**Cambridge: Station Road Appeal: Initial Comments**

**Design and Conservation**

1.1 Four separate applications are currently being appealed following their refusal by Cambridge City Council. Two of these, LPA Refs 12/0496/CAC and 12/1553/CAC, are for Conservation Area Consent for the demolition of 32-38 Station Road, while the others, LPA Refs 12/0502/FUL and 12/1556/FUL, include the demolition of these properties, and the erection of two new office buildings (dubbed ‘Fifty and Sixty Station Road’), which form the first phase of the ‘CB1’ development.

1.2 These applications were brought forward over the course of 2012, following the grant of Outline Planning Permission in 2010 for the CB1 development. It has been argued that these ‘revisited’ proposals for the site respond to the fact that the CB1 Masterplan, as the initial Outline scheme was known, was considered to no longer meet market demand. It should be noted that the permitted 2010 Masterplan envisaged the loss of 32-38 Station Road; and it has been argued that the principal of the structure’s demolition has been established.

1.3 When considering the direct issue of the loss of 32-38 Station Road, and its replacement with a substantial pair of office buildings, it is important to take into consideration an informative that accompanied the consented Outline Application, reference 08/0266/OUT, which stated that, ‘Listed Building Consent and Conservation Area Consent will be required in advance of any works to the listed Station Building and other buildings within the Conservation Area. The grant of Outline Planning Permission should not be regarded as pre-determining the outcome of these applications which will be considered on their own merits.’ Nonetheless, it is clear that the Outline Scheme’s envisaged loss of 32-38 Station Road is a substantial material consideration, a tacit agreement that its demolition would permit a new development that was acceptable in principal.

1.4 The key design and heritage issues within this appeal surround the principal of the loss of the undesignated heritage asset of 32-38 Station Road, a Building of Local Interest, the impact of this loss on the designated heritage asset of the Cambridge Central Conservation Area, and the impact of the proposed development on the character and appearance of the Cambridge Central Conservation Area.
Brief Overview: Significance and Case

1.5 32-38 Station Road (also known as Wilton Terrace), stands within the Station Area of the Cambridge Central Conservation Area. It is identified within the Station Area Appraisal document as a Building of Local Interest. Its description in the Conservation Area Appraisal (Appendix 4, Station Area Development Framework Document) notes, in particular, its age (map evidence suggests it was constructed between 1863-1888), particular design features, including its attractive crow-step gabling and corbelled brick eaves, as well as the ‘no-fines’ concrete boundary wall to the front of the property, and the high gault brick wall to the rear. The Station Area Appraisal ultimately concludes that the building, is ‘Not of sufficient quality to list but worthy of BLI status. The front wall and landscaped former carriage - drive and rear wall are good surviving features.’

1.6 Ultimately, Cambridge City Council officers considered the demolition of 32-38 Station Road in terms of the Cambridge Local Plan (2006) Policy 4/12 (Buildings of Local Interest) which states that such buildings, ‘merit protection from development which adversely affects them. The demolition of such a building will only be permitted if the building is demonstrably incapable of beneficial use or reuse or there are clear public benefits arising from the redevelopment’. This aligns with Paragraph 135 of the National Planning Policy Framework, which states that,

the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

1.7 The Urban Design and Conservation Officer’s Consultation Comments related to the proposed demolition of 32-38 Station Road identified the ‘clear public benefits’ of the redevelopment scheme as:

- ‘The current proposal forms part of the overall design approach to Station Road and helps deliver the overall strategy to building massing and height’;
- ‘The proposal helps create the necessary Northern Access Road’;
- ‘The proposed use delivers part of the agreed land uses and floor spaces within the overall CB1 plan’.
1.8 Purely in terms of this point, it is considered that public benefits identified by the Urban Design and Conservation Officer are considered to be somewhat weak, but that given the overall scale of the proposed development, and the tacit agreement that the CB1 Masterplan has the potential to provide economic and regeneration benefits to this part of Cambridge, it will not be a straightforward task to argue that the demolition of these buildings cannot be justified by the test within Local Plan Policy 4/12 alone.

1.9 It is important to note that a stronger policy position from which to oppose the loss of 32-38 Station Road exists within National and Local policy on Conservation Areas. 32-38 Station Road, as Buildings of Local Interest, make a clear positive contributors to the character and appearance of the Conservation Area. Policy 4/11 Cambridge Local Plan (2006) is thereby clearly relevant, as it states that,

> Developments within, or which affect the setting of or impact on views into and out of Conservation Areas, will only be permitted if they retain buildings, spaces, gardens, trees, hedges, boundaries and other site features which contribute positively to the character or appearance of the area [and] the design of any new building or the alteration of an existing one preserves or enhances the character or appearance of the Conservation Area by faithfully reflecting its context or providing a successful contrast with it.

