of Green Belts are their openness and their permanence. Paragraph 141 provides that in planning positively to enhance

the beneficial use of the Green Belt authorities should look for opportunities to provide access; to provide opportunities for outdoor sport/recreation, and to retain and enhance landscapes, visual amenity and biodiversity.

321. When located in the Green Belt inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). The *Framework* provides that substantial weight should be given to any harm to the Green Belt, and that VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
322. Paragraph 146 provides that local transport infrastructure which can demonstrate a requirement for a Green Belt location is not inappropriate development in the Green Belt provided that it preserves its openness and does not conflict with the purposes of including land within it. These purposes are; to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
323. Paragraph 146 of the *Framework* must mean that some level of local transport infrastructure which can demonstrate a requirement for a Green Belt location would preserve its openness and would not conflict with its purposes, and that beyond that level the development would become inappropriate in the Green Belt, and so the exception would no longer apply. Determining the tipping point would depend upon the particular circumstances, as a matter of fact and degree. In assessing the impact on openness the *Guidance* notes that relevant matters could include spatial (volume) as well as visual impacts, along with the degree of activity generated, including traffic generation.
324. The Movement and access parameter plan indicates that the proposed bus/cycle interchange and pedestrian/cycle connections, along with part of the proposed pedestrian/cycle/equestrian bridge, would be sited within the Green Belt. The details of these works would be considerations for reserved matters. But the appellant considers that works within the overall footprint of 1.865 ha in the Green Belt would comprise 1.01 ha hardstanding (including the interchange), an earth bank (0.375 ha) and soft landscaping (0.48 ha). The works would include bus shelters and secure cycle parking.
325. Such works in the Green Belt would be transport infrastructure that would not only serve the proposed AgriTech park, but would also provide useful pedestrian/cycle connections for general use by the public in an area where highway and traffic conditions make for hazardous pedestrian and cycle trips. I saw at my site visits how difficult it is for pedestrians and cyclists to negotiate the McDonalds roundabout. The proposed bridge over the A505/A1301 roundabout, whilst not providing for all pedestrian/cycle movements at this junction, would be particularly beneficial in this regard. This indicates to me that the works would be local transport infrastructure for the purposes of applying paragraph 146.
326. I do not agree with the appellant that a determination about whether the scheme should be approved or refused would also demonstrate whether or not

there was a requirement for a Green Belt location. Whether it is, or is not, inappropriate development in the Green Belt will affect the planning balance that applies in determining the appeal, and so is a matter that must be resolved as an intermediate step. Investigations are underway about transport improvements in the locality and connections to the railway station. But it is not clear at this stage whether the outcome of these investigations would be likely to result in a scheme which provided the works necessary to enable the appeal scheme to proceed, with all such works undertaken on land outside the Green Belt. It seems to me that it would be very difficult to achieve the necessary pedestrian/cycle connections in the vicinity of McDonalds roundabout without using Green Belt land in a way similar to that envisaged in the Movement and access parameter plan. I find, therefore, that the proposed local transport infrastructure would require a Green Belt location.

327. The area north of the A505 and located to the north-west of the McDonalds roundabout is an open field. The proposed works in the Green Belt would erode the open feel of this part of the Green Belt, both in spatial and visual terms. The part of the bridge, along with the ramp leading to it would introduce a feature with considerable volume into this open area. Any bus shelters and secure cycle parking would add visual clutter that would harm openness. The proximity of the petrol filling station/restaurant and highway infrastructure located outside the Green Belt would not diminish this loss of openness. The bus/cycle interchange would generate a degree of activity from vehicle movement. Whether this loss of openness is sufficient to exceed the paragraph 146 threshold is a matter of judgement.
328. The works would not conflict with Green Belt purposes concerning unrestricted sprawl of large built-up areas, preventing neighbouring towns merging, preserving the setting and special character of historic towns, or assisting in urban regeneration. However, the works would have an urbanising influence on this part of the open countryside. I find that the proposal would, to some extent, conflict with the purpose of the Green Belt to assist in safeguarding the countryside from encroachment. Again, whether this conflict is sufficient to exceed the paragraph 146 threshold is a matter of judgement.
329. I have had regard to the other decisions adduced regarding local transport infrastructure in Green Belts. I have also taken into account the type of works proposed here in terms of their effects on openness and the purposes of the Green Belt. Notwithstanding the harm to openness and conflict regarding encroachment into the countryside, in my judgement the local transport infrastructure proposed in the Green Belt would not by reason of its nature and scale be sufficient to exceed the paragraph 146 threshold. I find that the exception for local transport infrastructure would apply, and that the proposed development would not be inappropriate development in the Green Belt.
330. If the Secretary of State agrees with this finding, then the proposal would not result in harm to the Green Belt, and there would be no conflict with local or national Green Belt policy. In this scenario, the planning balancing exercise would be a straightforward weighing of the benefits and the harm, having regard to relevant policy considerations.
331. However, if the Secretary of State concludes that the proposed Green Belt works are not local transport infrastructure, or that a requirement for a Green

Belt location cannot be demonstrated, or that the works would not preserve the openness of the Green Belt, or that the works would conflict with any of the purposes of including land within it, to such an extent that would exceed the threshold implicit in paragraph 146, then the exception for local transport infrastructure would not apply. The works then would be inappropriate development in the Green Belt, which is by definition harmful. In this scenario, harm to the Green Belt and any other harm must be weighed against other considerations to determine whether VSC exist. These alternative planning balances are considered in more detail in section (8) of these Conclusions.

[84-95,121,130,137,157-171,226,261]

(2) Character and appearance

332. The appeal site lies wholly within National Character Area 87, the East Anglian Chalk. In the Cambridgeshire Landscape Guidelines: A Manual for Management and Change in the Rural Landscape 1991, the site is located in character area 2 – Chalklands, within an area described as a broad-scale landscape of large fields, trimmed hedges and few trees over a smooth rolling chalkland landform. The site is located in character area B – Chalklands in the South Cambridgeshire District Design Guide SPD adopted March 2010. Key characteristics of this Landscape Character Area (LCA) are a distinctive landform of smooth rolling chalk hills and gently undulating chalk plateau, a mostly large-scale arable landscape of arable fields, low hedges and few trees giving it an open, spacious quality, in which small beech copses on the brows of hills, and occasional shelterbelts, are important features. It was apparent from my site visits that this LCA has mostly a strong rural character though this is disrupted immediately adjacent to the A505 and the A11. [17-21]
333. The appellant's definition of the landscape baseline subdivides the Chalklands LCA into the wooded and enclosed Granta Valley LCA, and the Chalk Hills LCA. However, it was evident from my site visits that this division is not reflected enough in the features on the ground to warrant the distinction. In any event, the revised baseline did not make any difference to the appellant's initial assessment of the significance of the landscape change that would result from the proposed development. It was apparent when visiting the area that the appeal site lies within a tract of land that is bounded by major roads, namely the A11, the A505 and A1301. This area is characterised by large arable fields with parkland features at Hinxton Grange and Pampisford Hall, along with field boundaries marked largely by gappy hedgerows. With few hedgerow trees the area has an open feel and offers long views over the gently rolling landform. The topography of the area is shown on Figure 12 of the DAS at CD2.3. The openness of this part of the countryside on the fringe of Cambridge is shown in the aerial photographs at ID16 and Figure 7 of the DAS.
334. The appeal site is not the subject of any of the designations given to landscapes whose character and appearance justifies either a statutory status or recognition of their quality in the development plan. But neither is a large part of the English countryside, which is nonetheless much appreciated for its open views and the sense of space it provides. These landscapes can be especially important as a foil to urban settlements. This applies to the appeal site insofar as it forms part of the wider countryside setting to Cambridge.

335. The parameter plans would provide for the development of the appeal site along the lines of the scheme shown in the illustrative masterplan (Figure 53 DAS). Development of this scale in this location would have an adverse effect on the landscape character of the area of substantial significance. The appellant considers that this would reduce to a slight and not significant effect after 15 years. I disagree. The Landscape and open space parameter plan provides for extensive earth bunding, up to 3.5 m high, with woodland planting. These would extend along the eastern side of the A1301 from near McDonalds roundabout to Tichbault Road (about 1.4 km) with breaks only for the avenue to Hinxton Grange and the proposed access to the AgriTech park. Another bund along the southern boundary of the appeal site would extend for about 700 m along Tichbault Road. These bunds and planting would never completely screen the proposed built form within the AgriTech park, but would transform the open landscape by closing off distant views over the undulating countryside. As planting matured the sense of enclosure would become more pronounced. This would result in a major change to the landscape resource that would not be mitigated over time.
336. Lighting would be a matter for detailed consideration at the reserved matters stage. However, for such a large-scale development it would be likely that necessary lighting would at times produce a prominent glow in the night sky. This would be out of keeping with the night time character of this unlit countryside location. Overall, the proposed development would have an adverse effect on the landscape character of the area of substantial significance.
337. Turning to visual effects, the difference in the landscape experts' judgements about significance are set out in ID40. The views from the A1301 would be affected by the proposed bund, but the development and activity within the AgriTech park would be visible through the breaks in the bund at the avenue and for the proposed site access. The part of the appeal scheme located to the north of the avenue would appear particularly intrusive in what is currently a large open field with parkland beyond. The bund would close off longer views across the open countryside. I consider that the appeal scheme would have an enduring adverse effect of moderate significance, increasing to substantial significance from some vantage points along the A1301 (DH Views 9 10 11; RB V4).
338. Notwithstanding the proposed bund, it would be likely that buildings would be prominent in views from Tichbault Road, and in this otherwise rural context would appear out of place, with an adverse impact of substantial significance (DH Views 13 14 15 16; RB V10). The elevated bridge over the A505/A1301 would dominate all approaches to this roundabout. The structure and associated highways and transport infrastructure for the bus/cycle interchange would add visual clutter that would be more prominent than the existing petrol filling station and restaurant (DH Views 1 2 3 4 5 6 7; RB V4 V5). The adverse impact on the visual amenity of the area would be moderate increasing to substantial close to the roundabout. From the northern end of Hinxton (DH Views 19 20; RB V2) built development on the appeal site would be likely to be apparent, particularly in the winter months. But given the separation distance and screening it would have an adverse visual effect of moderate significance.

339. The parameter plans indicate scope for a detailed design and layout to be devised that would not, by reason of an overbearing impact on neighbouring residential occupiers, result in unacceptable living conditions for nearby dwellings. However, properties towards the southern edge of Pampisford (RB V1) would be likely to see parts of the built development proposed to the north of the avenue in winter months. This would result in an adverse impact of moderate significance that would reduce to slight as mitigation planting matured.
340. From distant vantage points it was evident from my site visits that the proposed development, with extensive planting, would be seen to be more absorbed into the wider pattern of fields and vegetation. Built form might be apparent in some longer views, and the overall scale of the development might be apparent in its wider context. However, the separation distance and paucity of elevated vantage points in this landscape would mean that where distant views were possible, they would be of negligible or slight significance for the visual amenity of the wider area. Nevertheless, the overall visual harm I have identified from the proposed development would be of moderate/substantial significance.
341. If outline planning permission is granted for the expansion of the Wellcome Trust's Genome Campus into the fields to the south of the appeal site before determination of this appeal it would be necessary to obtain a cumulative LVIA and to provide an opportunity for the parties and interested persons to comment on it. This would need to be assessed to consider whether the cumulative assessment would alter the significance of the proposed AgriTech park on the character and appearance of the area. [144,226,268]
342. Taking all the above into account, I find that the proposed development would have an adverse effect on the character and appearance of the area of substantial significance, which is a consideration that should be given substantial weight in the planning balance. This would bring the proposal into conflict with SCLP Policy NH/2, which provides that development would only be permitted where it respects and retains, or enhances the local character and distinctiveness of the local landscape. The application is for outline planning permission with all matters reserved. However, even allowing for the scale and nature of the development, the parameter plans indicate that the scheme would conflict with the design principles set out in SCLP Policy HQ/1 concerning the preservation of the character of the rural area (1.a) and compatibility with its location (1.d).
- [17-21,32-48,123,128,131,134,141-143,226,248,250,252,255,260,261,264-266,273-275,277,280,282,283,286]

(3) Heritage assets

343. At Hinxton Grange the proposed development would lead to the loss of open farmland that formed the estate, the loss of open land adjacent to the designed parkland with built development along the park boundary and along and either side of the avenue, and the loss or closing-off of views from the house and reciprocal views, including from the A1301 (RB V3). The extent of the resultant harm on the significance of the grade II listed Hinxton Grange would be within the middle of the range of less than substantial harm. Given the group value

between the Grange, its stable and coach house, the same level of harm would apply to these listed buildings.

344. The scale and proximity of the proposed built development would significantly erode the historic significance of the non-designated parkland landscape and the avenue. The enhancements proposed for the parkland to remove damaged trees and provide public access would be of some benefit, but would not materially enhance the significance of the heritage assets. The proposed development would be set back 37 m from the centre line of the avenue towards its western end. At its eastern end development is proposed both to the north and south of the avenue, set back some 33 m from its centre. The proposed bunds along the eastern side of the A1301 would step down to the existing ground level at the entrance to the avenue, and so would not screen views into the appeal site and along the avenue from the road.
345. Notwithstanding the proposed landscaping, it would be likely that the built development and activity associated with it would be apparent from this vantage point on the A1301. The part of the proposed built development to the north of the avenue would be a particularly intrusive feature in this historic landscape. Commercial and other vehicles crossing the avenue towards its eastern end would give the impression that the avenue was to a part of the AgriTech park and not to an historic house. The level of harm caused to the parkland and avenue would be moderate to high.
346. It was apparent at my site visits that Hinxton conservation area and the grade II* Church of St Mary and St John the Evangelist have a similar setting, which would be adversely impacted by the proximity of the proposed AgriTech park. The change to the setting of these assets would diminish their historic significance, but this harm would be less than substantial and at the lower end of the range. Given the separation distance and intervening trees and woodland, along with the local topography, I do not consider that the proposed development would have an adverse effect on Pampisford Hall and its registered park and garden, which I visited on my accompanied site visit.
347. The appeal site comprises part of the setting of the non-designated WWII pillbox. There is some doubt about the reasons why the pillbox was placed in this location, but it is probable that a key consideration was the views it offered over the adjoining open fields. This open aspect makes a significant contribution to the significance of the pillbox. The proposed built form within the AgriTech park would substantially close off views to the west, and so would erode this significance. The level of harm caused to the pillbox would be moderate.
348. The proposed development would harm heritage assets. The harm to designated heritage assets would be less than substantial for the purposes of applying the *Framework*. This harm should be weighed against the public benefits of the proposal. The appeal scheme would also adversely affect non-designated heritage assets, requiring a balanced judgement having regard to the scale of this harm. Overall, I consider that the proposal would have an adverse effect of moderate significance on heritage assets, which should be given moderate weight in the planning balance.

[26,49-57,145-156,226,266,277,293,295]

(4) Agricultural land

349. Some 33 ha of BMV agricultural land would be permanently lost if the appeal scheme was implemented. The appellant considers that the proposed development would be compliant with relevant local and national policy if the scheme was successful in attracting development intended to improve agricultural productivity and sustainability across the UK and internationally. However, it seems to me that even if the proposal achieved these aims that would not bring it into conformity with provisions in the *Framework* about decisions contributing to and enhancing the local environment by, amongst other things, protecting soils. The 33 ha of agricultural land would no longer be available for agricultural production. That outcome would be at odds with the requirement in the *Framework* to recognise the economic and other benefits of BMV agricultural land. There would be some harm to agricultural land, which I consider would be an adverse effect of minor significance, but nonetheless should be given some slight weight in the planning balance.

