



Report to:	Cabinet	10 January 2022
Lead Cabinet Member:	Councillor Neil Gough, Deputy Leader	
Lead Officer:	Stephen Kelly, Joint Director of Planning and Economic Development	

Cambridge South Infrastructure Enhancements

Executive Summary

1. This report is to confirm and note the Council's representation to the Public Inquiry on the application by Network Rail made under the Transport and Works Act 1992 for the Cambridge South Infrastructure Enhancements scheme and request for deemed planning consent submitted to the Secretary of State for Transport.
2. The recommendation is to confirm the Council's Statement of Case for the Public Inquiry (Appendix A), and to note the delegated authority to the Joint Director of Planning and Economic Development to approve the Proofs of Evidence and Statement of Common Ground on behalf of the Council.
3. The Council supports the proposal in principle, however objects to the scheme on the grounds that the application has not provided sufficient information to demonstrate the 10% biodiversity net gain target is achievable and can provide appropriate mitigation on or near to the site, and the impact on trees.

Key Decision

4. No

Recommendations

5. It is recommended that Cabinet confirm the Council's position as set out in the Statement of Case for the Public Inquiry (Appendix A), and to note the delegated

authority to the Joint Director of Planning and Economic Development to approve and submit the Proof of Evidence and Statement of Common Ground on behalf of the Council.

Reasons for Recommendations

6. To allow the Council's position and interests to be effectively represented at the Public Inquiry starting in February 2022.

Details

7. This report is to confirm and note the Council's representations to the Public Inquiry on the application by Network Rail made under the Transport and Works Act 1992 for the Cambridge South Infrastructure Enhancements scheme and request for deemed planning consent submitted to the Secretary of State for Transport.
8. The proposed Order would authorise the construction, maintenance and operation by Network Rail of works comprising the construction of a new station at the Cambridge Biomedical Campus within Cambridge City Council administrative boundary, and associated improvements to the West Anglia Main Line, including works within South Cambridgeshire (Great Shelford parish).
9. The Council submitted its formal representation to the public consultation on the application supporting the proposal in principle but requesting additional information on key issues. The Council's representation to the public consultation was approved at Cabinet on 30 July 2021 and was submitted on 2 August 2021.
10. Since then, officers have engaged with the applicant in an attempt to resolve these issues. The Council was required to confirm its position in September via the submission of a Statement of Case (Appendix A). At that stage, several of the matters raised in the formal response to the consultation response remained outstanding and for this reason the Council indicated that it was objecting to the scheme until these matters had been resolved.

11. The Council is now required to provide a Proof of Evidence setting out its evidence to support its objections for the Public Inquiry. Officers have continued to work with the applicant, but have been unable to conclude that these matters have all been overcome. The discussions are summarised in the correspondence with the applicant (Appendices B and C), and covered below. The Council is required to submit Proofs of Evidence by 7 January 2022.
12. In addition, the Council expects to be invited to agree a Statement of Common Ground with the applicant to enable the Inquiry to focus on the key issues. The Statement of Common Ground is envisaged to agree the policy context, the site description and potentially a schedule of draft planning conditions - that have been discussed with officers, and other matters related to the project and potentially raised in evidence or at the examination.

Statement of Case

13. The Statement of Case (Appendix A) reiterated the Council's support in principle for the scheme and followed the formal response agreed by Cabinet in July 2021. The proposals are considered to support the objectives of the South Cambridgeshire Local Plan 2018 to promote sustainable economic growth, responding to climate change, and maximising sustainable transport modes, and aligns with the Cambridgeshire and Peterborough Combined Authority Local Transport Plan (2020).
14. Nonetheless, having failed to successfully resolve the matters raised in the report to Cabinet in July, the Statement of Case with the advice from the Council legal advisor, indicated that the Council's position was to object to the scheme because key issues identified in the Council's response to the public consultation have not been resolved in the course of ongoing discussions with the applicant. The objections are summarised as:

1. The application has not provided sufficient Information to demonstrate the 10% biodiversity net gain target is achievable and can provide appropriate

mitigation on or near to the site, and as a result has not demonstrated compliance with Local Plan 2018 policy NH/4, and NPPF 2021 paragraph 174.

2. The loss of trees along the railway line and across the scheme must be minimised, and a condition for tree protection measures must be imposed, in accordance with Local Plan 2018 policies HQ/1, NH/2, and NH/4.

