

**JOINT DEVELOPMENT CONTROL - CAMBRIDGE FRINGES -  
DEVELOPMENT CONTROL FORUM**                      26 October 2016  
10.00 - 11.50 am

**Present**

Joint Development Control Committee Members: Councillors Baigent, Bard, Blencowe, Bird, Cuffley, de Lacey, Harford, Holt, Kenney, Nightingale, Orgee, van de Weyer and Williams

**Other Councillors in attendance**

Councillor Kavanagh, Councillor Hazel Smith

**Officers:**

New Neighbourhoods Development Manager: Sharon Brown (Chair)

Legal Advisor: Richard Pitt

Case Officer: Elizabeth Verdegem

County Council Business Manager Planning – Emma Fitch

Democratic Services Officer: Dawn Cave

**For Applicant:**

Mike Davies

Patrick Joyce

Ralph Lewis

**For Petitioners (against):**

Chris Smith

Sophie Jeffries

**For Petitioners (for):**

Al Storer

Roxanne de Beaux

Jim Chisholm

Dr Willa McDonald

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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### **16/1JDCCF Introduction by Chair to Forum**

The Chair outlined the role and purpose of the Development Control Forum. She stated that no decisions would be taken at the meeting.

### **16/2JDCCF Apologies**

Apologies were presented on behalf of Councillors Hipkin, Price, Smart and Turner.

### **16/3JDCCF Declarations of Interest**

Item number	Councillor	Interest
16/4/JDCCF	Baigent	Personal: Member of the Cambridge Cycling Campaign
16/4/JDCCF	De Lacey	Personal: Member of the Cambridge Cycling Campaign
16/4/JDCCF	van de Weyer	Personal: Member of the Cambridge Cycling Campaign

### **Application and Petition (C/5007/16/CC / Land between Coldham's Lane and River Cam, through Coldham's Common, Barnwell Junction Pastures and Ditton Meadows Cambridge)**

Description: Phase 1 of the Chisholm Trail, a north-south pedestrian and cycle path from the River Cam to Coldham's Lane broadly parallel to the railway line. Including widening of the walkway beneath River Cam railway bridge, new underpass under Newmarket Road, bridge across Coldham's Brook, replacing culvert with bridge on Coldham's Common, new paths and improvements to existing paths

Applicant: Cambridgeshire County Council

Agent: Ralph Lewis, Atkins

Address: Euston Tower, 286 Euston Road, London, NW1 3AT

Case officer: Elizabeth Verdegem

Text of Petition Against the application:

Save our rivers and meadows Lite: We the undersigned petition the council to - for the submitted application for the north Chisholm Trail that we ask for the application to be withdrawn, and that they request the applicant : 1. recognises the significant environmental, social and landscape impacts of the present application; 2. confirms that they do not believe there is evidence that cycling benefits outweigh these impacts; 3. supplies additional information to be presented to address deficiencies; 4. explores the alternatives, such as the Cheap as Chips Trail 5. submits an Environmental Impact Assessment for the Chisholm Trail to allow consideration of in-combination and cumulative effects with other projects; 6. applies at least "No net loss" approach to biodiversity within this scheme.

Justification: We the undersigned object to the Chisholm Trail application as submitted. We ask that the application be withdrawn and the noted requests made of the applicant.

We believe that their location in two highly sensitive river valleys will irrevocably degrade this meadow landscape, and adversely affect the character of eastern Cambridge.

We assert that it is inseparably intertwined with that of the Abbey-Chesterton Bridge and its effects cannot be considered separately and requires an EIA.

We reach our position on it being contrary to policy, on our experiences of issues with the process and the obvious overlap of the two projects. The following are informative to this, and do not require a response.

Contrary to policy

We note the present application is contrary to Cambridge City Council development control policies and the National Planning Policy Frameworks, in particular but not exclusively that:

1. it has an adverse effect on protected and priority species e.g. otters and bats ;
2. its footprint of close to 5ha has an adverse effect on protected sites and priority habitats e.g. 4 Local Wildlife Sites and floodplain grassland;
3. it constitutes inappropriate development in a Green Belt;
4. it has an adverse effect on the landscape and character of the area, including the setting of the Riverside and Stourbridge Common and Fen Ditton Conservation Area;

5. it constitutes inappropriate development in a floodplain and increases flood risk;
6. the design quality of the bridges and scheme are poor;
7. it involves the development on contaminated land near Ditton Walk ;
8. it will have adverse impacts on heritage e.g. the Round House, Leper Chapel and quiet enjoyment of the area e.g. the Bumps course and rowing;
9. its construction will have significant social impacts on local people.