[58,59,118,121,123,124,128,132,180,226,252,260,261,264,266,274,275,277,284,297]

(5) Transport and highway safety

350. Local concerns about the impact of the additional traffic generated by the appeal scheme are understandable given the existing congestion on the local road network. Long queues at the junction of the A505 and A1301 were evident in both am and pm peak hours whenever I visited the site. Local residents are critical of the traffic surveys on which the appellant relies, but the relevant highway authorities are satisfied that these are acceptable. There is also doubt that the scheme would be likely to achieve the modal split used in the appellant's projections. This is acknowledged to be ambitious. However, the proposed pedestrian/cycle enhancements would be particularly beneficial. With the provisions in the section 106 agreement set out in Annex A to this report, along with the suggested planning conditions, it would be a reasonable assumption that the planned modal split could be achieved by the time the scheme was fully occupied. I am satisfied that the technical evidence presented by the appellant about the existing highway network and the predicted traffic impact represents a reasonable worst-case assessment.

351. The technical evidence indicates that the proposed roundabout that would provide access to the appeal site from the A1301 would accommodate the likely traffic flows without having an unacceptable effect on the local road network. In terms of off-site highway improvements, the suggested planning conditions would secure works to junction 10 of the M11 and to the A11/A1307 junction prior to the first occupation of any building on the appeal site. The section 106 agreement would require completion of the McDonalds roundabout junction improvements prior to any occupation of the proposed development. The agreement also provides for CCC to elect for either the owners to deliver improvements to the A505/Moorfield Road junction and the A505/Hunts Road junction or to deliver a bond which would enable the funding of alternative works. No more than 25,000 m² of floorspace on the appeal site could be occupied unless these works, or approved alternative works, had been completed.

352. The technical evidence demonstrates that these off-site improvements to the local road network would reasonably make adequate provision for the additional traffic that would be generated by the proposed AgriTech park. Local residents have concerns about constraints that might result from inadequate link capacity between the improved junctions. However, the evidence here indicates that it is the capacity of junctions which is the limiting factor on the flow of traffic on the local network. Sensitivity tests indicate that even with the proposed Wellcome expansion and the NUGV, neither of which is yet committed, the proposed highway works would still reduce delays compared to the baseline position at all the junctions assessed.
353. There is evidence that existing congestion at times results in rat-running of through traffic in nearby villages, and there is local concern that this has not been appropriately taken into account in the appellant's highway assessment. But it seems to me that if the proposed junction improvements operated in the way that is envisaged, then even with the additional traffic from the AgriTech park, drivers would be less likely to seek alternative routes through villages. Furthermore, the section 106 agreement requires a parking management monitoring plan with provision of a monitoring response bond, along with provision for measures to overcome any off-site parking or rat-running.
354. Subject to the imposition of appropriate planning conditions and the obligations set out in the section 106 agreement, I find no grounds to dismiss the appeal for highway safety reasons. The appeal scheme would comply with SCLP Policies TI/2, TI/3 and TI/8 concerning sustainable travel, parking and infrastructure provision.
355. The highway authorities are aware of the local problems on the network and there is to be a study of the A505 corridor. It is not possible at this stage to know if any measures are likely to emerge from this process that would achieve some of the highway improvements proposed by the appeal scheme. But implementation of the appeal scheme would provide certainty about achieving highway improvements that would not only be necessary to enable the proposed AgriTech park to proceed, but would also be of more general benefit to those using the local road network. If the appeal scheme secured these benefits earlier than would be so if they were delivered as part of improvements initiated by the Highway Authority, then that would be a benefit of minor significance that should be given slight weight in the planning balance.

[83,113,114,117,119,122,123,125,127,133,172-174,177-179,226,233,248,250,251,255,258,264-266,270,273-275,277-279,282,283,285-287,292,299]

(6) Other considerations

Biodiversity

356. In terms of biodiversity the existing arable fields are of limited habitat value, but the woodland, trees, hedgerows and field margins are of some nature conservation interest. The scheme proposes improved woodland management, additional tree planting and more hedgerows. With the imposition of appropriate planning conditions, the appellant's Habitat Impact Assessment Calculator for the scheme, which was not disputed at the Inquiry, records a net biodiversity gain. This takes into consideration woodland, grassland, wetland and other habitat, including the built environment, with a

net score of +32.15. This is derived from a loss score of 171.22 and a gain score of 203.37. It also records a hedgerow impact score of +9.94.

357. However, the scheme would predominantly provide urban type habitats replacing rural countryside. In the long-term rural habitats might be locally more valued for threatened wildlife because of their scarcity, whereas urban type habitats are likely to become more common with future expansion of built development in the wider Cambridge area. For these reasons, I find that the proposal would, overall, have a beneficial effect of minor significance on biodiversity, which should be given slight weight in the planning balance.

[120,130,131,134,170,226,250,252,255,265,266,277,297]

Hydrology

358. There is local concern about the effects of the proposal on ground and surface water, and the risk of flooding. Others raised issues about demand for water in an area where rainfall might be adversely affected by climate change. The evidence submitted indicates that local surface and ground water resources could be safeguarded by the imposition of appropriate planning conditions, and there is nothing to indicate that the scheme would have an unacceptable impact on water resources. There are no grounds to dismiss the appeal because of its likely impact on hydrology.

[83,135,226,248,250,252,255,259,260,264-266,281,294,296,297]

Pollution

359. There are local concerns about the effects of the proposal on the amenity of the area from air and noise pollution. These are matters that could be reasonably addressed by the imposition of appropriate planning conditions. There are no grounds to find against the proposal because of likely harm to the amenity of the area from pollution.

[83,122,221,226,259,265,277]

Other matters

360. Many objectors commented on the fact that the appeal site is not allocated for development in the recently adopted SCLP. Some considered that the proposal would result in piecemeal development in the absence of a strategic plan for the area which took into account potential other development, such as the NUGV and Wellcome Trust campus expansion. Cumulative impact was raised as an issue that should best be considered in a review of the local plan. However, the proposal falls to be determined having regard to current policy. In the circumstances, it would not be appropriate to refuse the scheme on the grounds of its prematurity pending a review of the local plan.

[205,249,251,257,262,263,268,277,287,288,293,301]

361. Some objectors suggested alternative sites or schemes. But it is only in exceptional circumstances that an alternative proposal will be relevant. This is not a case where consideration of a less harmful alternative development becomes a material planning consideration. [116,199]

362. The Inquiry was advised about a legal agreement affecting the appeal site, which was undertaken by the Wellcome Trust when it owned the land. The agreement binds successors in title. However, this is a legal matter for the parties involved, and is not a consideration which would justify dismissing the appeal. [126,222,277,286]
363. Some representations considered that consultation about the scheme was inadequate, but the proposal was given appropriate publicity with reasonable opportunities for local comment. [225,269]
364. There is local concern about the effects of the proposal on the real estate market, but this should not be an influential consideration in determining this appeal. [285]

(7) Employment and the economy

365. The SCLP does not specifically mention the AgriTech sector, but national and regional strategies and economic policies encourage and promote the sector. There is evidence that the AgriTech sector is an important sector of the regional and national economy that has the potential for considerable growth. SCDC shares the support expressed by the Government and other organisations for fostering and capitalising on the opportunities presented by this sector, but disputes that these objectives require the release of the appeal site for an AgriTech park. [61,62,74,181-187]
366. The Cambridge cluster encompasses businesses and institutions within about a 20-mile radius of the city. There is clear evidence of the benefits of clustering to the growth and success of knowledge-based businesses, which is reflected in the aims of SCLP Policy E/9. The appeal scheme would provide some agricultural land for field trials on site, with the appellant offering adjoining agricultural land if more extensive areas for crop trials were required by occupiers of the proposed AgriTech park. Some businesses may benefit from the proximity of land for trials, but there is evidence that many agricultural research establishments utilise land for trials a considerable distance from their main research premises. The proposed incubator units would be beneficial to start-up enterprises. But these benefits should be seen in a local policy context that is very supportive of new and growing businesses. [67-69,75-77,118,189-194,196-198,204,240,241,284]
367. Supporters of the scheme refer to the opportunities it would create for synergies with other science parks in the Cambridge sub-region, and that it would provide access to an on-site AgriTech community. This is considered to be especially significant as it would be located in East Anglia, which is an important agricultural area. There is evidence of considerable interest in the scheme, but no specific commitments to taking up the opportunities that the AgriTech park is perceived to provide. The representations in support of the proposal are of a general nature, which appear to have been made without the benefit of any details about how the site would be managed and operated, and particularly how occupation of the site would be controlled. Representations refer to a wide range of activities, including an opportunity for a producer's food hub, sustainable food distribution and national logistics. Representations refer to the need for planning permission to provide certainty, as a basis to explore further collaboration with the appellant and the AgriTech community, and in order to progress discussions. Even where genuine interest in the

appeal scheme is expressed, or consideration given to taking up office space in the incubator units, taking this interest further was considered by supporters of the scheme to be dependent upon the AgriTech park receiving planning permission. Nevertheless, if the scheme achieved the benefits claimed by the appellant it would gain support from national and regional strategies and economic policies to encourage and promote the AgriTech sector.
[227,231,232,234,235,236-246,256,272,300]

368. A use class B1 development with 112,000 m² of employment floorspace within the Cambridge area would generate considerable economic benefits, the quantum of which was not disputed at the Inquiry. However, many submissions expressed concern about the wide breadth and scope of the appellant's definition of AgriTech, and the possibility that the scheme would in future become a general business park, with a focus on commercialisation. Some objectors question whether there is a credible business case for the scheme in the absence of any collaboration or relationship with the University of Cambridge, or with existing bio-tech research parks and establishments in the locality. With no identified anchor tenant for the scheme, objectors argue that the proposal would not be integrated with key UK AgriTech enterprises. There is also concern about the scheme lacking the scientific leadership, focus or governance, that would be necessary to mitigate against any future divergence from the AgriTech credentials of the initiative, leading to it effectively operating as a general science or business park.
[27,28,79,115,124,204,226,229,230,247,250,253,254,259,260,262,265,267,270,277,279,282,286-288]

369. There is an existing cluster of AgriTech businesses in the Cambridge area operating from a number of dispersed sites and locations. There is also a generous supply of employment land in the area. Some objectors argue that with almost full employment there is no need for an additional 4,000 jobs. The appellant considers that the Cambridge cluster would be significantly enhanced if existing and future businesses had the opportunity to co-locate on a large site, which provided agricultural land for research, trials and the commercialisation of AgriTech innovations in the field, so that the sector would be more competitive and successful in the longer term compared to a dispersed model. [63-66,70-73,81,121,137,194,200,201,276]

370. Some businesses might benefit from co-location on a single AgriTech site, but others might be content to share information, skills and ideas more remotely within a dispersed AgriTech cluster within the Cambridge area. There is no convincing evidence to quantify the need for co-location on a single large site. There is nothing to demonstrate the level of likely advantage such a cluster might have over the future development of the dispersed cluster that has emerged in the Cambridge area. This is especially so as the appellant argues that many of the enterprises that would take up premises in the proposed AgriTech park do not currently exist, and that the emergence of some would be dependent upon technologies and applications which have yet to be invented. That may well be so, but it does mean that the proposal must then be put forward on a speculative basis. However, the fact that the application is in outline, and the lack of identified likely occupiers, are not considerations which weigh against the proposal. Nevertheless, the particular nature and scale of this speculative proposal means that it would be imperative that

effective controls were imposed regarding future occupation of the proposed AgriTech park. [31,80,202,203]

371. The benefits of the proposed AgriTech park, over and above those which might in any event result from future development of the existing AgriTech cluster in Cambridge utilising existing and allocated employment provision, would be significant if the economic contribution envisaged by the appellant could be achieved in practice. However, these benefits would only be realised if an effective user restriction was imposed to ensure that occupiers complied with specified AgriTech requirements, so that the development did not become a general business park. But there was no agreement at the Inquiry about what form these necessary restrictions should take. [82]
372. Suggested Condition 12a would define AgriTech as science-based and/or technology-based development of products, services and applications designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain. This definition could encompass many and varied uses and activities and would be so imprecise that it would be likely to give rise to disputes about compliance and difficulties in taking effective enforcement action. The reference to 'the food chain' could potentially incorporate a wide range of activities that would fall outside the appellant's concept of AgriTech as it was advanced at the Inquiry. The appellant states that the emphasis here would be on the commercialisation process, which it considers to be the successful production, marketing, sale and servicing of a range of things, including physical products, services or computer-related or other applications. Such an expansive user restriction, combined with the appellant's emphasis on commercialisation, would be open to a wide interpretation that could result in the development operating largely as a general business park. Conditions 12b and 12c would similarly lack the necessary precision to comply with the tests for valid planning conditions. [138]
373. Condition 12d suggested by SCDC would require a needs assessment at reserved matters stage and for initial and subsequent occupation of the proposed incubator units. A needs assessment must demonstrate either an operational need for the prospective occupier to be located on the site in relation to the proximity to nearby land in agricultural use; or a need for the prospective occupier to be located adjacent to other permitted businesses on the site. But it seems to me that this might exclude occupiers who did not meet these requirements, but might otherwise accord with legitimate aspirations for the proposed AgriTech park. The first occupier would have to meet requirement a) proximity to land in agricultural use, as compliance with b) would not apply if there were no other occupiers. Furthermore, an innovative AgriTech use, which did not need to be co-located with other AgriTech occupiers on the site at that time, and required no nearby agricultural land, would fail to comply. A requirement for such a needs assessment at reserved matters stage could also unreasonably impact on the deliverability of the development where the occupier might not be known at that stage. The condition would require first and subsequent occupation of any building to be substantially in accordance with the associated need assessment. This would lack precision in setting out what was required to discharge the condition. I do not consider that Condition 12d would meet the tests for valid conditions.

374. Condition 12e incorporates the appellant's preferred definition for AgriTech (12a), and adds a requirement for approval prior to occupation with need demonstrated by either a requirement of proximity to agricultural land or for co-location with other uses on site. The incubator units would be excluded from a needs assessment. For the incubator units and after 10 years of first occupation for other users, an occupation restriction would only apply by virtue of the 12a part of the condition. However, for the reasons set out above, 12a would lack the necessary precision. I do not consider that Condition 12e would meet the tests for valid conditions.
375. The *Framework* provides that significant weight should be placed on the need to support economic growth and productivity. However, without effective controls there would be nothing to prevent the proposed AgriTech park from becoming a general business park. Given the ample existing and planned provision in the Cambridge area for employment and business development, the benefits that would result from a general business park in this countryside location would be limited. Some form of occupier restriction would be necessary to ensure that the claimed benefits of the AgriTech park would be realised. However, in my view none of the suggested conditions would meet the tests of necessity, reasonableness and precision. The absence of an appropriate mechanism to control occupation of the AgriTech park diminishes the weight that can be given to the claimed benefits of the proposal. In these circumstances, I find that the need for and benefits of the proposed development would be of minor significance, and a consideration which should attract no more than slight weight in the planning balance.
376. However, if the Secretary of State considers that any of the occupancy restriction conditions suggested by either SCDC or the appellant would be policy compliant, or that it would be possible, by going back to the parties, to devise a lawful and policy compliant means to restrict occupation, so that the scheme would achieve the benefits claimed by the appellant, then the contribution to the economy would be a matter that should be given substantial weight in the planning balance.