3. The application does not provide sufficient detail about the landscape proposals to provide unreserved assurance of the success of the LVIA mitigation, as required by Local Plan 2018 policies HQ/1, NH/2 and NH/8.

4. The deemed planning consent drawings must provide more information to control the scale and height of the substation and railway systems compound to the south of Addenbrooke's Road, in order that the buildings integrate into the rural location, in accordance with Local Plan 2018 policies HQ/1, NH/2 and NH/8.

5. Site-specific noise mitigation and attenuation measures must be included in the Code of Construction Practice for locations where works will occur that have the potential to adversely impact residential areas of Great Shelford, in accordance with Local Plan 2018 policies HQ/1 and SC/10.

6. Good and early engagement with the Council and residents is required on both the mitigation measures and the consultation strategy to minimise the disruption from major construction ground-borne vibration impacts at Shepreth Branch Junction to local residents and impact on mental health, in accordance with Local Plan 2018 policies HQ/1 and SC/10.

7. Further discussions are required to secure a programme to monitor the impact on air quality on the adjacent minor residential roads around the development, in accordance with Local Plan 2018 policies HQ/1 and SC/12.

8. Replacement wording for the artificial lighting condition is required to secure compliance with the relevant guidance relating to construction and

operational lighting, in accordance with local Plan 2018 policies HQ/1 and SC/9.

9. Network Rail should commit to engage in the review of the wider masterplan for the Addenbrooke's Hospital campus currently being undertaken by the Cambridge University Hospitals NHS Foundation Trust to address connectivity issues, in accordance with Local Plan 2018 policies HQ/1 and TI/2.

10. The works to the railway line at Shepreth Branch Junction must minimise the impact on the NCN 11 route and be considered carefully alongside the timing of works to other routes within the area to minimise disruption to users. Network Rail must consult with the Council, local cycling groups, Great Shelford Parish Council and other user groups.

11. The works affecting the Scheduled Monument must be minimal and must have the support of Historic England and Cambridgeshire County Council Archaeology Team, and mitigation must be secured through conditions, in accordance with Local Plan 2018 policies HQ/1 and NH/14.

12. An informative should be applied to advise the applicant of the requirement to obtain land drainage bye law approval by the Council for works affecting the awarded watercourse.

Proof of Evidence

15. Since the preparation of the Statement of Case, officers have continued to engage with the applicant to seek to resolve the Council's objections, including several meetings and exchanges of correspondence. These discussions are summarised in the letters sent to the applicants dated 7 December 2021 (Appendix B) and their response dated 10 December (Appendix C).

16. In summary, progress has been made on the majority of the technical matters which can be agreed through conditions, however objections remain on the following grounds:

1. The application has not provided sufficient information to demonstrate the 10% biodiversity net gain target is achievable and can provide appropriate mitigation on or near to the site, and as a result has not demonstrated compliance with Local Plan 2018 policy NH/4, and NPPF 2021 paragraph 174.

2. The loss of trees along the railway line and across the scheme must be minimised in accordance with Local Plan 2018 policies HQ/1, NH/2, and NH/4.

17. Officers are currently seeking to agree the wording of the draft conditions to resolve the technical matters identified above, if possible, officers would expect the agreed wording to be included in a Statement of Common Ground with the applicant.

18. The Council intends to call one witness at the Public Inquiry. The Proof of Evidence centres upon the objections outlined in paragraph 16 above. As the report to Cabinet in July 2021 highlights, the timescales for submission of documents as part of the examination process are fixed. The submission of the Statement of Case and Proof of Evidence was required by 15 September 2021 and 7 January 2022 and officers have based these submissions on Cabinet's previous decision and comment. In the event that Cabinet reach an alternative view to that expressed in these documents, officers will need to introduce the matters to the examination.

Options

19. None

Implications

20. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Financial

21. There are no significant implications.

Legal

22. The Council is a statutory consultee in the process.

Staffing

23. There are no significant implications.

Risks/Opportunities

24. There are no significant implications.

Equality and Diversity

25. There are no significant implications.

Climate Change

26. The proposal overall would promote sustainable transport modes.

Health & Wellbeing

27. None.

Consultation responses

28. None.

Alignment with Council Priority Areas

Growing local businesses and economies

29. The proposal would improve connectivity and capacity in the Cambridgeshire region and to accommodate future growth in the area.

Background Papers

None

Appendices

Appendix A: Statement of Case

Appendix B: Letter to applicant dated 7 December 2021

Appendix C: Response from applicant dated 10 December 2021

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