### Issues with process

We take issue with the process of the application:

1. that the application form as submitted contains factual errors and an unclear description, in particular in the differences to planning application between this and the bridge ;
2. it is supported by insufficient information e.g. no full heritage assessment; no traffic assessment; effects on Fen Ditton Conservation Area
3. that the design and consultation process failed to consider alternatives e.g. use of existing cycle facilities via Cheap as Chips Trail;
4. that the consultation process has not been transparent or inclusive and is misrepresented in the application e.g. viz complaints about Local Liaison Forum;
5. that no cost-benefit analysis has been made against the “do nothing” alternative;
6. that the usage figures as presented are misleading e.g. based on entire trail construction and not northern section - including existing users of Coldhams Common;
7. that no in combination or cumulative effects with the Chisholm Trail have been considered or EIA or SIA undertaken

### Overlap with Abbey Chesterton Bridge

The application for the Northern Section of the Chisholm Trail and the Abbey Chesterton Bridge are interdependent, sharing the same redline and many elements. The applications are meaningless as independent elements. The granting of either application prior to the other would create prejudicial issues, and neither would be deliverable on present submissions.

The separate applications have created confusion for consultees, who are unclear on what each scheme entails, as has been recognised by County planners.

We believe the artificial separation makes it impossible for proper consideration and an informed response.

Text of Petition in Support of the application:

Build the Chisholm Trail Phase 1: We the undersigned petition the council to support the planning application for the Chisholm Trail Phase 1. We believe the application is in line with relevant policy and that the supporting documentation goes above and beyond that which is required.

Justification: We believe that the Trail will enhance the character of Ditton Meadows, the Leper Chapel and Coldham's Common. The Trail will improve access for all, not just for cyclists, to all the areas it passes through. Overlooked by the objectors are the access improvements to the commons and the Leper Chapel that will open up areas currently inaccessible to those using wheelchairs or with mobility issues.

The objectors say the Trail, and the Abbey-Chesterton Bridge that the Trail connects to, will interfere with events such as the Bumps and Stourbridge Fair. We believe that such events will be enhanced by the improved access.

The development process considered alternatives and rightly rejected them. The existing facilities, especially at Newmarket Road, are deeply substandard and the Green Dragon bridge is already congested at peak times.

We believe the petition "Save our rivers and meadows Lite" is against the policy for Development Control Forums:

"The forum will not consider petitions:

- expressing an in-principle outright objection to the application with no suggestions for a compromise solution"

The petition presented by the objectors has no serious and workable suggestion for compromise.

### **Case by applicant**

Mike Davies and Patrick Joyce of Cambridgeshire County Council, and Ralph Lewis of Atkins, made the following points:

- 1) Detailed the principles of the safe, pleasant, direct route, enabling safe walking and cycling through attractive areas of the city, and linking to key destinations and trip generators;
- 2) Detailed the plans for the Newmarket Road underpass;
- 3) Outlined the extensive consultation, the responses received, and the geographic spread of those respondents, and how the proposals had changed to reflect comments received in the consultation;
- 4) Noted the importance of recognising the presumption in favour of sustainable development, and how the scheme met a wide variety of sustainability objectives.

### **Case by Petitioners against**

Mr Smith and Ms Jeffries spoke on behalf of the petitioners against the proposed scheme and circulated a handout to Members present:

- 5) Commented that whilst supporting sustainable transport improvements, this should not be at any cost. The scheme as proposed went through some of the most ecologically sensitive areas of Cambridge, and would involve many undesirable impacts on the river, brooks, meadows and other habitats which ran through and adjacent to;
- 6) Advised that they had submitted a 71 page detailed response to the proposal, but that this had not been published on the County Council's website;
- 7) Commented that there had been a consultation bias in favour of the application in the phrasing of questions;
- 8) Observed that whilst the application for the bridge was separate, the two schemes were largely interdependent;
- 9) There had been no consideration for local priorities, and other solutions had not been explored, including the "do nothing" option;
- 10) The design of the scheme was poor, and the costs very high. There were existing routes which could be improved at much lower costs;

- 11) Observed that the applicant was not submitting an Environmental Impact Assessment to show the cumulative impacts of the Bridge and Chisholm Trail schemes, and had not undertaken a Cost Benefit Analysis.
- 12) Expressed concern about the loss of the Abbey spur which had been part of the original proposals.
- 13) Considered that there should be a no "net loss" approach in terms of biodiversity and ecological impacts arising from the scheme.
- 14) Raised issues in relation to the ecology documentation submitted in terms of inconsistencies, insufficient information and surveys to allow proper consideration of the scheme.

#### **Case by Petitioners in support**

Mr Storer, Ms de Beaux, Mr Chisholm and Dr McDonald spoke on behalf of the petitioners in favour of the proposed scheme:

- 15) Observed that the petition against called for the proposal to be withdrawn, when it should be setting out the changes petitioners would like to see to the planning application;
- 16) Reiterated the benefits to residents and commuters, as set out by the Applicant, whilst also highlighting the disadvantages of using roads such as Swann Road and Mercers Row;
- 17) Commented that the results of the consultation demonstrated the overwhelming support of the public to take this proposal forward;
- 18) Outlined the history of the proposal and the benefits it would bring;
- 19) Stressed the health benefits to residents of the proposal.