[78,104-107,213-218,302-308]

(8) Planning balance

377. The appellant's case for the AgriTech park relies on an argued need for the scheme and the benefits which would result. This is based on the view that a single large bespoke site for AgriTech is required if policy ambitions are to be achieved. For the reasons set out above, I am not convinced that the evidence indicates that this is the decisive consideration that warrants the weight attributed to it by the appellant. However, the Secretary of State may come to a different view about this, and the following balancing exercises consider alternative inputs, depending upon whether the need/benefits issue is awarded slight weight, on the basis of my findings in section (7) of this report, or should attract substantial weight reflecting the appellant's case.
378. Before doing so it is necessary to consider how the *Framework* deals with heritage assets. Considerable weight and importance should be given to the harm identified to the designated heritage assets. In my judgement, the public benefits of the scheme in terms of employment and its contribution to the economy would outweigh the harm to both designated and non-designated

heritage assets if substantial weight was given to the need for and benefits of the appeal scheme. However, this would not be the case if the need/benefits consideration was only given slight weight. In the latter case the moderate harm to heritage assets would not be outweighed by the public benefits of the proposal.

379. If the Secretary of State finds that the proposed development is inappropriate in the Green Belt, the planning balance would be whether the harm by reason of inappropriateness, and any other harm, was clearly outweighed by other considerations, so as to amount to the VSC necessary to justify the development. The harm to the Green Belt should, by definition, be given substantial weight. In addition, the proposal would have an adverse effect on the character and appearance of the area, which should be given substantial weight. Moderate weight should be given to the harm identified to heritage assets. Slight weight should be given to the loss of BMV agricultural land. If the appeal scheme brought forward highway improvements sooner than otherwise would be so, then the beneficial impact should be given slight weight. The benefits to biodiversity should also be given slight weight for the reasons set out above. In this scenario, irrespective of whether the need/benefits consideration was given slight or substantial weight, it is my judgement that the harm by reason of inappropriateness, and any other harm, would not be clearly outweighed by other considerations, and the VSC necessary to justify the development would not exist.
380. If the Secretary of State finds that the proposed development is not inappropriate development in the Green Belt the planning balance is a straight weighing of benefits against harm. If the need/benefits consideration was given slight weight, I do not consider that this, combined with the slight weight for both transport and biodiversity benefits, would be sufficient to outweigh the substantial weight to be given to the harm to the character and appearance of the area, along with the moderate weight to the harm to heritage assets and slight weight arising from the loss of BMV agricultural land. If the need/benefits consideration was given substantial weight the matter would be more finely balanced. However, in my judgement, the overall harm I have identified would still be sufficient to tip the planning balance against the proposal.
381. In scenarios for both inappropriate and 'appropriate' development in the Green Belt, and for awarding the need/benefits of the appeal scheme either slight or substantial weight, I find that the planning balance falls against the proposed development.

[96-98,170,224]

(9) Development Plan

382. The Secretary of State is required to decide this appeal having regard to the development plan, and to make the determination in accordance with it, unless material considerations indicate otherwise. The development plan includes the South Cambridgeshire Local Plan 2018 (SCLP), relevant policies of which are summarised in Annex B of this report. Irrespective of how the appeal scheme came about, and submissions about previous proposals to develop the appeal site, the current scheme should be determined on its planning merits having regard to relevant policy. The SCLP does not specifically refer to AgriTech

development. However, it was found to be sound on the basis of the policies contained within it for employment provision and economic growth.

383. The requirement in SCLP Policy HQ/1 1.a to preserve or enhance the character of the local urban and rural area is not inconsistent with the *Framework* because the application of this requirement is qualified as appropriate to the scale and nature of the development. SCLP Policy NH/14 sets out when development proposals would be supported, and so is not inconsistent with heritage policies in the *Framework*. I have had regard to the basket of policies which are most important for determining this appeal (as set out in Annex B to this report), and I am satisfied that they are, taken as a whole, consistent with the *Framework*.
384. Subject to the imposition of appropriate planning conditions and the obligations set out in the planning agreement, the appeal scheme would comply with SCLP Policies TI/2, TI/3 and TI/8 concerning sustainable travel, parking and infrastructure provision. The proposal would not gain support from Policy S/1 if the planning balance fell against it because in those circumstances it would not represent sustainable development. In terms of Policy S/2 the proposal would support economic growth, but would not protect the character of South Cambridgeshire. The scheme would gain some support from Policy S/5 because it would assist in achieving the plan's target for additional jobs. Some support would also come from Policy NH/4, which requires new development to aim to maintain or enhance biodiversity. However, the proposal would harm heritage assets and so would not gain support from Policy NH/14.
385. For the reasons set out above the proposal would conflict with Policies HQ/1 and NH/2 concerning the local landscape. It would also be at odds with Policy SC/9 because lighting would be likely to have an unacceptable adverse impact on the surrounding countryside. If the Secretary of State finds that the planning balance falls against the proposed development, then sustainability considerations and the need for the development would not be sufficient to override the need to protect the agricultural value of land. As the scheme would result in the irreversible loss of BMV agricultural land it would consequently be at odds with Policy NH/3. Policy E/9 provides for locally driven clusters as they emerge. However, if the Secretary of State finds that the planning balance falls against the proposed development the scheme would not be in a suitable location, and so would conflict with Policy E/9 concerning the promotion of clusters. Overall, the proposal would not be supported by other policies in the SCLP, and so would conflict with Policy S/7 concerning development outside development frameworks.
386. If the Secretary of State finds that the development would be inappropriate in the Green Belt and finds that VSC do not exist, then the proposed development would not accord with the objectives set out in Policy S/2, and it would also conflict with Policies S/4 and NH/8.
387. Taking all the above into account, I find that the proposal would, if the planning balance falls against the scheme, conflict with the development plan when taken as a whole.

[22,29,30,60,99-102,184-186,206-212,277]

(10) Framework and Guidance

388. Relevant provisions of the *Guidance* have been taken into account in assessing the appeal scheme. In terms of compliance with the *Framework* the scheme would gain some support from the need to support economic growth and productivity, and from providing net gains for biodiversity. On transport grounds the proposal would have a neutral or slight beneficial effect, not the unacceptable impact on highway safety or severe residual cumulative impacts on the road network that would justify a refusal on highway grounds.

389. However, the appeal scheme would be at odds with policy about enhancing the local environment and recognising the intrinsic character and beauty of the countryside and the economic and other benefits of BMV agricultural land. In applying policies in the *Framework* for heritage assets, I have found that the public benefits of the scheme would outweigh the harm to both designated and non-designated heritage assets if substantial weight was given to the need for and benefits of the proposal, but would not do so if the need/benefits consideration was only given slight weight. If the Secretary of State finds that the development would be inappropriate in the Green Belt and finds that VSC do not exist, then the proposed development would also conflict with national policy concerning the Green Belt. But irrespective of whether the proposal is inappropriate or 'appropriate' development in the Green Belt, and whether the appellant's need/benefits case is given slight or substantial weight, I consider that the scheme would be at odds with the policy in the *Framework*, when considered as a whole. [23-25]

(11) Planning conditions and obligations

Conditions

390. Suggested conditions, in the event that outline planning permission was granted, were the subject of a round-table without-prejudice discussion at the Inquiry. The written list of conditions submitted by the appellant includes pre-commencement conditions which are agreed. In the following paragraphs the Condition numbers are as they appear in the Schedule of Conditions attached to this report.

391. The standard outline conditions would be necessary which specified appropriate time periods (Conditions 1-5). Otherwise than as set out in the decision and conditions, it would be necessary that the development was carried out in accordance with the approved plans, to ensure that it was in accordance with the scheme considered at the Inquiry (Condition 6).

392. Provision for access and highway improvements would be necessary in the interests of highway safety in accordance with SCLP Policies TI/2 and TI/8. (Conditions 7-9). Condition 10 would be necessary in order to clarify the parameters of the permission in terms of overall floorspace for uses and total number of car parking spaces. A condition would be required to ensure that agricultural land was available for AgriTech occupiers (Condition 11).

393. The parties could not agree on the wording for Condition 12 concerning an occupancy restriction. None of the suggested variations to this condition would pass the relevant policy tests. In the event that the Secretary of State is minded to grant outline planning permission it would be necessary to go back

to the parties to devise a valid occupancy condition or other appropriate means to control occupation of the proposed AgriTech park.

394. A condition would be required to ensure that the class D1 and D2 uses did not attract additional external traffic movements to the site (Condition 13). Condition 14 would be necessary to ensure that appropriate mitigation was carried out. Conditions would be required to ensure that A3 and A5 uses remained ancillary to the function of the site and did not attract external trips onto the network unrelated to the AgriTech function of the site, and a restriction of permitted development for office conversions to dwelling houses would be necessary and reasonable because of the particular needs of the proposed scheme to be located in this rural location (Condition 15).
395. Condition 16 would be necessary to clarify how the site was to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that major infrastructure provision and environmental mitigation was provided in time to cater for the needs and impacts arising out of the development in accordance with SCLP Policy TI/8. Early provision of the proposed incubator units would be necessary to achieve the benefits of the proposed development (Condition 17). Reporting on the phased delivery of infrastructure and mitigation would be necessary to identify any changes required to phasing (Condition 18).
396. Condition 19 would be necessary to ensure sufficient sewerage infrastructure capacity in accordance with SCLP Policies CC/9 and TI/8. In order to prepare the site for development a condition would be necessary regarding enabling works (Condition 20). Site-wide and detailed Construction Environmental Management Plans (CEMP) would be required to protect the amenities and environment of residents and other sensitive receptors in accordance with SCLP Policy CC/6 (Conditions 21 and 22).
397. A community liaison group would be required given the scale and wide-reaching environmental impacts of the proposal in accordance with SCLP Policy CC/6 (Condition 23). A site wide Construction Transport Management Plan (CTMP) would ensure that the construction of the development minimised its environmental impacts in accordance with SCLP Policies CC/6 and TI/2 (Condition 24). For similar reasons a site wide Construction Waste Management Plan (CWMP) would be necessary (Condition 25). Controls to avoid unnecessary noise from piling operations in accordance with SCLP Policy CC/7 and to prevent pollution would be required (Condition 26).
398. Condition 27 would ensure that no contaminated material was brought onto the site, in accordance with SCLP Policy CC/6. Odour controls would protect the amenities of users of the AgriTech park in accordance with SCLP Policy SC/14 (Condition 28). A site-wide car parking strategy would ensure that the number of car parking spaces on site did not exceed 2,000 and that parking provision was provided at appropriate levels for each permitted use, having regard to SCLP Policy TI/3 (Condition 29). Condition 30 would provide for a site wide Ecological Conservation Management Plan (ECMP) to ensure that the development of the site conserved and enhanced ecology (SCLP Policy NH/4).
399. A lighting strategy would be necessary to minimise light pollution in accordance with SCLP Policy SC/9 (Condition 31). Condition 32 would seek to

ensure that the development and subsequent reserved matters proposals adequately addressed climate change in accordance with SCLP Policies CC/1, CC/3 and CC/4. A site wide Heritage Protection and Management Plan would ensure heritage assets were afforded protection to comply with SCLP Policy NH/14 (Condition 33). Condition 34 would require a Strategic Surface Water Drainage Strategy in order to safeguard against the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses was appropriate and monitored and to promote the use of sustainable urban drainage systems in accordance with SCLP Policies CC/7, CC/8, CC/9 and Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire (2016). To comply with SCLP Policies CC/1 and TI/8 a Refuse and Recycling Strategy would be necessary (Condition 35).

400. In the interests of the public realm a site-wide Estate Management Strategy would be required having regard to SCLP Policies HQ/1 and TI/3 (Condition 36). A Design Guide should be approved and implemented to ensure high standards of urban design consistent with SCLP Policy HQ/1 and District Design Guide: High Quality and Sustainable Development (2010) Supplementary Planning Document (Condition 37). A site-wide topographical plan with cross-sections (Condition 38) would be necessary to provide a strategic approach to land form cut and fill in the interests of the visual amenity of the area (SCLP Policies HQ/1 and NH/2). [Condition 39 was not used]
401. A Strategic Landscape and Ecological Management Plan (SLEMP) would be required in accordance with SCLP Policy HQ/1 and SCDC Landscape in New Developments (2010) SPD (Condition 40). For similar reasons measures would be necessary to protect trees (Conditions 41, 42 and 43). Details for hard and soft landscaping, along with ecological measures would need to be specified and implemented (Conditions 44, 45 and 46) to ensure that the development was consistent with SCDC's Landscape in New Developments (2010) SPD, and enhanced ecology in accordance with SCLP Policies NH/4 and HQ/1. A detailed lighting scheme for each phase would be necessary in the interests of the appearance of the area (Condition 47). Pedestrian and cycle routes for each phase (Condition 48) should be approved and implemented to ensure that appropriate connections were provided for the scheme (SCLP Policies HQ/1 and TI/2). For similar reasons details of car and cycle parking in each phase would need to be approved and implemented (Conditions 49 and 50).
402. BREEAM standards (Conditions 51 and 52) should be specified in accordance with the ES commitments and to ensure a high level of sustainable design (SCLP Policies CC/1, CC/2, CC/3 and CC/4). A Sustainability Statement (Condition 53) would be necessary in the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (SCLP Policy CC/1).
403. There is a dispute about Condition 54 concerning the future review of the sustainability strategy and targets. SCDC considers that the condition would be necessary in the interests of reducing carbon dioxide emissions, promoting principles of sustainable construction, the efficient use of buildings, and in view of the duration of the proposed development, having regard to SCLP Policies CC/1, CC/3 and CC/4. These are laudable aims, but I am not convinced, given the wording of the suggested condition, that it would meet the policy tests. I

share the appellant's view that the condition would not provide the necessary certainty about what was required from the developer, and so in the form suggested it would be unreasonable. [108,219]

404. Conditions 55, 56 and 57 would be necessary to reduce carbon emissions and in the interests of climate change adaptation. The location and provision of fire hydrants (Condition 58) would need to be approved in order to secure appropriate firefighting infrastructure in accordance with the advice of the Cambridgeshire Fire and Rescue Service (SCLP Policy TI/8). Condition 59 requires a minimum of 20% of the car parking spaces to have electric vehicle charging points in the interests of adapting to and mitigating climate change (SCLP 2018 Policies TI/2 and CC/1).
405. A Detailed Surface Water Scheme (Condition 60) would be necessary in order to safeguard against the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems (SCLP Policies CC/7, CC/8, CC/9 and Adoption and Maintenance of Sustainable Drainage Systems in South Cambridgeshire (2016)). A scheme to dispose of foul water drainage would be necessary to prevent pollution (Condition 61).
406. A programme of archaeological work (Condition 62) would be necessary in order to appropriately protect and investigate the archaeological heritage of the site (SCLP Policy NH/14). Soil movement and restoration (Condition 63) would need to be controlled to accord with SCLP Policies NH/3 and NH/4.
407. Condition 64 concerning land contamination and remediation would be necessary to ensure that risks from land contamination to the future users of the land and neighbouring land were minimised in accordance with SCLP Policy SC/11.
408. It would not be necessary to impose any other conditions. Some minor changes to the wording of conditions suggested by the parties are necessary to ensure that a permitted scheme would accord with the details of the proposal that was considered at the Inquiry, and to ensure that conditions were precise and enforceable. I have omitted discretionary clauses which could result in fundamental changes to some aspects of the scheme considered at the Inquiry. References to some of the documents cited in the suggested conditions have also been updated in the Schedule of Conditions attached to this report.

