

JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGE SITES)

Report by: Head of Growth and Economy

Date: 19 July 2017

Application Number	C/5007/16/CC	Agenda Item	4
Date Received	25/07/2016	Officer	Elizabeth Verdegem
Target Date	16/11/2016		
Parishes/Wards	Chesterton, Abbey, Romsey		
Site	Chisholm Trail		
Proposal	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 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		
Application Type	Regulation 3, Town and Country Planning General Regulations 1992	Departure:	No

The above application has been reported to the Planning Committee for determination by Members in accordance with the Scheme of Delegation for the Joint Development Control Committee for the Cambridge Fringes.

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ol style="list-style-type: none"> 1) The Trail Phase 1 is a piece of sustainable transport infrastructure being one of the Greater Cambridge Partnership City Deal Phase 1 projects, which contributes to the sustainable transport aspirations of the development plan. 2) The design, layout and necessary ecological mitigation are consistent with the Development Plan, as well as broadly consistent with the National Planning Policy Framework. 3) The proposals are acceptable in terms of their impact on the Conservation Area and Green Belt setting, and with appropriate mitigation secured by planning condition are not considered to have a significant adverse impact on the setting of the Leper Chapel or The Round House, in line with adopted planning policy.
RECOMMENDATION	APPROVAL SUBJECT TO CONDITIONS

APPENDICES

Ref	Title
1	Site plan/plans
2	DCF minutes from 26 October 2016

SITE DESCRIPTION/AREA CONTEXT

- 1.0 This planning application relates to part of the Greater Cambridge Partnership City Deal projects, a group of strategic transport infrastructure schemes, all of which share the objective of improving transport connectivity and sustainability within Cambridge and the surrounding areas.
- 1.1 Cambridgeshire County Council has applied for planning permission to build a new pedestrian and cycle path (“the Trail Phase 1”) from the River Cam to the east of the Cambridge-Ely railway line to Coldham’s Lane on the southern edge of Coldham’s Common, in order to better link these two areas of Cambridge and in anticipation of the new Cambridge North Railway Station, which opened on 21 May 2017. There has been a separate County Council application for a cycle and pedestrian bridge (“the Bridge”), across the River Cam, which would link the Trail Phase 1 at the north to the new Cambridge North Railway Station, permission for which has recently been granted (application reference: C/5005/16/CC, 17/02/2017).
- 1.2 The Chisholm Trail itself is proposed to be split between two Phases, with the Phase 1 northern section being considered here (ref: C/5007/16/CC), and Phase 2 not yet submitted. The Trail Phase 2 is proposed to consist of a link between Coldham’s Lane, to the north and the existing Cambridge Railway Station to the south, over a mixture of existing residential streets, and new path alongside the railway line, with a recent possibility of a bridge across the railway line close to the existing Ridgeons site. If the Chisholm Trail is constructed, the Bridge will form part of the northern section of the Trail. However, the Bridge can go ahead, irrespective of whether or not the Trail Phase 1 is granted planning permission, and is therefore not dependent on construction of the Trail Phase 1.
- 1.3 To help put the site description and area into context in relation to the above, the following definitions table has been provided:

	Planning Reference	Definition
Chisholm Trail	n/a	Name for the proposed pedestrian/cycle link between Cambridge North and Cambridge Railway Stations.
“the Bridge”	C/5005/16/CC	Pedestrian/Cycle footbridge across the River Cam, creating a link between the Cambridge North Railway Station and the south bank of the river, which would link to the Trail Phase 1 if approved.
“the Trail Phase 1”	C/5007/16/CC	Northern section of the Chisholm Trail, from Cambridge North Railway Station to Coldham’s Lane.
“the Trail Phase 2”	not yet submitted	Southern section of the Chisholm Trail, from Coldham’s Lane to Cambridge Railway Station.

1.4 The Trail Phase 1 application site is a 5.76 hectare (ha) parcel of land to the north east of Cambridge City Centre, and can be described by dividing it between the different wildlife sites that the route will travel through. The main part of the application site is formed of a stretch of land between the River Cam to the north and Coldham’s Lane to the south, broadly parallel to the Cambridge-Ely railway line.

North of the River

1.5 On the north side of the River Cam, the application includes a small area linking the end of Moss Bank (road) to access the new Cambridge North Railway Station (planning permission ref: S/1236/15/FL and 15/0994/FUL). The site area for this small section is approximately 60 square metres (sqm), and is currently linked to works undertaken by Network Rail as part of their development proposals off the turning/parking area at the end of Moss Bank.

