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| Report to: | Cabinet | 30 July 2021 |
| Lead Cabinet Member: | Cllr Neil Gough - Deputy Leader and Lead Cabinet Member for Strategic Planning and Transport and Lead Cabinet Member for Transformation and Projects | |
| Lead Officer: | Stephen Kelly - Joint Director of Planning and Economic Development | |

Approach to response to the A428 Black Cat and Caxton Gibbet road widening Development Consent Order application

Executive Summary

1. This report is to approve the approach to South Cambridgeshire District Council's statutory response to the A428 Black Cat and Caxton Gibbet road widening Development Consent Order (DCO) application submitted to the Secretary of State for Transport.
2. The proposed 10-mile dual carriageway would link the A1 Black Cat roundabout in Bedfordshire to the A428 Caxton Gibbet roundabout in Cambridgeshire. A number of junction improvements will be made, including a three-tier junction at Black Cat roundabout allowing free flowing traffic onto the A1 and the new dual carriageway.
3. The recommendation is to support in principle the proposed works within South Cambridgeshire, however concerns are raised about elements of the proposal, including traffic at local junctions during construction, biodiversity net gain targets, noise impact on local residents, the impact on the local cycle network, and the impact on climate.
4. This officer recommendation is based on an assessment of the site constraints and the existing materials provided. Ongoing consultation with relevant technical officers and the project promoters may serve to resolve matters identified before the closure of the consultation.

Key Decision

5. No.

Recommendations

6. It is recommended that Cabinet endorses the approach set out in this report and gives delegated authority to the Joint Director of Planning and Economic Development in consultation with the Lead Cabinet Member for Strategic Planning and Transport and Lead Cabinet Member for Transformation and Projects to review and amend the response contained within the Local Impact Report, Written representations and Statement of Common Ground in response to further information that may be forthcoming from the scheme promoters.

Reasons for Recommendations

7. While the principle of the A428 road widening project is accepted, there are areas that the scheme needs to address in more detail to accord with the South Cambridgeshire Local Plan 2018, the Cambridgeshire and Peterborough Combined Authority Local Transport Plan (2020) and other materials considerations.

Details

Background

8. Highways England are proposing to upgrade the route between the Black Cat roundabout and Caxton Gibbet roundabout with a new 10-mile dual carriageway and associated junction improvements, including major engineering works to improve the Black Cat roundabout. The scheme aims to improve journeys by road between Milton Keynes and Cambridge, bringing communities together and supporting long term growth in the region.
9. As a major strategic investment, the A428 Black Cat to Caxton Gibbet project being developed by Highways England is applying for a Development Consent Order (DCO), a special type of planning consent for nationally significant infrastructure projects (NSIPs). This paper updates Members on the project, and highlights issues or areas that may become points of disagreement or difference at Examination.
10. The report sets out officers' initial assessment of the application, which is still undergoing review, and Members are requested to provide comments and direction on areas of interest or concern, as well as note areas that are supported.

Timeline

11. The Development Consent Order application was submitted on 26th February 2021. Following this submission, the Cambridgeshire authorities submitted a robust response in respect of the Adequacy of Consultation procedural letter from PINS. The response was supportive of the development in principle but raised concerns about poor engagement and a lack of technical pre-

application detail in advance of the submission. The DCO was subsequently accepted for examination by the Planning Inspectorate on 24th March 2021.

12. This triggered the beginning of the pre-examination period in which interested parties including South Cambridgeshire District Council were invited to provide relevant representations to the Planning Inspectorate (PINS).
13. The Council has been working jointly with Cambridgeshire County Council (County) and Huntingdonshire District Council (Hunts). The three authorities, (hereafter to be referred to as the Cambridgeshire Authorities) have responded to the initial request for relevant representations on 10th June 2021. The key issues identified are set out in para.4.
14. PINS has appointed the Examining Authority who have recently updated interested parties on the next steps. Formal responses from interested parties including Written Representations, the Local Impact Report and Statement of Common Ground are required for submission to PINS by 31st August 2021.
15. The aspiration is that the Written Representations will be drafted on a joint basis with Hunts and County and officers are in the process of preparing this. The Written Representations are intended to be detailed representations on the Scheme and the DCO application and cover the matters highlighted in Appendix A.
16. The Local Impact Report is a written report giving details of the likely impact of the Scheme on the authority's area. Officers are in the process of preparing a joint draft with counterparts at Hunts and County.
17. The Statement of Common Ground is intended to set out areas of agreement between Highways England, as the applicant, and the districts. Areas which are not agreed upon then become areas of focus during the examination. Highways England is yet to provide an initial draft Statement of Common Ground to the Cambridgeshire Authorities despite requests to this effect of over 9 months. This has been highlighted to Highways England by the Cambridgeshire Authorities as an area of great risk.