Obligations

409. The obligations concerning a Public and Private Transport Service Strategy, with a Service Level Agreement and a Private Shuttle Bus Service would be necessary to ensure that appropriate bus services were provided given the rural location. Parking Management and Monitoring Plans, along with a Monitoring Response Sum Bond would be required to overcome any off-site parking or rat-running. A Shared Multi-User Route pursuant to the Highways Act, along with junction improvements to McDonalds roundabout would be required to secure necessary highway improvements. A Framework Travel Plan, along with an Annual Action Plan, with Review and Monitoring and Individual Travel Plans, together with a Travel Plan Enhancement Bond would

be necessary to minimise reliance on transport by private cars. A Strategic Public Open Space Plan would be required in the interests of the amenity of the area. These obligations would be necessary, directly related to the proposed development, and fairly and reasonably related to the proposal in terms of scale and kind.

410. The obligation provides for CCC to elect for the owners to deliver the New Bus/Cycle Interchange, the A505/Moorfield Road Works, and the A505/Hunts Road Works, or to deliver bonds which would enable the funding of alternative works. No more than 25,000 m² of floorspace could be occupied unless these works had been completed. These provisions would provide a pragmatic solution if it proved that highway constraints on the appeal scheme could be better resolved in a scheme initiated by the Highway Authority. On this basis, it seems to me that the possibility of a contribution instead of constructing the works would reasonably comply with the CIL Regulations.

411. Essex County Council seeks a contribution of £2.5 m to the cost of a pedestrian and cycle bridge linking the appeal site to the proposed NUGV. However, planning for the NUGV is at an early stage and the link would not be necessary in order to make the AgriTech development acceptable in planning terms. Furthermore, no justification has been provided by reference to any Essex policy or guidance relating to such financial contributions. However, it would be necessary and reasonable for the obligation to recognise the desirability of a link between the developments should the NUGV proceed, and for the owners to use reasonable endeavours to allow implementation to permit pedestrians, cyclists or other suitable transport users to move between the appeal site and the NUGV. [11,103,175,176,220,289,302-309]

Overall conclusions

412. I have found that the planning balance would fall against the proposed development in all scenarios, irrespective of whether the scheme is, or is not, inappropriate development in the Green Belt, and whether the appellant's need/benefits case is given slight, or substantial, weight. The proposal would conflict with the development plan, taken as a whole, and would not gain support from the *Framework*. There are no material considerations which indicate that the appeal should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised in evidence, I conclude that the appeal should be dismissed.

413. However, if the Secretary of State considers that substantial weight should be given to the appellant's need/benefits case for the appeal scheme, and also finds that the planning balance falls in favour of the proposed development, having regard to relevant policy, then it would be necessary to devise appropriate occupancy controls to enable a valid outline planning permission to be granted.

Recommendations

414. The appeal be determined on the basis of the amended Landscape and open space parameter plan Drawing No.235701B-LA-PP103A.
415. The description of the proposed development be amended to an AgriTech technology park comprising up to 112,000 m² (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland; vehicle and cycle parking; service areas; bus/cycle interchange on land west of the A1301 / north of A505; and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301 / A505 and River Cam, site re-profiling, drainage works, foul and surface water pumping stations and primary electricity sub station; telecommunications infrastructure and other associated works.
416. I recommend that the appeal should be dismissed for the reasons set out above.
417. However, if the Secretary of State is minded to allow the appeal and to grant outline planning permission, then the conditions considered necessary to be imposed, with two exceptions, are set out in the Schedule of Conditions attached to this report. It would be necessary to go back to the parties to devise controls on the future occupation of the site, by imposing an amended version of Condition 12, or by means of an appropriate planning obligation. It would not be reasonable to impose suggested Condition 54.

John Woolcock
Inspector

APPEARANCES

FOR SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL:

Douglas Edwards QC
Horatio Waller of counsel

Instructed by Richard Pitt SCDC

They called

David Huskisson Dip LA
CLMI

Principal landscape practice

Adrian Gascoyne
BA(Hons) FSA MCIFA

Head of Place Services Essex County Council

Cristina Howick
MA(Oxon) MSc(Econ)

Director Peter Brett Associates LLP

Phillipa Jarvis BSc
(Hons) DipTP MRTPI

Principal of PJPC Ltd

FOR THE APPELLANT:

Neil King QC
Robert Walton QC
They called

Instructed by Terence O'Rourke Ltd on behalf of
SmithsonHill Ltd

Andy Hill

Founder and Chief Executive Hill Group and
Director of SmithsonHill (CIOB)

Martin Collison BSc
(hons) FRSA FCIEA
FRAgS MIAgrM

Director Collison and Associates Limited

Steve Lucas BSc MSc
economics

Director Development Economics Limited

Rob Sadler BSc MRICS

Director Savills Cambridge

Richard Burton DipLA
CMLI AoU

Director Terence O'Rourke Limited

John Trehy BA MCIfA

Technical Director Terence O'Rourke Limited

Rupert Lyons MSc CMILT
MIOD

Founding Director Transport Planning Associates
Limited

Tim Hancock BA (Hons)
MPhil DMS MRTPI AoU

Managing Director Terence O'Rourke Limited

Continued -

INTERESTED PERSONS:

Prof William Brown
Cllr Peter McDonald
Rupert Kirby
Cllr Peter Topping

John F Williams
Cllr Aureole Wragg
Cllr Sian Wombwell
Tony Orgee
Dr Alan James BSc Tech PhD
MBCS CIP MIMMM CEnv

Chair Hinxton Parish Council
District Councillor SCDC
Local resident
District Councillor for the Whittlesford Ward of
SCDC and County Councillor for Duxford Division
of Cambridge County Council
Local resident
Pampisford Parish Council
Ickleton Parish Council
Local resident
Chairman CPRE Cambridgeshire & Peterborough

PROOFS OF EVIDENCE and APPENDICES

Appellant

APP1	Andy Hill	1.1 Summary 1.2 Proof of Evidence 1.3 Appendices 1-3
APP2	Martin Collison	2.1 Summary 2.2 Proof of Evidence 2.3 Appendices 1 and 2
APP3	Steve Lucas	3.1 Summary 3.2 Proof of Evidence
APP4	Rob Sadler	4.1 Summary 4.2 Proof of Evidence 4.3 Appendix 1
APP5	Richard Burton	5.1 Summary 5.2 Proof of Evidence 5.3 Figures 1-7 and Appendices A-F 5.4 Rebuttal and Figure 1 [The following submitted at the Inquiry] 5.5 Response by Mr Burton to LPA3.4 including Drawing No.235701B-LA-PP103A
APP6	John Trehy	6.1 Summary 6.2 Proof of Evidence 6.3 Appendices 1-4
APP7	Rupert Lyons	7.1 Summary 7.2 Proof of Evidence 7.3 Appendices A-O 7.4 Supplementary and Rebuttal Appendix RL-A [The following submitted at the Inquiry] 7.5 Further Rebuttal Proof
APP8	Tim Hancock	8.1 Summary 8.2 Proof of Evidence 8.3 Appendices A-S

Continued

South Cambridgeshire District Council

LPA1	Phillipa Jarvis
	1.1 Summary
	1.2 Proof of Evidence
	1.3 Appendices PJ1 and PJ2
LPA2	Cristina Howick
	2.1 & 2.2 Main Proof of Evidence
	2.3 Appendices A-D
	2.4 Rebuttal
	2.5 Rebuttal Appendices A and B
LPA3	David Huskisson
	3.1 Summary
	3.2 Proof of Evidence
	3.3A Appendices 1-4
	3.3B Plans and Photographs
	3.4 Response of SCDC to FEI landscape and visual matters [The following submitted at the Inquiry]
	3.5 Updated table of effects Day 1 Winter
	3.6 Errata
	3.7 DH1 DH2 and DH3
	3.8 Extract with plans Cambridge Green Belt Study CD9.3
LPA4	Adrian Gascoyne
	4.1 Summary
	4.2 Proof of Evidence & Figures 1-34
	4.3 Appendices A-G

SCHEDULE OF PLANS AND DRAWINGS

Application plans and drawings

Site location plan Drawing No.235701B-LA-001 A3

Existing site plan Drawing No.235701B-LA-002

Land use parameter plan Drawing No.235701B-LA-PP101 rev A

Movement and access parameter plan Drawing No.235701B-LA-PP102

Landscape and open space parameter plan Drawing No.235701B-LA-PP103

Development density parameter plan Drawing No.235701B-LA-PP104

Height parameter plan Drawing No.235701B-LA-PP105

Amended plan submitted at the Inquiry

Landscape and open space parameter plan Drawing No.235701B-LA-PP103A

ANNEX A

Summary of obligations in section 106 agreement dated 31 July 2019

Schedule 1

Requires the owners of the site to submit a Public and Private Transport Service Strategy for approval prior to commencement. Prior to occupation a Service Level Agreement would ensure that a bus service is provided in accordance with the approved Public and Private Transport Service Strategy for a period of 5 years or until the service is commercially viable and self-sufficient.

Requires the owners of the site to provide a Private Shuttle Bus Service in accordance with the approved Public and Private Transport Service Strategy for the lifetime of the development.

Requires the site owners to submit for approval a Parking Management Plan prior to occupation and thereafter implement it for the duration of the development.

Requires the site owners to submit for approval a Parking Management Monitoring Plan prior to occupation and thereafter implement it with provision of a Monitoring Response Sum Bond, and provision for measures to overcome any offsite parking or rat running.

A Shared Multi-User Route pursuant to the Highways Act would be required.

The obligation provides for CCC to elect for the owners to deliver the New Bus/Cycle Interchange or to deliver a bond which would enable the funding of alternative works for the New Bus/Cycle Interchange. No more than 25,000 m² of floorspace could be occupied unless the Interchange or approved alternative works had been completed.

Requires the owners to complete the McDonalds Roundabout junction improvements prior to occupation.

The obligation provides for CCC to elect for the owners to deliver the A505/Moorfield Road Works or to deliver a bond which would enable the funding of alternative works. No more than 25,000 m² of floorspace could be occupied unless the A505/Moorfield Road Works or approved alternative works had been completed.

The obligation provides for CCC to elect for the owners to deliver the A505/Hunts Road Works or to deliver a bond which would enable the funding of alternative works. No more than 25,000 m² of floorspace could be occupied unless the A505/Hunts Road Works or approved alternative works had been completed.

In the event that the North Uttlesford Garden Village (NUGV) is allocated for housing and planning permission granted within 7 years which provides links across the A11 the owners shall use reasonable endeavours to allow

implementation to permit pedestrians, cyclists or other suitable transport users to move between the appeal site and the NUGV.

Requires submission for approval of a Framework Travel Plan, along with an Annual Action Plan, with Review and Monitoring and Individual Travel Plans. It also provides for a Travel Plan Enhancement Bond.

Requires the owners to submit for approval a Strategic Public Open Space Plan.

Schedule 2 sets out CCC's obligations

ANNEX B

Summary of relevant policies of the South Cambridgeshire Local Plan 2018 (SCLP)

S/1 The vision provides for sustainable economic growth with residents having a superb quality of life in an exceptionally beautiful, rural and green environment.

S/2 Sets out 6 key objectives; a. to support economic growth and South Cambridgeshire's (SC) position as a world leader in research and technology based industries, research, and education, and supporting the rural economy; b. to protect the character of SC, including built and natural heritage, protecting the GB, new development should enhance the area, and protect and enhance biodiversity; c. To provide land for housing; d. to deliver high quality well-designed development; e. to ensure new development provides or has access to a range of services and facilities that support healthy lifestyles and well-being; and f. to maximise potential for journeys to be undertaken by sustainable modes.

S/3 Accords with the presumption in favour of sustainable development as set out in the 2012 NPPF.

S/4 Defines the Cambridge Green Belt and states that new development in the Green Belt would only be permitted in accordance with national Green Belt policy.

S/5 Development will meet the needs for 22,000 additional jobs to support the Cambridge Cluster and provide a diverse range of local jobs.

S/6 Sets out a development strategy for jobs in the following order of preference: on the edge of Cambridge, at new settlements, in the rural area at rural centres and minor rural centres.

S/7 Provides that outside development Frameworks only development for, amongst other things, uses which need to be located in the countryside or where supported by other policies in the plan would be permitted.

S/13 Provides for a review of the SCLP to commence before the end of 2019.

CC/1 Concerns mitigation and adaptation to climate change.

CC/2 and CC/3 Deal with renewable and low carbon energy generation.

CC/4 Concerns water efficiency.

CC/6 Concerns construction methods.

CC/7 Concerns water quality.

CC/8 Concerns sustainable drainage.

CC/9 Concerns flood risk.

HQ/1 Requires high quality design. As appropriate to the scale and nature of the development, proposals must, amongst other things, 1.a preserve or enhance the

character of the local rural area and respond to its context in the wider landscape, 1.b conserve or enhance important natural and historic assets and their setting, and 1.d be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.

NH/2 Permits development where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.

NH/3 Provides that planning permission would not be granted for development which would lead to the irreversible loss of Grades 1,2 or 3a agricultural land unless 1. The land is allocated for development, 2. Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.

NH/4 States that new development must aim to maintain, enhance, restore or add to biodiversity.

NH/8 States that any development in the Green Belt must be located and designed so that it would not have an adverse effect on the rural character and openness of the Green Belt.

NH/14 Supports development proposals when they sustain and enhance the special character and distinctiveness of the SCDC's historic environment.

E/1 Supports employment development on Cambridge Science Park where they enable the continued development of the Cambridge Cluster of high technology research and development companies.

E/9 States, amongst other things, that development proposals in suitable locations will be permitted which support the development of employment clusters, drawing on the specialisms of the Cambridge area in certain specified sectors, along with other locally driven clusters as they emerge.

E/15 Concerns established employment areas

SC/9 Permits development which includes new external lighting only where it can be demonstrated that lighting and levels are the minimum required for reasons of public safety and security, and there is no unacceptable adverse impact on the local amenity of nearby properties, or on the surrounding countryside.

SC/11 Concerns contaminated land.

SC/12 and SC/14 concern emissions to air.

TI/2 States that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location. Planning permission for development likely to give rise to increased traffic demands will only be granted where the site has or will attain sufficient integration and accessibility by walking, cycling or public and community transport. Larger

developments (over 1 ha) are required to demonstrate that they have maximised opportunities for sustainable travel.

TI/3 Sets out indicative parking standards

TI/8 Concerns infrastructure provision to make schemes acceptable in planning terms.

The Glossary defines 'Clusters' as groups of companies in related activities, often sharing similar skills and infrastructure, within a specific area – The Cambridge Clusters are related to high tech clusters (including high tech firms, Cambridge University and the research institutes and related specialist services e.g biotech and medical uses at Granta Park.