#### **Case Officers' comments:**

Miss Verdegem outlined the planning process and procedures:

- 20) Explained that the Chisholm Trail scheme was part-funded by the City Deal, which was why the application would be considered by the Joint

Development Control Committee, whereas the bridge was funded differently, and would be submitted to the County Council's Planning Committee. Whilst both applications would be assessed by officers within the County Planning, Minerals and Waste Team, the decision would be made by different Committees and Members which was the only difference in the assessment of the applications;

- 21) None of the sites that the Trail passed through were classed as a sensitive area (e.g. SSSI, World Heritage Site) within the Environmental Impact Assessment (EIA) regulations so an EIA was not required;
- 22) Outlined the consultation process, and why the consultation for the Chisholm Trail had been extended, to avoid confusion between the consultation exercises for the Bridge and the Trail. Neighbourhood responses were not usually published on the County Council's website, as they included personal details. Paper copies were available in a folder, for inspection by Members before committee, and by members of the public by appointment;
- 23) All planning matters raised during the consultation will be taken into consideration and included in the case officer's report, regardless of whether the respondents supported or opposed the scheme. The report will indicate the number of responses received, but consider the material planning considerations being raised as part of the assessment, not the number of people saying them;
- 24) It was anticipated that the earliest the Chisholm Trail planning application would be considered by JDCC would be in January 2017, but this could change, dependent on resolving issues.

### **Members' Questions and Comments:**

The following responses were made to Members' questions:

- 25) Mr Smith advised that there were two levels of concern i.e. the impact of the construction of the Trail and the longer term issues, especially as some information was either unavailable or inconsistent;



- 26) Mr Davies confirmed that the cycleway was 3.5 wide for most of the route;
- 27) Mr Joyce outlined various links to existing paths that would be facilitated by the proposed Trail;
- 28) Mr Smith confirmed he supported a North/South cycle route through the city, but not on the proposed route, especially as this was tied up with the Abbey Chesterton Bridge;
- 29) Miss Fitch confirmed that the County Council would publish Mr Smith's response on the County Council's website, if he was happy for this to happen;
- 30) Mr Lewis confirmed that he was happy with the flood assessment and drainage issues, specifically the proposed mitigation of those impacts;
- 31) Mr Joyce confirmed that the intention was to resurface the path to the Abbey Pool, and this had not changed since the consultation;
- 32) The petitioners for and against the scheme detailed the membership numbers for their respective organisations, how frequently they held meetings, and how many usually attended their meetings;
- 33) Mr Joyce advised that that the ramp on the underpass under Newmarket Road would be a 1:15 gradient, and it would not be easy to make this less steep;
- 34) Mr Lewis outlined the plan for the overgrown woodlands at Chapel Meadows. The Member stressed that there should be zero net loss to biodiversity;
- 35) Miss Fitch detailed the confusions that had arisen between the applications as part of the consultation process, and how these had been addressed. She confirmed that there were some inconsistencies between the documents presented for the two applications, and outlined how these were being addressed before going to respective Committees.

## **Summing up by the Applicants**

- 36) The application aimed to provide a direct pleasant route from the north to the south of the city, linking green areas, and encouraging pedestrians and cyclists, which would improve public health and reduce transport congestion, supporting growth in and around the city;
- 37) The route would help promote independence and safety for young people, and was also accessible for disabled people. It was strongly supported by the public, and changes had been made in response to suggestions;
- 38) There was a presumption in favour of sustainable development, and whilst the route went through ecological habitats, there was a wide range of mitigation measures in place.

### **Summing up by the petitioners against**

- 39) Whilst generally supporting cycling initiatives, and the principle of a north/south cycle route in Cambridge, the proposed scheme would have significant negative impacts on ecologically sensitive areas;
- 40) The scheme was very expensive at times of great austerity, there were many issues with the design, and there needed to be a thorough exploration of alternatives, and evidence of the benefits to cyclists;
- 41) Observed that many applicants voluntarily submitted Environmental Impact Assessments, and it would be useful for the applicant to do so in this case.

### **Summing up by the petitioners for**

- 42) Advised that whilst there may be issues during the construction phase, there would be no net biodiversity loss, and many green areas would be improved, with appropriate mitigation and compensation.
- 43) The scheme would have overwhelming benefits for cyclists and pedestrians, and for society more generally.

## **Final Comments of the Chair**

The Chair observed the following:

- 44) Notes of the Development Control Forum would be made available to relevant parties;
- 45) The application was due to be considered at the Joint Development Control Committee. She referred to the relevant section in the Standing Orders of the JDCC on the process leading up to that meeting;
- 46) The application was likely to be considered at the January 2017 JDCC, but this had yet to be confirmed.

The meeting ended at 11.50 am

**CHAIR**