Ditton Meadows and Barnwell Junction Disused Railway

1.6 To the south of the river, the application site includes an area of land directly to the east of the railway line, from the River Cam to the disused railway line in the south-west corner of Ditton Meadows City Wildlife Site. This is the western edge of Ditton Meadows, and includes land for the path, and a triangle of land in the south-west corner for ecological mitigation.

- 1.7 From the south-west corner of Ditton Meadows, the application site runs east along the southern boundary of Ditton Meadows, also encompassing part of the disused railway line, Barnwell Junction Disused Railway City Wildlife Site, along the southern boundary up to the existing cycle path at the entrance to Ditton Meadows from Ditton Walk. To the south of the application site along the southern boundary of Ditton Meadows, with access off Ditton Walk, are a number of industrial units and small offices. Within this stretch of buildings, the application site also includes a disused county council site, currently a vacant area without any buildings, to be used as the site compound, located between the southern boundary of Ditton Meadows and Ditton Walk.
- 1.8 Ditton Meadows and Barnwell Junction Disused Railway are both almost entirely within Flood Zones 2 and 3, designated as Cambridge Green Belt, and part of the Central Conservation Area appraised as the “Riverside and Stourbridge Common Area” designated for its visual importance and importance for sport, informal recreation and wildlife.

Barnwell Junction Pastures

- 1.9 From the south-western corner of Ditton Meadows the Trail Phase 1 proposed path runs south, parallel to the east of the railway, but along the eastern edge of Barnwell Junction Pastures (City Wildlife Site). Barnwell Junction Pastures features Coldham’s Brook along the eastern boundary, and both the path and the Trail Phase 1 application site area sit close to this boundary. At the south west corner of Barnwell Junction Pastures, the Chapel of St Mary Magdalene and Stourbridge Chapel, known as the Leper Chapel, is a Grade I listed building. The southern section of Barnwell Junction pastures are the setting for the Leper Chapel and the application site includes most of the grassland to the east of the Leper Chapel, and includes Newmarket Road from the east of the Leper Chapel to the south eastern corner of Barnwell Junction Pastures.
- 1.10 In addition to the Leper Chapel, the Round House, Grade II listed, is located to the east of the south-east corner of Barnwell Junction Pastures, therefore to the east of the application site. Further east along Newmarket Road there are more listed buildings, Papermills and the Globe Brewery, both Grade II listed, which are not adjacent to the application site on the north side of Newmarket Road but are opposite the application site on the south side of Newmarket Road at the entrance to Coldham’s Common.

- 1.11 Barnwell Junction Pastures is partly covered by Flood Zones 2 and 3, and the application site in this area is almost entirely within these flood zones. Barnwell Junction Pastures is also entirely within the Cambridge Green Belt and the Central Conservation Area appraised as the “Riverside and Stourbridge Common Area” as described above in relation to Ditton Meadows and the Barnwell Junction Disused Railway.

Barnwell Pit

- 1.12 The application site then continues under Newmarket Road between Barnwell Junction Pastures and Barnwell Pit City Wildlife Sites, via a new proposed underpass, and encompasses the northern section of Barnwell Pit for use as a site compound. A proposed path here links the new underpass to the existing path on Coldham’s Common, to the east of this location, including crossing Coldham’s Brook. In the Barnwell Pit area, the application site is partially within Flood Zone 2 and 3 and entirely within the Cambridge Green Belt. In addition, although defined as Barnwell Pit City Wildlife Site, Barnwell Pit is also part of Coldham’s Common Local Nature Reserve.

Coldham’s Common

- 1.13 To the east of the Barnwell Pit section, the application site encompasses the northern part of Coldham’s Common, from Newmarket Road to the north and continues southwards, with Coldham’s Brook to the east, encompassing existing paths to be widened. This is to the west of Abbey Stadium, and to the east of the fishing lake at Barnwell Pit. Abbey Stadium was subject to an outline planning application (reference: 16/1375/OUT) for the redevelopment of the site to increase capacity at the stadium and provide mixed use facilities, including a hostel, housing and retail at the time of assessing this application.
- 1.14 To the south of this point (i.e. south of the land adjacent to the Abbey Stadium redevelopment area), the application site crosses an existing culvert on a branch of Coldham’s Brook and continues to traverse Coldham’s Common with an area encompassing the existing paths, the existing underpass under the Cambridge-Newmarket railway line, up to the junction with Coldham’s Lane to the south. The application site is still broadly running parallel to the Cambridge-Ely railway line, although there are industrial units on Coldham’s Road directly to the east of the railway line which separate the railway line from Coldham’s Common. To the east of

the Trail Phase 1 application area is the remainder of Coldham's Common.