SCHEDULE OF PLANNING CONDITIONS (Conditions 1-64)

If outline planning permission is granted for an AgriTech technology park comprising up to 112,000 m² (gross) employment floorspace, supporting infrastructure, amenities and landscape works including publicly accessible informal open space, enhancements to parkland; vehicle and cycle parking; service areas; bus/cycle interchange on land west of the A1301 / north of A505; and infrastructure works including new vehicular accesses, highway improvement works, pedestrian and cycle links with bridge crossings over A1301 / A505 and River Cam, site re-profiling, drainage works, foul and surface water pumping stations and primary electricity sub station; telecommunications infrastructure and other associated works at Land to the east of the A1301, south of the A505 near Hinxton, and west of the A1301, north of the A505 near Whittlesford in accordance with the terms of the application Ref.S/4099/17/OL, dated 20 November 2017, as amended [if amendment accepted], it is recommended that the permission be subject to the following conditions:

- 1) No development of any individual development Phase, Parcel or part thereof shall commence until approval of the details of the means of access, appearance, landscaping, layout and scale (hereinafter called the 'reserved matters') within that Phase, Parcel or part thereof has been obtained from the local planning authority in writing. The development shall be carried out as approved.
- 2) The application for approval of the first reserved matters shall be made to the local planning authority no later than three years from the date of this permission.
- 3) The application for the approval of the last reserved matters shall be made to the local planning authority no later than 12 years from the date of this permission.
- 4) Details of reserved matters of any development Phase, Parcel or part thereof shall be submitted to and approved in writing by the local planning authority before development is commenced on that particular Phase, Parcel or part thereof save for any Enabling Works. The development shall be carried out in accordance with the approved details.
- 5) The development hereby permitted shall begin either not later than the expiration of 5 years from the date of this permission, or not later than the expiration of 2 years from approval of the first reserved matters to be approved, whichever is later.
- 6) The development hereby permitted shall be carried out in accordance with the following approved plans save for only minor variations where such variations do not deviate from this permission nor have any additional or materially different likely significant environmental effects to those assessed in the Environmental Statement accompanying the application and February 2018 and May 2019 addendums:
 235701B-LA-001 A0 – Site Location Plan
 235701B-LA-PP101 rev A - Land Use Parameter Plan
 235701B-LA-PP102 – Movement and Access Parameter Plan
 235701B-LA-PP103 rev A – Landscape and Open Space Parameter Plan
 [or 235701B-LA-PP103 if amendment not accepted]
 235701B-LA-PP104 – Development Density Parameter Plan
 235701B-LA-PP105 – Height Parameter Plan

- 7) No building shall be occupied until the new site access roundabout junction illustrated indicatively in TPA's proposed site access (Junction 11) drawing (No.180-72-PL 05, revision B, August 2018) has been substantially completed in accordance with the final approved plans pursuant to Condition 8.
- 8) No development apart from Enabling Works shall commence on site until details of the proposed access point to the site from the A1301 have been submitted to and approved in writing by the local planning authority. The access shall be designed to accommodate the predicted transport (all modes) that the site may generate and will have been developed to such a point that a Stage Two Safety Audit has been completed and any outstanding issues identified within the Stage Two Audit having been resolved in accordance with the written approval of the local planning authority. The design of the access point shall include a detailed engineering scheme/plan showing cross sections (existing/proposed), levels changes, including large scale cross-sections of the kerb and associated shared use pathway/cycleway, foundation design and construction and all associated improvements and links to existing pathways/cycleways within the vicinity of the junction. The scheme shall be carried out in accordance with the approved details.
- 9) No development apart from Enabling Works shall commence on site until details of the works proposed to be carried out to the M11/Junction 10 and the A11/A1307 junction have been submitted to and approved in writing by the local planning authority. The design of the improvements shall be to the standards set out in the Design Manual for Roads and Bridges. The M11/Junction 10 works scheme shall include the widening of the southbound off-slip road at Junction 10 of the M11 Motorway and the provision of associated works to provide traffic signal control of the southbound off-slip road and circulatory carriageway as shown indicatively on drawing number PL01C titled 'Proposed Mitigation at Junction 1: M11 Junction 10', TPA - Transport Planning Associates, 29 April 2019. The A11/A1307 scheme works shall include amendments to the white lining on the southbound off-slip road approach to the grade separated junction of the A1307 with the A11 as shown indicatively on drawing number SK01A titled 'Sketch of Possible Mitigation at Junction 9: A11/A1307 Junction', TPA - Transport Planning Associates, 24 April 2019. The schemes' works shall be completed in accordance with the approved details prior to the first occupation of any building.
- 10) The gross external floorspace of the following use classes hereby permitted shall not exceed:
B1a office / B1b R&D / B1c light industrial - 92,000 m²
B1b laboratories - 11,800 m²
A3 / A5 - 2,000 m²
D1 - 3,000 m²
D2 - 3,200 m²

The total number of car parking spaces on the site shall not exceed 2,000 spaces.

- 11) As from the date of first occupation, at least 10 ha of land within the site shall be made available at all times for crop/technology trials and demonstration.
- 12) [the parties disagreed about suggested conditions to control occupation of the site and put forward options for consideration]
- 12a The use class B1 floorspace hereby approved shall be used for no purpose other than AgriTech; namely the science-based and/or technology-based development of products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain.
- or
- 12b The use class B1 floorspace hereby approved shall only be used for any or all or the following purposes; namely research into, development of, commercialisation of, and production of, goods, services and applications for use in agriculture, horticulture and the food chain.
- or
- 12c The use class B1 floor space hereby approved shall only be used for the purpose of research into and development and commercialisation and production of products, services and applications for use in agriculture, horticulture and the food chain.
- 12d Other than a reserved matters application for the incubator building pursuant to Condition 17, any reserved matters application for floorspace within the B1 use class of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, shall be accompanied by a needs assessment which sets out the nature of the prospective occupier(s) and their specific requirements for locating onto the site. The needs assessment shall demonstrate either: (a) an operational need for the prospective occupier to be located on the site in relation to the proximity to nearby land in agricultural use; or (b) need for the prospective occupier to be located adjacent to other permitted businesses on the site. Prior to the occupation of any business within the incubator building, a needs assessment demonstrating compliance with either criteria a) or b) above shall be submitted to and approved in writing by the local planning authority. Subject to any needs assessment being approved by the local planning authority, the first and subsequent occupation of any building shall be substantially in accordance with the associated needs assessment.
- 12e The use class B1 floorspace hereby approved shall be used for no purpose other than AgriTech; namely the science-based and/or technology-based development of products, services and applications that are designed to improve yield, resource efficiency, sustainability, health and profitability in agriculture, horticulture and the food chain. Prior to first occupation of any B1 floorspace (other than the occupiers of the incubator building), or prior to any subsequent occupier within the first 10 years from the date of first occupation, details of the proposed occupier(s) shall be submitted to the local planning authority for approval in writing. The details shall demonstrate either: (a) a need for the

prospective occupier to be located on the site for reasons of proximity to land in agricultural use; or (b) a need for the prospective occupier to be co-located with other AgriTech occupiers on the site. No B1 building shall be occupied until the local planning authority has given its written approval.

[For the reasons set out above, if the Secretary of State is minded to allow the appeal and to grant outline planning permission it would be necessary to go back to the parties to devise an appropriate condition or other means to control future occupation of the site.]

- 13) Any buildings within use classes D1 and D2 shall be used only for the benefit of the occupiers and users of the site.
- 14) The development shall be carried out in accordance with the mitigation measures as set out in Chapter 2 of the Environmental Statement, dated September 2017, as amended by the Addendums of February 2018 and May 2019.
- 15) Individual planning units within use classes A3 and A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification shall not exceed 650 m² and 50 m² gross external floor space respectively.

Notwithstanding the provisions 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), no development within Class O of Part 3 of Schedule 2 of the Order shall take place unless expressly authorised by planning permission granted by the local planning authority in that behalf.

- 16) Prior to or concurrently with the submission of the first reserved matters application(s) for development for the site, a site wide phasing plan (SWPP) shall be submitted to the local planning authority for approval in writing. The SWPP shall be based on the indicative phasing plan (Figure 2.7) in the submitted Environmental Statement accompanying the application. It shall include information in relation to the proposed sequence of development across the entire site and timing information by reference to the commencement or completion of development of any Phase or the provision of any other element or to any other applicable trigger point. The SWPP shall include:
 - (a) Major infrastructure including all accesses, roads, footpaths and cycleways, the proposed transport interchange and bridge link as shown on PP102.
 - (b) Landscaping provisions including strategic woodland and planting areas, parkland restoration zone, bunding and re-grading areas as shown on PP103A [or PP103 if amendment not accepted].
 - (c) Informal open space and the natural open water/swimming lake as shown on PP103A [or PP103 if amendment not accepted].
 - (d) Strategic SUDS and surface water drainage features, such as balancing ponds and the wetland infiltration area as shown on PP103A [or PP103 if amendment not accepted].
 - (e) Strategic potable water main provisions.
 - (f) Strategic on-site foul water drainage and pollution control features.

- (g) Electricity and telecommunications networks.
- (h) Environmental mitigation measures specified in the Environmental Statement and February 2018 and May 2018 addendums.

No development shall commence apart from Enabling Works approved in writing by the local planning authority until such time as the SWPP has been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved SWPP and any subsequent approved revisions to it pursuant to Condition 18.

- 17) Prior to or concurrently with the submission of the first reserved matters application(s) for development of the site, a reserved matters application for the 3,000 m² of incubator units as part of Phase one shall be submitted to the local planning authority for approval in writing. The reserved matters shall include a statement which sets out the range of facilities and the internal floorspace configuration to be provided in the form of the incubator units based upon the identified and anticipated needs of start-up firms, small and medium enterprises (SMEs) and new business ventures, and shall include, but not be limited to, the consideration of need for a range of office sizes from 25 m² (with fit out options), meeting rooms (shared or individually rented), shared workspaces and business support services. Prior to first occupation of any use class B1 development on the site, the 3,000 m² of incubator units shall be completed in accordance with the approved reserved matters.
- 18) From the date of approval of the SWPP and for a period of no less than 12 years thereafter, an annual written statement detailing the delivery of the approved phasing provisions pursuant to Condition 16 shall be submitted to the local planning authority. It shall report on the progress and delivery of all of elements (a)-(h) submitted as part of the SWPP. Any revisions to the phased delivery of infrastructure shall be approved in writing by the local planning authority and shall be delivered in accordance with Condition 16.
- 19) No development of a Phase, apart from Enabling Works, shall be commenced until a scheme for the disposal of foul water for that Phase has been submitted to and approved in writing by the local planning authority. The scheme shall include an implementation plan to ensure that sufficient foul capacity will be available to accommodate each Phase of the development. The scheme shall be implemented in accordance with the approved details.
- 20) An Initial Earthworks and Archaeology and Enabling Works Strategy (IEAEWS) shall be submitted to the local planning authority for approval prior to the commencement of any Enabling Works. No development or Enabling Works shall commence until the IEAEWS has been approved in writing. The IEAEWS shall set out how the Enabling Works are to be implemented in order to gain access into the site and prepare the site for development. The Enabling Works shall be carried out in accordance with the approved IEAEWS.
- 21) Prior to the commencement of any development a site wide Construction Environmental Management Plan (CEMP) shall be submitted to and

approved in writing by the local planning authority. The site wide CEMP shall include details of:

- (a) Hours of construction and hours of deliveries.
- (b) Proposed earthworks including a method statement for the stripping of topsoil for reuse, the raising of land levels (if required) and arrangements for the temporary topsoil storage to BS3882:2015.
- (c) Archaeological protection and mitigation measures to be implemented during the construction process.
- (d) Measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981.
- (e) Contractor's access and parking arrangements for vehicles, plant and personnel including the location of construction traffic routes to and from the site, details of their signing, monitoring and enforcement measures.
- (f) Haul routes.
- (g) Avoidance and mitigation measures for protected and notable species including, but not limited to, badger and nesting birds, to be implemented during construction works.
- (h) 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 contractors' compound(s) and details of any temporary buildings during the construction period to be approved on a phased basis.
- (i) Noise and vibration (including piling) impact / prediction assessment, monitoring and recording protocols / statements and consideration of mitigation measures in accordance with the provisions of BS5228-1:2009+A1:2014: Code of practice for noise and vibration control on construction and open sites.
- (j) Results of a noise assessment of the potential impact of construction noise on any significantly affected residential properties and details of suitable mitigation measures.
- (k) Measures to be applied to prevent contamination of the water environment during construction; including a scheme to treat and remove suspended solids from surface water run-off during construction.
- (l) Dust monitoring, assessment and mitigation.
- (m) Measures for soil handling.
- (n) Concrete crusher and/or batching plant if required or alternative procedure.
- (o) Waste sorting and dispatch facilities.
- (p) Odour control systems including maintenance and manufacture specifications.
- (q) Maximum noise levels and required mitigation for construction equipment, plant and vehicles.
- (r) Site lighting for the relevant part of the site, including for cranes.
- (s) Screening and hoarding details.
- (t) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction and on completion of the development.
- (u) Procedures for interference with public highways.

- (v) External safety and information signing notices.
- (w) Liaison, consultation and publicity arrangements, including dedicated points of contact.
- (x) Complaints procedures, including complaints response procedures.
- (y) Membership of the considerate contractors' scheme.
- (z) The loading and unloading and storage of plant and materials used in constructing the development, with particular attention on the unloading and storage of oil, chemicals and other hazardous material.

The development shall be carried out in accordance with the approved site wide CEMP.

- 22) Prior to the commencement of development of any approved reserved matters, a detailed CEMP relating to the approved reserved matters shall be submitted to and approved in writing by the local planning authority. The detailed CEMP shall include reference and further detail as appropriate to each of the items referred to in Condition 21 above in relation to the site wide CEMP. The construction shall be carried out in accordance with the detailed CEMP as approved in writing by the local planning authority.
- 23) Prior to any Enabling Works, a Community Liaison Group (CLG) shall be established to engage nearby residents on impacts associated with the construction of the site. The CLG shall be organised and administered by the developer and its detail of operation shall include a regular meeting place, contact information, publicity and draft terms of reference, which shall be submitted to and approved in writing by the local planning authority prior to the first Enabling Works.
- 24) No development shall be commenced until a site wide Construction Transport Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The objectives of the CTMP shall be to:
 - (a) Identify clear controls on routes for large goods vehicles and vehicle types.
 - (b) Identify temporary highway works required to accommodate construction traffic.
 - (c) Minimise the number of private car trips to and from the site (both workforce and visitors) by encouraging alternative modes of transport and identifying control mechanisms for car use and parking.
 - (d) Assess the need for improvements to the public transport network to accommodate the additional number of trips associated with construction site activity.

The site wide CTMP shall include as a minimum the following information:

- (a) The arrangements for liaison with the relevant highway authorities and emergency services.
- (b) Road closures implementation and management.
- (c) Direction signing to worksites.
- (d) Workforce distribution, mode share and assignment, to include proposals for transport provision for movement of construction workforce.