1.10 Furthermore, it is arguable that the loss of a positive contributor to a Conservation Area has the potential to cause substantial harm to the Area’s character and appearance, under the terms of Paragraph 138,

> Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.
1.11 While Paragraph 138 leaves the issue of 'substantial harm' versus 'harm' open to discussion in each case, an argument may be made here that substantial harm would occur as a result of the loss of this building. As a result, Paragraph 133 becomes a relevant consideration:

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

1.12 Thus, the developer would be required to represent substantial public benefits as a result of the proposed scheme. Indeed, the focus on the impact on the Conservation Area, a designated heritage asset, adds substantial weight to the Council's case, particularly as Paragraph 132, identifies explicitly that there is a clear presumption in favour of the conservation of designated heritage assets. It states that, 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification'.

1.13 One potential issue which may arise here, and which is worth considering at this stage, is the fact that the overall Cambridge Centre Conservation Area is extremely large, and that the appellant is likely to argue that the loss of one relatively small building cannot, logically, be considered to cause substantial harm to the Area as a whole. This issue will need to be addressed through our arguments regarding the relevance of Paragraph 133 to this appeal.

1.14 It is important to note that the Council’s Reason for Refusal related to the impact on the Conservation Area addresses only the proposed design and appearance of Fifty and Sixty Station Road. As demonstrated above, it is extremely difficult to address the impact of these buildings on the Conservation Area without recognising also the current contribution of 32-38 Station Road, and addressing its loss alongside the quality of its replacement. This is a point that was made by English Heritage, in their letter of 6 June 2012, as well as by the Council: it is stated within the section of the Committee Report titled 'Additional Comments on the Application for Conservation Area Consent', that the loss of these buildings 'is
tied inextricably to the application for the replacement building and the two
tings must be seen, assessed and balanced together’. This is reflected in the fact
that the loss of these buildings is considered within Reason for Refusal 3 in terms
of the balancing exercise of loss vs. public benefits. It is noted that, ‘if the BLIs
are to be demolished, then the quality and suitability of the proposed
replacement building[s] both for the CA and the nearby LB must be assessed
before the scheme is supported’. Equally, the inverse is true: the loss of the
existing buildings is key in understanding the impact of the proposed new
buildings on the character and appearance of the Conservation Area. In the
section titled ‘Impact on Heritage Assets’, it is further clear that while the Case
Officer reached the conclusion that loss was justified by the quality and public
benefits of the scheme, the loss of the BLIs and the impact on the Conservation
Area were considered together.

1.15 As such, it is my view that the current Reasons for Refusal related to heritage
rather compromise the arguments that can be made concerning the impact of the
proposed development on the Conservation Area. The implicit permission
provided by the CB1 Masterplan Consent for the losses of this building is also a
very serious consideration. The Council’s approach to this issue should, it would
seem to me, revolve around the wording of the NPPF, and its approach to harm to
designated heritage assets, as well as around the extent to which the appealed
applications represent a new approach to the Station Road side of the CB1
development.

Assessment of Impact

1.16 To summarise briefly, therefore, it is my view that the strongest part of this case
relates to the loss of the BLI and its replacement in terms of its impact on the
character and appearance of the Conservation Area. The appellant’s key
argument seems to be that Station Road is already a heavily compromised space,
heavily redeveloped, and with a character that now makes 32-38 Station Road
appear rather alien and isolated. It is probably true that this building would
appear heavily compromised if retained within the CB1 development as currently
proposed, but its loss is not justified by this alone, as English Heritage have noted.

1.17 Approached in pure conservation terms, the scale of the proposed buildings can
be argued to be out of scale with the Conservation Area, and of a form which
rather dwarfs the listed railway station, and locally listed villas, nearby. It is clear
that Station Road’s character and appearance has been degraded over the last fifty years or so, but this is not a basis on which to argue the continued degradation of the area. 32-38 Station Road and its surrounding walls can be argued to be of high evidential value as a result of the construction of modern developments in its vicinity; the retention of this terrace allows the development of the area to be read despite the loss of neighbouring properties.

1.18 Furthermore, the appellant have stated quite strongly that the development of the so-called Deity buildings, adjacent to 32-38 Station Road, has harmed its setting, and led to the degradation of Station Road’s character and appearance, while simultaneously arguing that the development of the large floor plate structures of the CB1 development will enhance the Conservation Area. I feel that there is conflict and uncertainty here, which could be exploited through a clear and coherent argument regarding the character and appearance of the Conservation Area, and the combined impact of the loss of 32-38 Station Road, and its replacement with the two large structures currently proposed. Ultimately, any argument that the design of the proposed development will cause harm to the conservation area will be more concerned with their scale and massing than with issues of detailed design.