- 1.15 Coldham's Common is a County Wildlife Site, Local Nature Reserve and Registered Common; although in relation to the Local Nature Reserve this only encompasses an area to the east of the sports pitches, adjacent to Barnwell West Local Nature Reserve and Barnwell Road, which is outside of the red line area for this planning application. It is entirely within the Cambridge Green Belt and partially within Flood Zones 2 and 3, focussed around the land surrounding Coldham's Brook.

2.0 THE PROPOSAL

- 2.1 The Trail Phase 1 site area is 5.76 ha, with the path itself being approximately 2.1 kilometres (km) in length, and which will involve a total of around 6,391 sqm of new hardstanding, in addition to the existing 3,847 sqm, to form the new and widened paths as part of the proposal. North of the river, this will consist of a short new link from Moss Bank to the new Cambridge North Railway Station, of an approximate length of 10 metres (m).
- 2.2 South of the river, new paths will be constructed along the western and southern edges of Ditton Meadows/Barnwell Junction Disused Railway, to connect the new Bridge to existing paths on Ditton Meadows. The route will continue from the south-west corner of Ditton Meadows through Barnwell Junction Pastures City Wildlife Site to Newmarket Road. This path will run alongside Coldham's Brook, around the edge of the setting of the Leper Chapel, with a branch connecting to Newmarket Road on the eastern corner, and another branch continuing under a new underpass underneath Newmarket Road closer to the Leper Chapel to the west.
- 2.3 To the south of Newmarket Road the path will connect from the west to the existing path on the east side of Coldham's Common, via a new bridge across Coldham's Brook. The existing path on the east side of Coldham's Common, to the west of Abbey Stadium, all the way to the south of Coldham's Common at the junction at Coldham's Lane will be widened. A small section will be narrowed near the south of Coldham's Common, which was previously used for coach parking. The alterations to the existing Coldham's Common paths will include the replacement of a culvert on Coldham's Brook with a new bridge, and the widening and

improving of the existing underpass under the Cambridge-Newmarket railway line.

2.4 The only other features of the path will be solar wayfinding lights which are proposed to be embedded into the path, the detail of which can be secured by condition. Landscaping and ecological mitigation is also included within the proposal, to compensate for the loss of trees and habitats, specifically as part of the restoration and improvements to Ditton Meadows, Barnwell Junction Pastures and Barnwell Junction Disused Railway, some areas of which are currently noted by the applicant to be poorly managed.

2.5 The application is accompanied by the following documents:

- Application Form;
- Arboricultural Impact Assessment;
- Chisholm Trail Demand Forecast;
- Consultation Summary Report;
- Design and Access Statement;
- Ecological Impact Assessment;
- Flood Risk Assessment;
- Heritage Impact Assessment;
- Land Contamination Desk Study;
- Landscape and Visual Impact Assessment
- Environmental Masterplan;
- Geophysical Survey;
- Planning Statement;
- Preliminary Layouts;
- Preliminary WFD Compliance Assessment;
- Proposed General Arrangement;
- Location Plan;
- Lighting Statement;
- Lighting Plan;
- Ecology Response Summary;
- Transport Assessment; and
- Tree Protection Plan.

2.6 Since the original application was registered a number of amendments and additional information has been made, these include:

- Revisions to the application red line boundary area;

- Further information provided for the transport assessment;
- Further information on ecological impact and mitigation; and
- Further information regarding the drainage of the site.

2.7 This has resulted in some revised versions of the original documents, above in paragraph 2.5, as well as the following additional documents and schemes:

- Transport Assessment;
- Transport Technical Memos;
- Drainage information;
- Ecological Technical Memo;
- Ecological Response Summary; and
- Verified Views.