- (e) Rail station servicing to support workforce travel arrangements by rail.
- (f) How any off-site parking overflow issues are to be dealt with.
- (g) Parking provision for and management of construction workers' motor cars and vans used to travel to the site.
- (h) Provisions for walking and cycling.
- (i) Lorry holding areas.
- (j) Driver standards and enforcement within the construction sites.
- (k) Complaints procedures.
- (l) Monitoring and review provisions to ensure the effective implementation of the Construction Transport Management Plan.

The development shall be carried out in accordance with the site wide CTMP as approved in writing by the local planning authority.

- 25) The development shall not be commenced until a site wide Construction Waste Management Plan (CWMP) has been submitted to and approved in writing by the local planning authority. The objectives of the CWMP shall be to ensure that all waste arising from the construction works is managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials. The CWMP shall also detail the compliance and assurance requirements to be maintained on the site during all phases of construction. The CWMP shall include as a minimum the following information:
- (a) Classification of all waste, including hazardous waste, according to current legislative provisions.
 - (b) Performance measurement and target setting against estimated waste forecasts.
 - (c) Reporting of project performance on quantities and options utilised.
 - (d) Measures to minimise waste generation.
 - (e) Opportunities for re-use or recycling targets.
 - (f) Provision for the segregation of waste streams on the site that are clearly labelled.
 - (g) Licensing requirements for disposal sites.
 - (h) An audit trail encompassing waste disposal activities and waste consignment notes.
 - (i) Returns policies for unwanted materials.
 - (j) Measures to provide adequate training and awareness through toolbox talks.

The development shall be carried out in accordance with the site wide CWMP as approved in writing by the local planning authority.

- 26) Piling, including impact piling, or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority. Consent for piling works may be given for those parts of the site where it has been demonstrated via a piling risk assessment submitted to the local planning authority that there is no resultant unacceptable risk to groundwater and where it has been demonstrated that impact piling would not give rise to unacceptable amenity impacts. The development shall be carried out in accordance with the approved details.

- 27) No soils or infill materials (including silt dredged from watercourses), shall be imported onto the site until written consent has been obtained from the local planning authority that they present no risk to human health, planting and the environment. Documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis test results, shall be submitted to and approved in writing by the local planning authority prior to that import.
- 28) The air conditioning, extraction system(s) and any other plant generating external noise installed within those parts of the development falling within use classes A3 and A5 shall be maintained for the lifetime of the development in accordance with details previously approved in writing by the local planning authority.
- 29) Prior to or concurrently with the submission of the first of the reserved matters application(s) a site wide Car Parking Strategy (CPS) shall be submitted to the local planning authority for approval in writing. The CPS shall accord with and give effect to the principles for such a plan proposed in the Environmental Statement Technical Appendix J Traffic and Transport dated February 2018 submitted with the application. The CPS shall set out the maximum level of parking to be provided for each of the use classes permitted, identify parking levels for employees and visitors and parking levels for people with mobility impairments. The subsequent provision of car parking across the site shall accord with the CPS approved in writing by the local planning authority.
- 30) Prior to or concurrently with the submission of the first of the reserved matters application(s), a site wide Ecological Conservation Management Plan (ECMP) shall be submitted to the local planning authority for approval in writing. The ECMP shall accord with and give effect to the principles for such a plan proposed in paragraphs 10.156 to 10.177 of the Environmental Statement submitted with the application. As a matter of principle, the ECMP shall set out an objective of enhancing the net biodiversity of the site as a result of development and shall include:
 - (a) Contractor responsibilities, procedures and requirements.
 - (b) Full details of appropriate habitat and species surveys (pre and post-construction), and reviews where necessary, to identify areas of importance to biodiversity.
 - (c) Details of measures to ensure protection and suitable mitigation to all legally protected species and those habitats and species identified as being of importance to biodiversity both during construction and post-development, including consideration and avoidance of sensitive stages of species life cycles, such as the bird breeding season, protective fencing and phasing of works to ensure the provision of advanced habitat areas and minimise disturbance of existing features.
 - (d) Identification of habitats and species worthy of management and enhancement together with the setting of appropriate conservation objectives for the site. Prescriptions shall be provided to detail how habitat and species management and enhancement shall be provided alongside measures to provide habitat restoration.

- (e) A summary work schedule table, confirming the relevant dates and/or periods that the prescriptions and protection measures shall be implemented or undertaken by within.
- (f) A programme for Monitoring/Environmental Audits to be carried out four times annually during the construction phase.
- (g) Confirmation of suitably qualified ecologist responsible for overseeing implementation of the ECMP commitments.
- (h) A programme for long-term maintenance, management and monitoring responsibilities for a period of 25 years to ensure an effective implementation of the ECMP ensuring periodic review of the objectives and prescriptions and reporting measures regarding biodiversity gain.

No development shall commence until such time as the ECMP has been approved in writing by the local planning authority. All species and habitat protection, enhancement, restoration and creation measures shall be carried out in accordance with the approved ECMP.

- 31) Prior to or concurrently with the submission of the first reserved matters application, a site wide Lighting Strategy shall be submitted to the local planning authority for approval. No development shall commence apart from Enabling Works until the site wide Lighting Strategy has been approved in writing. The site wide Lighting Strategy shall set out how the development will provide external lighting across the site. All reserved matters applications shall accord with the details of the approved site wide Lighting Strategy and shall include the specified detail pursuant to Condition 47.
- 32) Prior to or concurrently with the submission of the first reserved matters application, a Site Wide Sustainability Strategy that accords with section 4 of the Design and Access Statement shall be submitted to the local planning authority for approval. No development shall commence apart from Enabling Works until the Site Wide Sustainability Strategy has been approved in writing. The Site Wide Sustainability Strategy shall set out: (a) how the development will secure carbon dioxide emission reductions of 10% against the 2013 Building Regulations; and (b) how the development of the site will address mitigation and adaptation to climate change and include water efficiency targets. It will promote principles of sustainable construction and efficient use of buildings across the site. All reserved matter applications shall accord with the provisions of Condition 53 in terms of the submission of a Sustainability Statement which demonstrates compliance with the details of the approved Site Wide Sustainability Strategy.
- 33) Prior to or concurrently with the submission of the first reserved matters application, a Site Wide Heritage Protection and Management Plan that accords with section 5 of the Design and Access Statement shall be submitted to the local planning authority for approval. No development shall commence apart from Enabling Works until the Site Wide Heritage Protection and Management Plan has been approved in writing. The Site Wide Heritage Protection and Management Plan shall set out how the development shall secure the heritage protection and enhancement measures and mitigation set out in the submitted Environmental Statement accompanying the application. All reserved matters

applications shall provide a statement which sets out how the proposal accords with the details of the approved Site Wide Heritage Protection and Management Plan.

- 34) Prior to or concurrently with the submission of the first reserved matters application involving buildings, roads or other impermeable surfaces, a Strategic Surface Water Drainage Strategy (SSWDS) for the site shall be submitted to the local planning authority for approval in writing. The SSWDS shall include phasing arrangements, details of primary infrastructure for each Phase and plans for drainage asset operation, maintenance and contingency. The SSWDS shall set out what information, design parameters and design details will need to be submitted at the reserved matters stage for each Phase of the development. The development shall subsequently be implemented in accordance with the approved SSWDS.
- 35) Prior to or concurrently with the submission of the first reserved matters application for any occupied building, a site wide Refuse and Recycling Strategy (RRS) shall be submitted to the local planning authority. No development shall be occupied until the site wide RRS has been approved in writing by the local planning authority. All reserved matters applications shall include a recycling and waste reduction statement demonstrating compliance with the approved RRS. The development shall be carried out in accordance with the approved RRS.
- 36) Prior to the first occupation of an approved permanent building, a site wide Estate Management Strategy shall be submitted to and approved in writing by the local planning authority. It shall incorporate key principles for the management and maintenance of the public realm open to staff and visitors to the site and include the following; (a) details of the operational estate management structure; and (b) management and maintenance principles. The management of the estate shall be carried out in accordance with the approved details.
- 37) Prior to or concurrently with the submission of the first reserved matters application a Design Guide for the site that accords with the principles set out in sections 4 and 5 of the Design and Access Statement shall be submitted to the local planning authority for approval in writing. The Design Guide shall include the following elements:
 - (a) The layout of blocks and the structure of public spaces and nodes for key transport interchanges.
 - (b) The street hierarchy, typical street cross-sections including street trees.
 - (c) Design principles for different building typologies, with reference to the treatment of: point features as per approved plan PP105; frontages; access; and threshold definition with particular reference to blocks adjacent to the proposed parkland restoration zone.
 - (d) The public realm (roads, paths, open spaces) including guidance for the character and design of key areas of public realm within the site.
 - (e) The strategic approach to lighting, signage, utilities, CCTV and any other street furniture.

- (f) Cycle parking provision and types, including the distribution of occupier /visitor parking, charging points and location in the development of a rental hub(s).
- (g) The approach to the location and layout of car club spaces, electric vehicle charging points/hubs in relation to particular buildings and the location and design of car parking structures.
- (h) The design of SUD's features.
- (i) A materials reference palette for buildings and the public realm.
- (j) The needs of mobility and visually impaired users.
- (k) A wayfinding strategy.
- (l) A review of parking to the north of the Hinxton Grange avenue to minimise the need for cars crossing the avenue.

No development apart from Enabling Works shall commence until such time as the Design Guide has been approved in writing by the local planning authority. The development shall be implemented in accordance with the approved Design Guide and subsequent reserved matters applications shall include a Design Guide Statement of Compliance.

- 38) Prior to the commencement of development apart from Enabling Works, a proposed site wide topographical plan for the site shall be submitted to and approved in writing by the local planning authority. It shall be accompanied by proposed cross-sections of any proposed bunding and plateaux at an approved scale. Subsequent reserved matters applications shall have regard to, and be in substantial accordance with, the approved site-wide topographical plan and shall include AOD levels information as appropriate to the design of the building(s) being proposed.
- 39) NOT USED
- 40) A Strategic Landscape and Ecological Management Plan (SLEMP), including long term design objectives for a period of 25 years, shall be submitted to and approved in writing by the local planning authority prior to or concurrently with any reserved matters application for landscaping approval. The SLEMP shall encompass all publicly accessible spaces, areas of structural edge planting, bunding, woodland and all retained and proposed vegetation to be delivered/managed and include:
 - (a) Description and evaluation of the features to be managed.
 - (b) Aims and objectives of the management.
 - (c) Prescriptions for management actions.
 - (d) Maintenance schedules for all landscape areas, including an annual work plan.
 - (e) Details of the body or organisation responsible for the implementation of the plan.
 - (f) On-going monitoring and remedial measures.

The SLEMP shall also include details of the mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved SLEMP will be implemented in accordance with the approved details.

- 41) Within any reserved matters application for landscaping details pursuant to this approval, the details required by Condition 1 shall include a tree and hedge survey, arboriculture method assessment and tree protection strategy, applicable to the associated Phase. The surveys shall include:
- (a) Plans showing the location of all trees, shrub masses and hedges, categorizing the trees or groups of trees for their quality and value.
 - (b) Plans showing trees to be removed identified by number.
 - (c) Plans showing trees to be retained identified by number, with canopies accurately plotted.
 - (d) A tree constraints plan that identifies root protection areas of retained trees within, adjacent to, or which overhang the development site.
 - (e) The precise location and design details for the erection of protective tree barriers and any other physical protection measures.
 - (f) The location of streams, buildings and other structures, boundary features and services.
 - (g) Spot heights of ground level throughout the site.
 - (h) A method statement in relation to construction.
- 42) Details of the specification and position of fencing, or any other measures to be taken for the protection of any trees from damage during the course of development approved pursuant to Condition 41, shall be implemented in accordance with that approval before any equipment, machinery or materials are brought onto the site for the purpose of development (including demolition). The approved means of protection shall be retained on site until all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered nor shall any excavation be made without the prior written approval of the local planning authority.
- 43) Prior to the installation of any service which passes through the root protection zone of any tree within the "Existing vegetation retained" zone shown on PP103A [PP103 if amendment not accepted], full details of the position and proposed depth of excavation trenches for those services (including cables, pipes, surface water drains, foul water drains and public utilities) and their means of installation, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 44) Within any reserved matters application for landscaping details pursuant to this approval the details required by Condition 1 shall include detailed landscape designs and specifications for the associated reserved matters site. The details shall be accompanied by a design statement that demonstrates how the landscaping scheme accords with any emerging or approved details sought as part of the Design Guide for the site and shall include the following:

Soft Landscaping

- (a) Full details of planting plans and written specifications, including cultivation proposals for maintenance and management associated with plant and grass establishment, details of the mix, size, distribution, density and levels of all trees/hedges/shrubs to be planted, proposals for irrigation (of no less than 3 years) and the proposed time of planting. The planting plan shall use botanic names to avoid misinterpretation. The plans should include a full schedule of plants.
- (b) 1:100 plans (or at a scale otherwise approved) with cross-sections of mounding, ponds, ditches and swales and proposed treatment of the edges and perimeters of the site.
- (c) The landscape treatment of roads (primary, secondary, tertiary and green corridors) through the development.
- (d) A specification for the establishment of trees within hard landscaped areas including details of space standards (distances from buildings etc.), tree pit details, 3D cellular confinement systems or structural soils, specification/cross section of tree pits/trenches.
- (e) The planting and establishment of all key landscape typologies.
- (f) Full details of any proposed alterations to existing watercourses/drainage channels.
- (g) Details and specification of proposed earth modelling, mounding, re-grading and/or embankment areas or changes of level across the reserved matters site to be carried out including soil quantities, topsoil storage to BS 3882:2007, haul routes, proposed levels and contours to be formed, sections through construction to show make-up, and timing of works. The topographical plan shall be in compliance with the site wide approved topography plan pursuant to condition 38.

Hard Landscaping

- (a) Full details, including cross-sections, of all bridges and culverts.
- (b) The location and specification of minor artefacts and structures, including furniture, refuse or other storage units, signs and lighting columns/brackets.
- (c) 1:200 plans (or at a scale otherwise approved) including cross-sections, of roads, paths and cycleways.
- (d) Details of all hard surfacing materials (size, type and colour).

The landscaping within the application site areas shall be implemented in accordance with the approved plans for implementation and replacement of landscaping.

- 45) If within a period of 5 years from the date of the planting of any tree or shrub, that tree or shrub, or any tree or shrub planted as a replacement for it, is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall

be planted at the same place, unless the local planning authority gives written consent to any variation to any re-planting provision.

- 46) Each reserved matters application shall include a detailed Ecological Measures Implementation Plan (EMIP) that demonstrates how it accords with the aims and objectives of the Site Wide Ecological Conservation Management Plan submitted and approved pursuant to Condition 40. It shall detail which specific ecological measures are proposed and the timing for their delivery. No development above slab level shall commence within the part of the site (defined by plan) for which reserved matters approval is being sought until such time as the EMIP has been approved in writing by the local planning authority. The ecological measures shall be carried out in accordance with the approved EMIP. The EMIP shall include (but not be limited to) the following elements:
- (a) Updated ecological survey reports.
 - (b) An explanation of how the habitats and species on the site will be protected from any adverse effects of the development both during the construction phase and once the development is complete.
 - (c) Mitigation measures and ecological enhancements.
 - (d) What buffer strips are in place to protect the river and any other watercourses.
 - (e) How existing ecological features on the site such as hedgerows or waterbodies are to be protected and enhanced.
 - (f) How wildlife corridors linking habitats to the wider countryside are to be maintained and enhanced.