1.19 I do not believe, however, that there is much argument to be had over the significance of 32-38 Station Road in its own right. Even taking into consideration the possible, even probable, involvement of Richard Reynolds Rowe in its design, and some nice detailing to its façade and flank walls, it is clearly of local interest only, as a good, characteristic example of the local Victorian vernacular by a competent housing architect. As stated above, any argument which sought to focus on the test presented within Local Plan Policy 4/12 is likely to unsuccessful, given that the weight given to the significance of undesignated heritage assets of this sort, both at local and national level, is relatively light, while the approval of the CB1 Masterplan arguably provides a tacit assumption that benefits will arise from this scheme.

Conclusion

1.20 The approach taken by the applicant, Council Officers and English Heritage has revolved quite heavily around the notion that the permitted CB1 Masterplan, while ultimately different in form and layout to the current appealed scheme, represents a significant material planning consideration. It has been assumed, in connection with this permission, that the loss of 32-38 Station Road, and its
replacement with two new, large office buildings, has been considered and justified in terms of local and national policy relating to Conservation Areas and undesignated heritage assets.

1.21 This has resulted in an assessment of the impact on the Conservation Area, in particular, which is surprisingly limited in its scope, and which I feel allows some scope for argument. However, in overturning officer recommendations, the Council have identified two Reasons for Refusal which do not entirely reflect the fact that the impact on the Conservation Area (arguably the most significant heritage asset to be affected by the proposals) is the result of the combined loss of 32-38 Station Road, and its replacement with a pair of extremely large and dominant structures, which relate more to the rest of the CB1 development than to the character and appearance of Station Road.

1.22 Nonetheless, it is my sense that in order to understand the heritage issues associated with this development, the Inspector will, regardless of the wording of the Reasons for Refusal, need to consider the loss of the BIL, and the design and impact of its replacement building, as one combined issue. In addition, both of the relevant local policies (Local Plan Policies 4/11 and 4/12) have been identified as applicable in this case by the Council within their Committee Report and Reasons for Refusal.

1.23 It is my sense at this stage, therefore, that an argument can be formed to support the Council’s Reasons for Refusal related to heritage, but that this requires an approach that principally address the impact on the Conservation Area, and which seeks to open up a debate on the character, appearance and contribution of Station Road, and the specific contribution of 32-38 Station Road to the wider significance of the area as a whole.

**Planning Case**

1.24 There are three planning related refusal reasons. In respect of RR4 this relates to the absence of appropriate mitigation through a planning obligation. The original recommendation to grant planning permission had been subject to the prior completion of an obligation.

1.25 The clauses for that obligation are set out within the officer’s committee report and we would expect that unless the Council now considers the financial
contributions to be insufficient that agreement should be possible on this aspect prior to the inquiry.

1.26 The inspector will have expected there have been discussion on this and for this to be also covered in the Statement of Common Ground (SoCG).

1.27 Whilst RR1 has a heritage dimension it also has a townscape one having regard to the impact on the streetscape. Between the two schemes Building 50 was moved back by 3m. The committee report advises in one instance that “The proposals have not changed significantly in terms of the proposed scale and massing”. This was however the grounds for refusal in the first application and also the second application.

1.28 Concern is also raised as to whether the amendment is successful “when looking west down Station Road” and that “the scale and massing is very similar to the previous scheme”. Further that “The stepping back of No.50 does little to change the perceived scale and mass.....and increases the perceived bulk” These comments provide some leverage for an argument that if the original scheme was not appropriate the amended scheme change essentially in this one way (although there are other more minor changes) also has an adverse impact in the streetscape.

1.29 Whilst we note from the table in the report that the two proposed buildings are lower than the heights in the Parameter Plan and that consideration is now in respect of two buildings rather than one, we don’t feel that reaching an alternative view today on scale and mass, of which height is a product, necessarily sits uncomfortably with this.

1.30 There will be detailed issues to be considered between the two proposals and that in the masterplan but the Council is entitled to reach a different view now to that in the earlier scheme and there has been a passage of time with contextual changes to the site.

1.31 In respect of RR2 the level of provision in the scheme has changed between the two applications by the addition of 16 car parking spaces and a consequential improvement in the parking ratio with some reduction in floorspace. However there is still a significant shortfall against the full standard of 164 spaces and when compared to the standard achieved on Block J2 is still substandard.
1.32 The relationship of the site that lies on the edge of the CPZ with residential properties supports the need to ensure that on site parking is optimised to prevent overspill parking onto surrounding residential roads. The officers report recognises that the concern under the first planning application is “has in part been addressed through an increase in provision” but also relies upon other measures to mitigate potential impact.

1.33 We therefore consider that there is an argument that could be advanced to support RR2.

Conclusion

1.34 Having regard to the reasons for refusal we do consider that a case can be advanced to support RR1 and RR2. We would recommend that discussions be undertaken with the appellants to seek to address RR4 before the inquiry.

CgMs Limited

31st May 2013