2.8 Some of the revised information set out above was received as a result of the concerns raised at the Development Control Forum (DCF) meeting on 26 October 2016. The DCF meeting was set up to allow objectors and supporters to make their concerns or support known to members of the Joint Development Control Committee (JDCC) ahead of a decision being made. In line with the requirements of the JDCC DCF all additional consultation with key statutory bodies included the supporters and objectors that attended the DCF meeting, to ensure that they were kept informed of the proposals and were able to comment alongside the statutory consultees.

2.9 All consultation undertaken in relation to the proposed amendments has been noted and the updated responses considered as part of this report.

2.10 Upon receipt of the updated information a further Environmental Impact Assessment (EIA) screening opinion was undertaken to assess whether this planning application (as amended) should be considered as an EIA project, particularly when taken cumulatively with other proposals and planning permissions in the adjacent areas of the Trail Phase 1. A negative screening opinion was adopted by Cambridgeshire County Council, which stated that the Trail Phase 1, even assessed cumulatively, was not considered to be EIA development.

3.0 SITE HISTORY

3.1 The following planning permissions which fall within or in close proximity to the application area for the Trail Phase 1, organised by area and arranged chronologically for ease of reference, are set out below:

3.2 North of the River Cam

Reference	Description	Decision
S/1236/15/FL and 15/0994/FUL Cambridge North Railway Station	Proposed Development for a new 450 sqm station building (including passenger waiting facilities, toilets, staffed ticket office, shop unit(s), amenity space, rail staff accommodation and facilities), two main line platforms (254m with the provision for extension to 270m in length and capable of accommodating a 12 car train) and a bay platform, a pedestrian cycle bridge linking the station building and platforms over the main line, a landscaped 450 space car park and 1000 cycle park, new pedestrian and cycle links to surrounding areas, and the extension of the bus lane and cycle route from the Cambridge Guided Busway into the site along the alignment of the former St Ives Branch Line.	Granted 18 Jul 2016

3.3 South of the River Cam/Ditton Meadows

C/5005/16/CC The Bridge	New pedestrian and cycle bridge across the River Cam, including access ramps, lighting, steps, paths to the public highway, landscaping, replacement of the jetty, and flood compensation areas.	Granted 17 Feb 2017
C/99/1222	Construction of new paths, bridges, jetty, fencing and access controls for use by cyclists, walkers and those in wheelchairs.	Granted 26 Jul 2000

3.4 Site Compound (off Ditton Walk)

This site is currently vacant and therefore the planning history below represents what used to be on this County Council owned site.

C/73/0679	Erection of Adult Training Centre	Granted 1 Nov 1973
C/73/0022	The erection of an adult training centre	Granted 27 Apr 1973
C/67/0475	Use of premises as Ambulance Station	Unknown 31 Aug 1967

3.5 Barnwell Junction/north of Newmarket Road

C/91/0240	Part change of use of existing dwelling to natural therapy centre (class d1) and retention of cat boarding for up to 20 cats. (amended by letter dated 27.08.91 and accompanying drawings).	Approved with conditions 16 Oct 1991
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3.6 Barnwell Pit/south of Newmarket Road

C/93/0242	Formation and stabilisation of banks to lake, provision of fishing platforms and steps, improvement of access, footpaths and parking area, erection of shelter to include provision for disabled persons, and landscaping.	Approved with conditions 2 Aug 1993
C/88/0593	Erection of restaurant and dance floor with associated car parking and lakeside improvements (amended by letter and drawings 11/01/88 and letter dated 31/07/89 and accompanying drawings).	Refused 9 Aug 1989

3.7 Coldham's Common

C/83/0056	Use of land as temporary caravan site	Granted 12 Apr 1983
C/79/0068	Erection of storage facilities	Granted 07 Mar 1979
C/76/0691	Provision of Earth Mound	Granted

		22 Dec 1976
C/69/0374	Erection of Pig Stys	Refused 22 Sep 1969

3.8 Although not yet granted planning permission, consideration should also be given in the “North of the River Cam” section to an application for 14 flats (16/0617/FUL) which has been approved in principle subject to the completion of a Section 106 Legal Agreement; and in the “Barnwell Pit/south of Newmarket Road” section to an outline planning application for the redevelopment of the Abbey Stadium site to increase capacity at the stadium and provide mixed use facilities, including a hostel, housing and retail (16/1375/OUT) that was being considered by the City Council during the assessment of this application.