The development shall be carried out in accordance with the approved details.

- 47) Each reserved matters application for a Phase which includes any form of illumination or artificial lighting shall include a detailed artificial lighting scheme which demonstrates accordance with the Site Wide Lighting Strategy. Each reserved matters application shall include details of any external lighting on that Phase such as street, floodlighting, security lighting and a programme for their delivery, as well as an assessment of impact on any sensitive receptors on and off site. No lighting shall be installed until the detailed artificial lighting scheme for that part of the development has been approved in writing by the local planning authority. The artificial lighting for a Phase shall be installed, maintained and operated in accordance with the approved artificial lighting scheme.
- 48) Each reserved matters application for a Phase that has a building or public open space shall include details of the pedestrian and cycle routes for that Phase. No building shall be occupied or activity brought into use within the relevant Phase until the approved pedestrian and cycle routes relating to that building or activity (as appropriate) have been carried out.
- 49) Each reserved matters application shall include details of how it accords with the site wide Car Parking Strategy submitted and approved pursuant to Condition 29. No building shall be occupied until the approved

vehicular parking provision relating to that building has been fully laid out and completed in accordance with the Car Parking Strategy.

- 50) Any reserved matters application that includes a building or public open space shall include details of facilities for the parking of bicycles. Cycle parking provision for employment space shall be covered and provided within main building footprints or within close proximity to main entrances. Building designs shall accommodate locker, shower and drying facilities together with CCTV coverage of cycle parking entrances/exits and secure access arrangements. Cycle parking provision for individual buildings shall be in accordance with the adopted standards referred to in Policy TI/3 (figure 11) of the SCLP 2018.
- 51) All buildings, except for those exempt from BREEAM standards, shall achieve BREEAM 'Very Good'. 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. Unless otherwise approved by the local planning authority, each reserved matters application containing a building which is not exempt from BREEAM standards will be accompanied by a pre-assessment statement setting out how the standard will be met.
- 52) Within 6 months of first occupation of any building that requires a BREEAM assessment a post-construction review shall be undertaken by an approved BREEAM Assessor. It shall be submitted to the local planning authority, indicating that the relevant BREEAM rating has been met in respect of that building or, where the certificate shows a shortfall in credits for the required BREEAM rating, a statement shall be submitted identifying how and when the shortfall will be addressed. Any retrospective works to help meet the shortfall shall be carried out in accordance with the BREEAM review.
- 53) All future reserved matters applications for permanent employment buildings shall be accompanied by a Sustainability Statement setting out how the proposals meet the commitments and targets set out in the approved site-wide Sustainability Strategy. These measures include, but are not limited to:
 - (a) Not less than 20% of construction materials, by value, used in the development shall be from a re-used, recycled source or certified/accredited sustainable source.
 - (b) Not less than 25% of aggregate, by weight, used in the permanent works forming part of the development shall be from a recycled source.
 - (c) The development of a sustainable procurement plan to reduce the environmental impact of materials.
 - (d) The provision of smart meters for all non-residential units enabling building occupiers to monitor their energy usage by way of a digital display showing total power consumption and figures for cost and CO₂ emissions and comparison of energy use on a daily, weekly or monthly basis.

The measures outlined in the Sustainability Statement shall be implemented prior to occupation, unless otherwise approved in writing by the local planning authority.

54) [There is a dispute about the imposition of Condition 54]

Prior to the submission of any application for the approval of reserved matters following the adoption of any new or revised local plan, there shall be submitted to the local planning authority for approval a review of the approved site-wide Sustainability Strategy and the targets therein which shall set out a revised strategy and targets to reflect the terms of the new or revised local plan together with a justification where no revised strategy or target is proposed, whether by reason of viability impact or otherwise. No application for approval of reserved matters shall be made until such time as the review of the approved site-wide Sustainability Strategy and targets has been approved in writing by the local planning authority. Any reserved matters application shall thereafter be submitted in accordance with the approved review.

[For the reasons set out above it is not considered that this would be a reasonable condition to impose]

55) Within one year following practical completion of an occupied employment building, a Post Occupancy Sustainability Review shall be carried out and submitted to the local planning authority for approval in writing. It shall include the results of monitoring of key performance metrics including energy, overheating, carbon emissions and water use and compare actual achieved performance levels with those measures originally set out as part of the Sustainability Statement submitted as part of the original relevant reserved matters application. The results of these reviews will be used to inform the preparation of future phases of development and be referenced as part of Sustainability Statements for similar reserved matters applications for buildings/uses put forward for approval.

56) All future reserved matters applications for permanent buildings shall be accompanied by a carbon reduction statement, which demonstrates how the proposal meets the proposed energy strategy for the site as outlined in the site-wide Sustainability Strategy. This shall include details to demonstrate at least a 10% carbon against the 2013 Building Regulations reduction of the development's total predicted energy requirements. The carbon reduction statement shall include the following details:

- (a) The carbon emissions of the proposal set out in Kg/CO₂/annum.
- (b) A schedule of proposed on-site renewable/low carbon energy technologies, their respective carbon reduction contributions, location, design and a maintenance programme.

The proposed renewable/low carbon energy technologies shall be fully installed and operational prior to the occupation of any approved buildings.

57) The development shall be designed to ensure adequate adaptive capacity for future climate change using UKCP18 (or successor versions) future weather years data based on at least a medium emission scenario, moderate percentile (50%), for the 2030s rather than current weather

data, including overheating analysis undertaken to the latest CIBSE guidelines. Each application for the approval of reserved matters shall be accompanied by a statement for the approval in writing by the local planning authority setting out how this condition has been complied with including (but not limited to) how the following measures have been considered as part of the design:

- (a) Maximising the design of green and blue spaces to provide cool, shaded outdoor spaces for public use.
 - (b) Water sensitive design including permeable paving and rainwater gardens to reduce the risk of surface water flooding.
 - (c) Large canopy deciduous trees along streets and in the public realm to provide shade and evaporative transpiration, with occasional use of evergreens to provide improved shelter from winter wind.
 - (d) Inclusion of green roofs, to provide additional evaporative transpiration and reduce heat absorption while offering additional biodiversity benefits.
 - (e) Permeable paving and rain gardens.
 - (f) Where possible promoting narrow plan, double aspect buildings oriented and shaded to minimise overheating.
 - (g) The use of lighter coloured materials with increased albedo (reflection coefficient) to reduce heat absorption and its impact on the urban heat island effect. This applies in particular to exterior building materials (e.g. light-coloured brick), as well as materials used for pathways and principal areas of hard landscaping.
 - (h) Building design, including orientation, ventilation, shading, thermal mass, materials and cooling.
- 58) No building within any Phase shall be occupied until (a) a scheme for the provision and location of fire hydrants to serve that Phase and (b) access and facilities for the Fire Service has been submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be implemented in accordance with the phasing and delivery programme contained therein.
- 59) A minimum of 20% of car parking spaces shall have Electric Vehicle (EV) charge points with the provision of infrastructure to facilitate the future installation of an additional 20% of EV charge points. Prior to the occupation of each building, evidence of the implemented charging points shall be submitted to the local planning authority.
- 60) Any reserved matters application shall include a Detailed Surface Water Scheme pursuant to the reserved matters site for which approval is sought. The scheme shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details of the Strategic Surface Water Drainage Strategy. The scheme shall be based upon a SuDS hierarchy, including an assessment of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in The SuDS Manual CIRIA C753, the NPPF and the NPPG. The results of the assessment shall be provided in writing to the local

planning authority. The system should be designed such that there is no surcharging for a 1 in 30 year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The submitted details shall include:

- (a) Information about the design storm period and intensity, the method employed to delay and control the surface water discharge rate and volume from the site and the two treatment stages used to prevent pollution of the receiving groundwater and/or surface waters.
- (b) Details of infiltration testing to BRE 365 in locations where infiltration is proposed.
- (c) A plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system.
- (d) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime, including details of land ownership, maintenance responsibilities, a description of the system the identification of individual assets/services and access requirements, and details of routine and periodic maintenance activities.
- (e) Details of phasing during drainage operations and construction.
The approved drainage works shall be carried out in their entirety, fully in accordance with the approved details, prior to the occupation of any building or in accordance with phased drainage operations approved in writing by the local planning authority. The surface water drainage scheme shall be managed and maintained thereafter in accordance with the approved management and maintenance plan for the lifetime of the development.

- 61) No building generating a foul water discharge shall be commenced until such time as a scheme to dispose of foul water drainage for that building, including trade effluent, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
- 62) No development shall take place within an area of archaeological interest until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the local planning authority. This written scheme shall include the following components, completion of each of which will trigger the phased discharging of the condition:
 - (a) Fieldwork in accordance with the agreed Written Scheme of Investigation.

- (b) Completion of a Post-Excavation Assessment report (PXA) and approval of an approved Updated Project Design, to be submitted within six months of the completion of fieldwork, unless otherwise approved in advance by the local planning authority.
 - (c) Completion of the programme of analysis and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise approved in advance by the local planning authority.
 - (d) Production of an archive report and the preparation of site archive for deposition at the Cambridgeshire Archive facility, or another appropriate store approved in writing by the local planning authority.
- 63) Any soil movement and restoration shall be carried out in accordance with the details set out in the Land Use and Soils Chapter of the Environmental Statement.
- 64) No development of a Phase or Parcel shall be commenced until:
- (a) The application site has been subject to a detailed desk study, including site walkover and preliminary Conceptual Site Model, to be submitted to and approved in writing by the local planning authority.
 - (b) The application site has been subject to a further detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and approved in writing by the local planning authority.
 - (c) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the local planning authority.
 - (d) The works specified in the Remediation method statement have been completed, and a Verification report submitted to and approved in writing by the local planning authority, in accordance with the approved scheme.

If, during remediation and/or construction works, any contamination is identified that has not been considered in the Remediation method statement, then remediation proposals for this material should be approved in writing by the local planning authority.

Definitions

Block: An individual building(s) within a Parcel

Enabling Works: All works necessary to prepare the site for construction of the development hereby permitted. Such works could include; site or ground clearance, initial earthworks, construction of temporary accesses and/or highway works to facilitate the carrying out of the development, archaeology, ecological surveys, investigations or assessments, site preparation, construction of boundary fencing or hoardings including for site security, erection of temporary facilities for security personnel, the

erection of security cameras, excavation, interim landscaping works, construction of temporary internal roads, provision of underground drainage and sewers and the laying and diversion of other services and service mediums, erection of temporary buildings, building access routes, temporary use of land for car parking, or other works or operations to enable any of these works to take place.

Parcel: An area of land within a Phase

Phase: One of four phases as indicatively shown in the Development Phases plan in the Environment Statement

DOCUMENTS SUBMITTED AT THE INQUIRY (ID)

ID1	Opening statement on behalf of the appellant
ID2	Opening submissions on behalf of the local planning authority South Cambridgeshire District Council
ID3.1	Hinxton Parish Council's confirmation of objections presented by Prof Brown
ID3.2	Emails and minutes from Parish Council meetings
ID4	Written response from Sawston Parish Council
ID5	Written response from Whittlesford Parish Council
ID6	Email dated 10 June 2019 from Essex County Council raising transport and infrastructure considerations
ID7	Letters dated 10 June 2019 from SCDC to 12 objectors giving notice about the appeal/Inquiry
ID8	SCDC email to appellant concerning draft unilateral undertaking
ID9	Thornbury appeal decision 1 May 2019 APP/P0119/W/17/3189592
ID10	Supporting note and map showing AgriTech businesses/institutions in the Cambridge area [replaced by ID32]
ID11	Note by Mr Collinson on Wageningen, Agroparc Avignon and 39 North St Louis in response to rebuttal evidence of Ms Howick
ID12	Table of further details about sites shown on ID10 [replaced by ID32]
ID13	Proposed new condition concerning incubator units
ID14	Errata sheet for evidence of Philippa Jarvis
ID15	Copy of webpages detailing Cambridge Compass Enterprise Zone
ID16	Aerial photograph of appeal site dated April 2015
ID17	Email to Essex County Council dated 12 June 2019 concerning ID6
ID18	Email from Essex County Council dated 17 June 2019 concerning contribution to bridge link
ID19	SCDC note on the progress of new settlements and other strategic allocations in the SCLP 2018
ID20	SCDC note on whether certain core documents were considered as part of the Local Plan Examination
ID21	SCDC note concerning SCLP Policy E9
ID22	Agreed plan showing main research/technology and business parks and other locations in and around Cambridge
ID23	Agricultural land clarification note
ID24	Note to Inspector re appellant's opening statement paragraph 21
ID25	Presentation by Councillor Peter McDonald
ID26.1	Statement by Rupert Kirby
ID26.2	Emails dated 28 June and 2 July by Rupert Kirby commenting on current traffic levels and clarifying queue data for McDonalds/BP roundabout
ID27	Statement by Councillor Peter Topping

ID28	Statement by John F Williams
ID29.1	Statement by Cllr Aureole Wragg on behalf of Pampisford Parish Council
ID29.2	Draft Minutes 13 June 2019 Pampisford Parish Council
ID30.1	Statement by Cllr Sian Wombwell on behalf of Ickleton Parish Council including correspondence dated September 2002 concerning The Welcome Trust
ID30.2	Comments on Further Rebutall Proof of Rupert Lyons dated 3 July 2019
ID31	Statement by Tony Orgee
ID32	Map showing AgriTech businesses/institutions in the Cambridge area and supporting note [replacement for ID10 and ID12]
ID33	SCDC note on Cambridge networking organisations with appendix pages 1-9
ID34	List of companies in Cambourne Business Park, Granta Park, Science Park and St John's Innovation Park
ID35	Extracts from Cambridge Ahead's webside Cluster Maps
ID36	Extract from brochure about Rothamsted Farms
ID37.1	Statement by CPRE
ID37.2	Chesterford – Current Availability
ID37.3	Chesterford – Build to Suit
ID37.4	Chesterford – Meet the occupiers
ID37.5	NIAB -News: New agricultural innovation centre for East
ID37.6	Extract from Branch Committee Meeting 4 June 2019
ID37.7	Email from CPRE dated 19 June clarifying ground level map
ID38	Update to Mr Sadler's Proof of Evidence
ID39	Properties to rent Cambridge Science Park
ID40	Comparison Tables – Landscape and visual effects 18 June 2019
ID41	Biodiversity Offsetting Calculations revision 13 June 2019
ID42	Aboricultural Impact Assessment – update June 2019
ID43	Errata sheet for APP5.2 and CD2.3
ID44	Extract from Cambridge Inner Green Belt Boundary Study
ID45	SCDC note on selective management of economy controls
ID46	Note on Cambourne West and Cambourne Business Park
ID47	SCDC note on Mr Collison's evidence concerning an agricultural bridge crossing the A14 and the NIAB facility on Huntingdon Road
ID48	Note concerning references to "Innovation Launchpad Facilities" within CD7.12 (Draft Cambridgeshire and Peterborough Local Industrial Strategy"
ID49.1	Note on Draft Conditions 1 July 2019 including revised wording for Conditions 16 and 51
ID49.2	Final version of suggested conditions
ID50	SoCG3 in relation to a revision to the landscape and open space parameter plan
ID51	Rob Sadler response to ID39
ID52	Errata sheet for Proof of Evidence of Tim Hancock
ID53	Appellant's Briefing Note on air quality, hydrology and noise
ID54	Plan showing extent of hardstanding, earth bank and soft landscape in the Green Belt