Main Issues

18. The Cambridgeshire Authorities continue to work closely together to develop a joint response to this application, and this is intended to continue throughout the Examination period. However, at this time, the level of information provided means that in a number of areas, it is not possible for the authorities to provide a definitive view on certain matters at this time. Further information is being prepared by the project promoters - upon which the final response of the Authority will need to be based. This will require delegation of the final submission to the Joint Director of Planning in consultation with the Lead Member.
19. Issues that are emerging as the application is reviewed are set out below. It should be noted that although officers were engaging with the Highways

England team throughout last year, much of the detail of the DCO including pertinent details in respect of environmental impacts and traffic modelling was only submitted at the time of the application.

20. It should also be noted that if the Council disagrees with or wishes to seek changes to specific elements of the application, written representations will need to be made based on policy or evidence, to make a case to the Planning Inspector at the Examination.
21. The following areas are likely to be supported:
22. Journey time: The project delivers quicker journeys and reduced congestion on what was (pre-Covid) a congested and unreliable strategic route.
23. Safety: The new road will attract most of the traffic from the existing A428 and away from local roads, on to the new dual carriageway.
24. Growth and Development: The road forms part of the wider Ox-Cam Arc development area which the Council supports, and removes the final single carriageway section of road between Cambridge and Milton Keynes
25. The following areas need further discussion with Highways England, the provision of information, or commitments from the application to reach agreement and resolve:
 - **Biodiversity:** The Cambridgeshire Authorities are likely to request greater commitment on this issue, noting that although this project will be considered under national guidance, the recently adopted Arc Environmental Principles include a commitment to the highest possible levels of biodiversity net gain..
 - **Noise:** There has been no assessment on the impacts on new housing at Cambourne West and relationship with Caxton Gibbet junction which will have an elevated road layout with higher anticipated vehicle speeds. There are also gaps in information provided, as a result of a lack of continuous noise monitoring at identified sensitive locations (eg Eltisley and isolated properties). Officers are therefore seeking additional details of mitigation regarding noise, dust and lighting to be applied to protect nearby sensitive receptors from compound and borrow pit activities, with the potential to cause nuisance
 - **Highway Design:** Cambridge County Council, as the Highway Authority wants to establish and agree a legally binding process for the approval and acceptance of the design and subsequent construction of any local roads to be built by the project and then handed over to the authority to maintain, including the provision of funding and upgrade of facilities so that expenditure is minimised.
 - **Active Travel:** The Cambridgeshire Authorities want to be sure that high-quality provision is being made for cyclists, pedestrians and horse riders as part of the local roads to be handed over to the authority and to the surrounding communities, including ensuring that the designs meet the latest relevant guidance (e.g. LTN1/20).