4.0 PUBLICITY

4.1 Advertisement: Yes
 Adjoining Owners: Yes
 Site Notices Displayed: Yes

4.2 This application has been fully advertised twice, owing to an amendment to the red line application area. In addition to the normal consultation letters, statutory press notices and the display of site notices, the applicant engaged in pre-application consultation with the County Planning Authority, Highways Authority and Cambridge City Council officers. The applicant also held public consultations prior to the submission of the application. Following the submission of the application, the applicant continued to engage in discussions with consultees to resolve any issues and concerns that had arisen by setting up and conducting local liaison forum (LLF) meetings.

5.0 POLICY

5.1 The relevant development plan policies are listed below:

PLAN	POLICY NUMBER
Cambridge Local Plan 2006 (LP)	3/1 Sustainable Development
	3/2 Setting of the City
	3/3 Safeguarding Environmental Character
	3/4 Responding to Context

	<p>3/7 Creating Successful Places</p> <p>3/9 Watercourses and Other Bodies of Water</p> <p>3/11 The Design of External Spaces</p> <p>4/1 Green Belt</p> <p>4/2 Protection of Open Space</p> <p>4/4 Trees</p> <p>4/6 Protection of Sites of Local Nature Conservation Importance</p> <p>4/7 Species Protection</p> <p>4/9 Scheduled Ancient Monuments/Archaeological Areas</p> <p>4/10 Listed Buildings</p> <p>4/11 Conservation Areas</p> <p>4/13 Pollution and Amenity</p> <p>4/15 Lighting</p> <p>4/16 Development and Flooding</p> <p>8/2 Transport impact</p> <p>8/4 Walking and Cycling Accessibility</p> <p>8/5 Pedestrian and Cycle Network</p> <p>8/8 Land for Public Infrastructure</p> <p>8/18 Water, Sewerage and Drainage Infrastructure</p>
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5.2 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	<p>National Planning Policy Framework March 2012</p> <p>Planning Practice Guidance March 2014</p>
Supplementary Planning Guidance	<p>Sustainable Design and Construction (June 2007)</p> <p>Public Art (January 2010)</p>
City Wide Guidance	<p><u>Cambridge Landscape and Character Assessment (April 2003) (CLCA)</u></p> <p>The CLCA was adopted in January 2003 as a material planning consideration for development in Cambridge, but is not part of the local development plan. It assesses and characterises the character and identity of Cambridge townscape and rural hinterland in order to ensure that new development takes account of existing character and “where possible achieve environmental or visual</p>

improvement.”

Cambridge City Nature Conservation Strategy (September 2006) (CCNCS)

The Wildlife Trust produced the NCS in order to guide nature conservation across Cambridge. It has status as Cambridge City Council policy, but not part of the adopted development plan.

Cambridge City Wildlife Sites Register (2005)

Cambridgeshire Local Transport Plan 2011-2031 – Policies and Strategy (July 2015) (LTP)

The Local Transport Plan sets out our transport objectives, policies and strategy for the county as a whole. It contains specific reference to proposed transport projects, including the indicative alignment for the Chisholm Trail and a crossing of the river Cam, and considers it to be a major committed scheme for the period to 2020. It is also referred to as part of the facilitation of the Cambridge North Railway Station.

Transport Strategy for Cambridge and South Cambridgeshire – Transport Strategy and High Level Programme (March 2014) (TSCSC)

The TSCSC was adopted by Cambridgeshire County Council on 4 March 2014 and aims to ensure that local councils plan together for sustainable growth through a strategy for transport projects. The strategy contains specific reference to proposed transport projects, including the Chisholm Trail and a crossing of the river Cam.

Emerging transport guidance as a result of the combined authority

Whilst the LTP and TSCSC are still relevant to the consideration of this planning application, it should be noted that at its meeting on 28 June 2017 the Cambridgeshire and Peterborough Combined Authority was asked to adopt the existing policy frameworks contained in the

	<p>Cambridgeshire and Peterborough Local Transport Plans. Following this, the Combined Authority will then prepare a full LTP for the area.</p> <p><u>Sustrans – Handbook for Cycle-friendly Design (April 2014)</u></p> <p>Sustrans is a UK charity which has provided guidance on optimal and minimum widths for The National Cycling Network, but which can also be applied to local and regional cycling, and shared use, infrastructure.</p>
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5.3 Status of proposed submission – Cambridge Local Plan

Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the National Planning Policy Framework (NPPF). However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 (LP2014) can be taken into account, especially those policies where there are no or limited objections. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

5.4 For the application considered in this report, the equivalent emerging policies have also been considered. There are three additional policies which are of relevance, that have also been considered, as set out below:

- Policy 5: Strategic transport infrastructure;
- Policy 35: Protection of human health from noise and vibration; and
- Policy 80: Supporting sustainable access to development.