ID55	Hinxton Hall and parkland within Wellcome Genome Campus
ID56	Babraham Hall within the Babraham Institute Campus
ID57	Appellant's note in response to LPA note on Mr Collison's evidence concerning an agricultural bridge crossing the A14 and the NIAB facility on Huntingdon Road
ID58.1	Position statement on section 106 agreement as of 1 July 2019
ID58.2	Section 106 agreement dated 31 July 2019
ID59	Fieldhead appeal decision 14 January 2016 Appeal Ref:APP/X4725/W/14/3001702
ID60	Cobham Motorway Service Area appeal decision Appeal Ref:APP/K3605/W/17/3187505
ID61	Extract from Wellcome Genome Campus concerning its conference centre
ID62	Throop appeal decision Appeal Ref:APP/C1245/A/14/221524
ID63	Grade separation M1 junction 10A application Ref:TWA 8/1/5
ID64	Statement by A Binney with Appendix 1 South East Cambridgeshire Planning Proposals and SCDC Report concerning Eco-towns dated 12 June 2008
ID65	CIL Compliance Statement by SCDC
ID66	Closing submissions on behalf of SCDC
ID67	Appellant's statement in relation to pre-commencement conditions
ID68	Appellant's note and annotated extract from Landscape and Open Space Parameter Plan concerning the avenue
ID69	Closing submissions on behalf of the appellant
ID70	Itinerary and plan for accompanied site visit
ID71	SCDC comments dated 2 and 15 August 2019 on the revised <i>Guidance</i>
ID72	Appellant's supplemental note and email dated 12 August 2019 on the revised <i>Guidance</i>

JUDGMENTS

R (on the application of Shimbles) v City of Bradford MDC [2018] EWHC 195 (Admin)
Europa Oil and Gas Ltd v SSCLG [2013] EWHC 2643 (Admin)

CORE DOCUMENTS

CD1.1	Appeal application forms	August 2018
CD1.2	Grounds of appeal	August 2018
CD1.3	Decision notice	March 2018
CD1.4	List of drawings and supporting documents	August 2018
CD1.5	SCDC Statement of Case	Nov 2018
CD1.6	Statement of Common Ground and SCDC clarification letter SoCG1	15 & 24 April 2019
CD1.7	Transport SoCG2	May 2019
CD2.1	Planning application cover letters and forms	Nov 2017
CD2.2	Planning application drawings	Nov 2017
CD2.3	Design and access statement	Nov 2017
CD2.4	Environmental statement	Nov 2017
CD2.4.1	ES Technical Appendix A EIA Scoping	Nov 2017
CD2.4.2	ES Technical Appendix B Air Quality	Nov 2017
CD2.4.3	ES Technical Appendix C Community and Social Effects	Nov 2017
CD2.4.4	ES Technical Appendix D Cultural Heritage	Nov 2017
CD2.4.5	ES Technical Appendix E Ground Conditions and the Water Environment	Nov 2017
CD2.4.6	ES Technical Appendix F Land Use and Agriculture	Nov 2017
CD2.4.7	ES Technical Appendix G Landscape and Visual Effects	Nov 2017
CD2.4.8	ES Technical Appendix H Natural Heritage	Nov 2017
CD2.4.9	ES Technical Appendix I Noise and Vibration	Nov 2017
CD2.4.10	ES Technical Appendix J Traffic and Transport Assessment	Nov 2017
CD2.4.11	ES Technical Appendix K Waste	Nov 2017
CD2.5	Planning statement including alternative sites assessment	Nov 2017
CD2.6	Statement of consultation	Nov 2017
CD2.7	Utility statement	Nov 2017
CD2.8	Health impact assessment	Nov 2017
CD2.9	Sustainability statement	Nov 2017
CD2.10	Energy and carbon reduction statement	Nov 2017
CD2.11	Water conservation statement	Nov 2017
CD2.12	Earthworks strategy	Nov 2017
CD2.13	Arboricultural impact assessment including tree survey	Nov 2017
CD2.14	EIA scoping opinion	April 2017
CD3.1	Letter dated 13 February to South Cambridgeshire District Council	Feb 2018
CD3.2	ABA designer response	Feb 2018

CD3.3	Environmental Statement Addendum - Updated section 8 and appendix G of the Flood Risk Assessment and Drainage Strategy (including foul drainage assessment), replacing section 8 and appendix G of Technical Appendix E2 of the ES - Replacement Technical appendix J (Transport Assessment, February 2018) of the ES	Feb 2018
CD4.1	Third party consultation responses referenced in the appellant's and local planning authorities' proofs of evidence (included in appeal questionnaire)	Nov 2018
CD5.1	South Cambridgeshire planning committee report	March 2018
CD5.2	South Cambridgeshire planning committee report update	March 2018
CD5.3	Pre-application response	July 2017
CD5.4	EIA screening opinion & scoping opinion	April 2017
CD5.5	South Cambridgeshire planning committee update report	April 2019
CD5.6	Inspectors Report – South Cambridgeshire Local Plan	29 Aug 2018
CD5.7	South Cambridgeshire planning committee report minutes	March 2018
CD6.1	Town and Country Planning Act 1990 (as amended)	Internet resource
CD6.2	Planning and Compulsory Purchase Act 2004 (as amended)	Internet resource
CD6.3	National Planning Policy Framework, Ministry of Housing, Communities and Local Government	Feb 2019
CD6.4	National Planning Practice Guidance, Ministry of Housing, Communities and Local Government	Internet resource
CD6.5	South Cambridgeshire Core Strategy, South Cambridgeshire District Council	Jan 2007
CD6.6	South Cambridgeshire Development Control Policies Development Plan Document, South Cambridgeshire District Council	July 2007
CD6.7 (A & B)	South Cambridgeshire Local Plan, South Cambridgeshire District Council (A), SCLP 2018 Adopted Policies Map (B)	Sept 2018
CD6.8	Cambridgeshire and Peterborough Non-Statutory Strategic Spatial Framework	2018
CD6.9	South Cambridgeshire District Council Design Guide SPD	March 2010
CD6.10	Planning (listed building and conservation area) Act 1990	Internet resource
CD6.11	Cambridge City and South Cambridgeshire - Employment Land Review	July 2008

CD6.12	Employment Land Review Update and Review of Selective Management of Employment Policies	July 2012
CD7.1	Beddington, Professor Sir John, Government Office for Science	2011
CD7.2	UK Strategy for Agricultural Technologies, HM Government	2013
CD7.3	Industrial Strategy – Building a Britain fit for the future, HM Government	Nov 2017
CD7.4	Technology and Innovation Futures 2017, Government Office for Science	2017
CD7.5	East of England Science and Innovation Audit sponsored by the Department for Business, Energy and Industrial Strategy	Sept 2017
CD7.6	Health and Harmony: the future for food, farming and the environment in a Green Brexit, Department for Environment Food and Rural Affairs	Feb 2018
CD7.7	The Clean Growth Strategy, HM Government	Oct 2017
CD7.8	Strategic Economic Plan, Greater Cambridge Greater Peterborough Local Enterprise Partnership	Sept 2014
CD7. 9	London Stansted Cambridge Consortium Sector profile on agrifood	2015
CD7.10	Findings and recommendations of the London Stansted Cambridge Corridor Growth Commission – The next global knowledge region: setting the ambitions and delivering the vision	July 2016
CD7.11	Cambridgeshire and Peterborough Independent Economic Review	Sept 2018
CD7.12a	Emerging Cambridgeshire and Peterborough Local Industrial Strategy	March 2019
CD7.12b	Cambridgeshire and Peterborough Local Industrial Strategy	19 July 2019
CD7.13	'Partnering for Prosperity: A New Deal for the Cambridge-Milton Keynes-Oxford Arc', National Infrastructure Commission (NIC)	Nov 2017
CD7.14	Government response to 'Partnering for Prosperity: A New Deal for the Cambridge-Milton Keynes-Oxford Arc'	Oct 2018
CD7.15	Cambridge high tech cluster growth, Opportunities to the south of Cambridge SQW	April 2014
CD7.16	[not used]	
CD7.17	[not used]	
CD7.18	The Cambridge Cluster at 50 - the Cambridge economy, retrospect and prospect	March 2011
CD7.19	UK Agriculture Bill (HC Bill 266)	Sept 2018
CD7.20	Reference not used	
CD7.21	A green future: Our 25 year plan to improve the environment	Jan 2018
CD7.22	Bio-economy Strategy	Oct 2018

CD7.23	Made Smarter Review (food strand)	Oct 2017
CD7.24	[not used]	
CD7.25	Living Planet Index	2018
CD7.26	[not used]	
CD7.27	The Oxford-Cambridge Arc Government ambition and joint declaration between Government and local partners	March 2019
CD7.28	Employment Land Review Update and Review of Selective Management of Employment Policies - Report to South Cambridgeshire District Council and Cambridge City Council	July 2012
CD7.29	[not used]	
CD7.30	Declaration: A smart and sustainable digital future for European Agriculture and rural areas	2019
CD7.31	European AgriFood Tech Investing Report 2018 Year in Review	May 2019
CD7.32	Cambridgeshire & Peterborough Combined Authority Annual Council Agenda Pack	29 May 2019
CD8.1	Conservation Principles for the sustainable management of the historic environment Consultation draft	Nov 2017
CD8.2	Barker, Dr N 2015 'Heritage assets and their setting: Views from a practitioner' Joint planning law conference Oxford	2015
CD8.3	Historic England 2017 'Historic environment Good Practice Advice in Planning 3: The setting of heritage assets'	Dec 2017
CD8.4	<i>East Northamptonshire District Council, English Heritage and the National Trust v Secretary of State for Communities and Local Government and Barnwell Manor Wind Energy Ltd</i> (Case CO/4231/2012; Appeal Case No. C1/2013/0843)	2013
CD8.5	<i>The Forge Field Society & Ors, R (on the application of) v Sevenoaks District Council</i> [2014] EWHC 189 (Case CO/16932/2013)	2014
CD8.6	<i>Palmer v Herefordshire Council & Anr</i> Case No: C1/2015/3383 Court of Appeal (Civil Division) [2016] EWCA Civ 1061 WL 06476219	2016
CD8.7	<i>R (Hayes) v City of York Council and English Heritage Trust Ltd</i> [2017] EWHC1374	2017
CD8.8	<i>Forest of Dean District Council v SoSCLG & Gladman</i> Case No. CO/4852/2015 EWHC421	2015
CD8.9	<i>R DCLG and Nuon UK Ltd v Bedford Borough Council</i> EWHC 2847	2013
CD8.10	British Standard 7913: Guide to the Conservation of Historic Buildings	2013

CD9.1	Cambridgeshire Landscape Guidelines: A Manual for Management and Change in the Rural Landscape, Cambridgeshire County Council	1991
CD9.2	Essex Landscape Character Assessment Final Report, Essex & Southend-on-Sea Replacement Structure Plan Review, Chris Blandford Associates	2003
CD9.3	Cambridge Inner Green Belt Boundary Study, Landscape Design Associates for South Cambridgeshire District Council	2015
CD9.4	Guidelines for Landscape and Visual Assessment (3 rd Edition), Landscape Institute and Institute of Environmental Management and Assessment	2013
CD9.5	National Character Area Profiles 87 East Anglian Chalk, Natural England website www.naturalengland.org.uk	2018
CD9.6	An Approach to Landscape Character Assessment, Natural England	2014
CD9.7	Cambridge Green Belt Study A Vision of the Future for Cambridge in its Green Belt Setting	2002
CD9.8	Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Assessments, Chris Blandford Associates	2006
CD10.1	Design Manual for Roads and Bridges, Highways England	2018
CD10.2	[not used]	
CD10.3	Guidelines for Planning for Public Transport in Developments, The Institution of Highways and Transportation	1999
CD10.4	Guidelines for Providing for Journeys on Foot, The Institution of Highways and Transportation	2000
CD10.5	Junctions 9 User Guide, TRL Limited	2017
CD10.6	LinSig 3.2 User Guide, JCT Consultancy Ltd	2014
CD10.7	Manual for Streets, Thomas Telford Publishing	2007
CD10.8	Manual for Streets 2, Wider Application of the Principles, Chartered Institution of Highways and Transportation	2010
CD10.9	The Traffic Signs Regulations and General Directions 2016, Statutory Instruments 2016 No.362	2016
CD10.10	Traffic Advisory Leaflets, Department for Transport	
CD10.11	Traffic Modelling Guidelines, TfL Traffic Manager and Network Performance Best Practice Version 3.0, Transport for London	2010
CD10.12	[not used]	
CD10.13	Cambridgeshire Local Transport Plan 2011-2031, Cambridgeshire County Council	July 2015
CD10.14	Cambridge City and South Cambridgeshire Transport Strategy: Cambridge City Transport Plan	

CD10.15	Cambridge City and South Cambridgeshire Transport Strategy: Transport Strategy for Cambridge and South Cambridgeshire: TSCSC Transport Strategy and High Level Programme, Cambridge County Council	March 2014
CD10.16	Cambridge City and South Cambridgeshire Transport Strategy: TSCSC Consultation Report, 22 July – 14 October 2013, Cambridgeshire County Council	Oct 2013
CD10.17	CSRM Modelling Summary Report for Cambridge and South Cambridgeshire Local Plans, Cambridgeshire County Council	July 2013
CD10.18	Cambridgeshire Transport Investment Plan, Cambridgeshire County Council	Dec 2017
CD10.19	Uttlesford Local Plan Transport Study Addendum Report, WYG Environment Planning Transport	May 2018
CD10.20	A505 Corridor Improvement, Feasibility Study: A10 to the A11, Uttlesford District Council	Jan 2018
CD10.21	Uttlesford Local Plan, Cambridgeshire County Council Comments Position Statement, Cambridgeshire County Council	June 2018
CD10.22	Cambridge South East Transport Study (CSETS) Summary Report of Consultation Findings, Cambridgeshire County Council	May 2018
CD10.23	TPA Traffic Modelling Report	August 2018
CD10.24	Whittlesford Parkway Station Transport Masterplan Stage 2 Report: Plans and Proposals	Nov 2018
CD10.25	Whittlesford Parkway Station Transport Masterplan Stage One Report: Baseline Conditions and Initial Options	Nov 2018
CD11.1	Application Form and Ownership Certificate, Quod	Dec 2018
CD11.2	Application drawings, Various	Dec 2018 April 2019
CD11.3	Case for Growth, Quod	Dec 2018
CD11.4	Planning Statement	Dec 2018
CD11.5	Transport Assessment	Dec 2018
CD11.6	Travel Plan	Dec 2018
CD12.1	Further addendum to the ES, including additional landscape and visual impact assessment, revisions to traffic and transport assessment, lighting assessment, and ecological walkover survey update	May 2019
CD12.2	Landscape and visual assessment replacement and additional figures [Figures 9.29, 9.39, 9.40, 9.41, 9.42 and 9.43 submitted at Inquiry]	May 2019
CD12.3	Technical appendix J2: Technical Note 01	May 2019
CD12.4	Technical appendix J3: Technical Note 04	May 2019



Ministry of Housing, Communities & Local Government

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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.