- **Climate Change and Carbon:** The Council has adopted the Zero Carbon Strategy outlining how the district aims to halve carbon emissions by 2030 and reduce them to zero by 2050. Whilst supporting this major project, itself a large net future traffic generator, the Council seeks further considerations on how this project can more effectively align with these priorities. .
- **Traffic Management:** The submitted traffic modelling of the effect of the development on local roads is being reviewed to establish the impact on the wider Highway Network, and required controls on traffic routing during construction. Experience of the A14 emphasises the importance of effective protection and mitigation for local communities as far as possible. An understanding of traffic re-routing after construction of the new road is also needed given the experiences with the A14, the significance of the Girton Interchange and the sensitivity of the villages along the A428. The Councils response may require more a detailed response on this matter depending upon the conclusion of the current review.
- **Detrunking:** When the new A428 is completed, the County Council as the Highway Authority will be required to adopt and maintain the existing trunk road, which will be downgraded. The County Council wants to secure assurances about the condition of the road to be handed over, commitment to upgrading assets to an agreed condition and funding to maintain for a period of time, and other provisions including bringing the road to current design standards. SCDC would support this objective given the potential impact upon local road users in SCDC.
- **Strategic Transport Scheme Interface and Development Locations:** With the combination of the A428 dualling, the promotion of East West Rail and other strategic projects coming forwards principally as part of the Ox-Cam Arc, the project needs to explain the relationship with future growth and the OxCam spatial framework..
- **Archaeology:** The County Council wants to secure appropriate archaeological investigation and reporting, commensurate with the scale of the project.
- **Digital Connectivity:** The Cambridgeshire Authorities are seeking the inclusion of a fibre backbone connection as part of the construction of the project.
- There are other issues also being discussed as part of the application including minerals and waste, Rights of Way, and air quality.
- **Supporting new utilities infrastructure:** The development and construction of significant new physical infrastructure has the potential to enable other utilities infrastructure to be aligned with engineering and related works. The project should set out how it seeks to optimise the opportunities created from the project to align future infrastructure needs developed/defined by the OxCam project to the same corridor to minimise disruption and exploit opportunities to facilitate sustainable development.

Options

26. The following options can be considered:
- a) To endorse the recommended approach to the consultation with authority to the Joint Director for Planning and Economic Development to amend the consultation response.
 - b) To make amendments to the approach and consultation response.
 - c) To decide to not respond to the consultation.

Implications for South Cambridgeshire

27. Following experience with the A14 scheme, the Council has supported the A428 project and has been working with Cambridgeshire County Council and Huntingdonshire District Council colleagues to fully evaluate the impact of the scheme. Together the Cambridgeshire Authorities agree that given the limited scope of the engagement with Highways England to date and as well as some of the positions that have been taken on key issues such as climate, biodiversity, Non-motorised users areas and noise, strong representations will need to be made. This will be required to minimise the impact of the scheme on the local environment, climate and secure the best possible scheme for the residents of Cambridgeshire.
28. To meet the demanding timescales of the Examination, this report seeks delegation to the Joint Director of Planning to determine the final response to and form of the Councils statutory representations in consultation with the and Lead Cabinet Member for Strategic Planning and Transport and Lead Cabinet Member for Transformation and Projects . The final response will be drawn from the areas outlined in this report – but dependent upon further material and submissions that are expected from Highways England prior to the time for responses closing on 30th August 2021.

Financial

29. None

Legal

30. The Council is a statutory consultee and required under the Transport and Works Act to provide comments within the statutory consultation period, which ends on 2 August.

Staffing

31. None.

Risks/Opportunities

32. None.

Equality and Diversity

33. None.

Climate Change

34. The overall scheme would promote more sustainable transport modes although further details to support this have been requested.

Health & Wellbeing

35. Recommendations have been made in respect of the DCO assessment to improve health and wellbeing.

Consultation responses

36. Internal consultation was carried out with officers only, with responses received from a number of technical service areas. These have been highlighted earlier within the report.

Alignment with Council Priority Areas

Growing local businesses and economies

37. The A428 Project is an important project to the local, and regional economy.

Housing that is truly affordable for everyone to live in

38. The A428 Project is part of an enhancement to the strategic trunk road network that will help to relieve traffic congestion forecast from growth in housing and travel.

Being green to our core

39. Delivery of a dual carriageway between Black Cat and Caxton Gibbet will reduce journey times on the route with a reduction in congestion. However there is a need for detail design elements of the scheme to improve its ability

to support and minimise impacts upon sustainable travel choices and inter village connectivity.. These matters have been highlighted as part of the relevant representations in respect of the DCO. It is also important that all opportunities for the environmental impacts of the road improvements to be minimised, in line with the Council Objectives and OxCam Arc Environment Group Principles. This includes commitments to reduce embodied carbon and maximise biodiversity net gain.

Background Papers

A428 Relevant Representations

Appendices

Appendix A: A428 Relevant Representations

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