

Network Rail (Cambridge South Infrastructure Enhancement) Order

Summary Proof of Evidence of Charlotte Burton

BA (hons), MA (Cantab), MSc (Spatial Planning), MRTPI

Principal Planning Officer, Greater Cambridge Shared Planning

On behalf of Cambridge City Council (OBJ-23)

Relating to Statement of Matters (211027) items 3. (i) The effect of the proposal on biodiversity including biodiversity net gain; 4. Impact on Hobson's Park Nine Wells Local Nature Reserve; 7. The adequacy of the Environmental Statement: the impacts on trees; and 10. The conditions proposed to be attached to the deemed planning permission for the scheme.

07 January 2022

1. My name is Charlotte Burton, and I am a fully qualified planning officer presently employed by Greater Cambridge Shared Planning as a Principal Planning Officer. I am appearing at the Inquiry into the application for the Network Rail (Cambridge South Infrastructure Enhancement) Order on behalf of Cambridge City Council.
2. I am a fully chartered member of the Royal Town Planning Institute with 7 years' post-qualification experience. I have a Bachelor of Arts degree in Geography and a Master of Science degree in Spatial Planning. The evidence which I have prepared and provide for in this Proof of Evidence is true and I confirm that the opinions expressed are my true and professional opinions.
3. The Council supports the aim of the Cambridge South Infrastructure Enhancements scheme which accord with the vision and strategic objectives of the Cambridge Local Plan 2018 to promote sustainable economic growth, respond to climate change, and maximise sustainable transport modes, and in accordance with Local Plan policy 5 which supports implementation of the Peterborough Combined Authority Local Transport Plan (2020).
4. Notwithstanding this, the Council has raised objections to the scheme where the proposal fails to comply with the adopted development plan and other material considerations, which are summarised in our representation to the public consultation (OBJ-23) and Statement of Case (E11-OBJ23). Since then, officers for the Council have engaged with the applicant to seek to resolve our objections, including several meetings and exchanges of correspondence.
5. The Council maintains its objections to the scheme because, on the basis of the material in front of the Council at this time, the proposal fails to accord with the adopted development plan for the following reasons and having regard to the planning balance, material planning considerations are not sufficient to overcome the objections:
 - i. The application has not provided sufficient information to demonstrate the minimum 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 policies 67, 69 and 70, the NPPF paragraph 174, and the NPPG.
 - ii. The potential impact on the breeding population of Corn Bunting along the line of the rail track and construction route, and on Corn Bunting and Skylark nesting within Hobson's Park requires further assessment prior to determination, in accordance with Local Plan 2018 policy 70.
 - iii. The permanent and temporary use of Hobson's Park would result in the loss of and harm to open space without acceptable mitigation contrary to Local Plan 2018 policy 67, and the application has provided no justification for both the area of temporary land acquisition and the duration for which the land is required.

- iv. The proposed exchange land does not provide adequate reprovision for the permanent loss of open space contrary to Local Plan 2018 policy 67, because of the inadequate information on the landscaping and biodiversity features of the exchange land, and the accessibility and safety of crossing Addenbrooke's Road.
 - v. The application has not demonstrated compliance with Local Plan policy 71 for the preservation and protection of trees and hedges. An Arboricultural Implications Assessment should be submitted prior to determination, and the impact on Tree Preservation Orders and other trees and hedges must be minimised and mitigated through protection measures and replacement planting secured through conditions.
6. These grounds are covered in detail in the Proofs of Evidence presented by other witnesses appearing on behalf of the Council, namely Alistair Wilson in respect of open space and Guy Belcher in respect of biodiversity. My Proof of Evidence refers to these where appropriate.
 7. The proposal therefore fails to comply with the development plan, because of the conflict with Local Plan policies 67, 69, 70 and 71 relating to the protection of open space, impact on biodiversity and impact on trees, and based upon the likely harm that will arise as a result of this failure, there are no material considerations to outweigh these conflicts. As matters stand, planning permission should not be granted, and the Order should not be made, and a certificate under section 19(1)(b) of the acquisition of Land Act 1981 should not be granted.
 8. The Council's objections to the proposal could be overcome through the submission of additional evidence which addresses the following points before the application is determined:
 1. Acceptable details about the proposed onsite biodiversity mitigation and how options for further onsite mitigation have been exhausted; and acceptable details about the proposed offsite mitigation at Lower Valley Farm (including an acceptable legal mechanism to secure delivery) to demonstrate that the proposals will lead to genuine and demonstrable gains for biodiversity that are resilient to future pressures and supported by appropriate maintenance arrangements, in accordance with the NPPG, the NPPF and policies 67 and 69.
 2. Further assessment of the potential impact on protected Corn Bunting and Skylark within the application site area to inform mitigation measures so that these populations are not negatively impacted during both the construction and operational phase of the proposed development, in accordance with policy 70.
 3. Acceptable details to assess the implications of the proposal on the future maintenance and a management of Hobson's Park, the Active Recreation Area, and the proposed exchange land; and mitigation measures (which could include the provision of new or altered accesses for maintenance,

remediation works prior to transfer to the Council, and financial contributions to the Council towards additional costs of maintenance as a result of the proposed works) should be proposed to ensure that the biodiversity and amenity value of the open space provision is acceptable, in accordance with policy 67.

4. Acceptable details of the landscaping and biodiversity features of the proposed exchange land; and details of an accessible and safe crossing point on Addenbrooke's Road to demonstrate that the permanent loss of open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost, in accordance with policy 67.
5. Acceptable justification for the both the area of land and the duration for which the temporary acquisition of land is required during construction works to demonstrate that there are material considerations that outweigh the temporary loss of open space and the conflict with policy 67.
6. Agreement that the replacement land to compensate for the permanent loss of open space is made available for use before the temporary use commences to provide some mitigation, in accordance with policy 67.
7. An acceptable Arboricultural Implications Assessment to assess the extent of tree removal required at Long Road Sixth Form College to accommodate the development, and the impact on other co-dependent trees, to demonstrate that the proposal would preserve, protect and enhance existing trees, and to ensure that any replacement planting is appropriate, in accordance with policy 71.
9. Should the Secretary of State be minded to grant deemed planning consent, then the Council considers that planning conditions should be imposed. At the time of writing, the Council has not agreed a set of draft conditions with the applicant. Discussions are ongoing and the Council anticipates agreeing draft conditions in the Statement of Common Ground to be submitted.
10. At the time of writing, the Council supports the substance of most of the conditions, however further discussions are required on the conditions relating to archaeology, biodiversity net gain, surface water drainage, public art, lighting and the pedestrian link between the Cambridge Guided Busway.
11. In addition, I understand following a meeting with the applicant's Planning Manager on 14 December that the proposed draft condition relating to the provision of electric vehicle charging points has not been agreed. This condition is necessary in accordance with Local Plan 2018 policies 36 and 82, and therefore the Council would object to the removal of this condition.
12. The Council also requests an additional condition to secure compliance with the mitigation measures within the Environmental Statement.

13. My Proof of Evidence therefore relates to the following matters as outlined in the Statement of Matters:

3. (i) The effect of the proposal on biodiversity including biodiversity net gain;

4. Impact on Hobson's Park Nine Wells Local Nature Reserve;

7. The adequacy of the Environmental Statement: the impacts on trees; and

10. The conditions proposed to be attached to the deemed planning permission for the scheme.

END – 1491 words