6.0 CONSULTATIONS

Cambridge City Council Arboricultural Officer

6.1 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response.

6.2 *Comments on application as revised*

No objections to the proposal subject to replacement tree planting where agreed as part of hard and soft landscape conditions and protection of trees shown to be retained.

Cambridge City Council Biodiversity Officer

6.3 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response.

6.4 *Comments on application as revised*

Notes that the applicant has not approached the City Council, nor Cambridge Past Present and Future regarding their offers of additional ecological enhancements, but notes this is probably owing to these areas being outside the red line area. This has been seen as disappointing as the net gain claimed is fully dependent upon a resulting smaller area of newly created habitats along the route and the proposed mitigation area (triangle by the railway, Section 5) being of higher quality than existing habitats once established. The detail of this habitat creation and ongoing management (25 years) is proposed to be covered by a detailed Ecology Design Strategy (EDS) secured by condition. Thus the outcomes of the scheme on ecology will be highly dependent upon the EDS, so proposed wording for the planning condition was provided. Notes that the proposed route passes through five City Wildlife Sites, and the proposal will have an impact on areas of high biodiversity value and ecological importance. Regard needs to be had for the habitat compensation/replacement and the ecological enhancement to be provided. The net gain in habitat is dependent on the newly created habitats within the red line being higher quality than the existing habitats, once established. Recommends conditions for an Ecological Design Strategy to include the ongoing management over 25 years. As a result of discussions, and the sharing of draft planning conditions, it was confirmed that this ongoing management could be secured

through the Landscape Ecological Management Plan (LEMP) rather than the EDS.

Following concerns highlighted by the Wildlife Trust, and the County Council's ecology officer surrounding the net loss of biodiversity as a result of the Trail Phase 1 proposals, the officer confirmed that he agreed with the calculations using the Biodiversity Offsetting matrix and therefore concurred that there remains a net loss within the proposed scheme, as determined by the red line.

Cambridge City Council Conservation

6.5 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response.

6.6 *Comments on application as revised*

Note that the site is within the Central Conservation Area, Cambridge Green Belt and located close to a number of listed buildings. Consider the proposal acceptable in terms of the impact on the conservation area and green belt setting. Also, do not consider that there would be a significant adverse impact on the setting of the Leper Chapel or The Round House, subject to appropriate replanting; and that there would not be any adverse impact on the setting of any other surrounding listed buildings arising from the proposals.

Cambridge City Council Environmental Health Officer (including land contamination)

6.7 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response.

6.8 *Comments on application as revised*

Considers the proposals acceptable, subject to conditions to control construction/demolition/delivery noise/hours, dust, noise/vibration from construction. Also commented on lighting, and considers the proposed stud lighting to be acceptable. If additional lighting is required (including temporary lighting associated with the construction) then a full lighting impact assessment will be required, and recommends a condition to that effect. Notes that there is potential for contaminated land to be found at the site,

owing to the previous land use and recommends the securing of a condition to address unexpected contamination if found, alongside a Materials Management Plan.

Cambridge City Council Landscape Architect

6.9 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response, although recommendations in relation to visualisations required, especially around the Leper Chapel, to help inform the Landscape and Visual Impact Assessment (LVIA) were discussed with planning officers.

6.10 *Comments on application as revised*

Welcomed the revisions undertaken and the submitted updated information and the increased recognition of the visual receptors around the Leper Chapel. However, does not support the proposed inclusion of a fence along the east of the route as a vertical feature would have a visual impact on the meadows. Understands the need for a robust fence along an active railway, but not a fence in the open area of flood meadow where the existing paths are not fenced. Its inclusion would have an adverse impact on the landscape character and on visual amenity of the area. Photomontage (Viewpoint 2) from Newmarket Road provides a more realistic view of the route, but remains unconvinced if it is wholly representative of what will be seen on day one of the route opening. Acknowledges understanding that a weldmesh security fence proposal in the Design and Access Statement (DAS) is no longer part of the applicant's design and not part of the view, so the DAS has not been updated and much of the information is inconsistent. However, has set out nine points where objections or changes are raised, with suggested planning conditions provided.

Cambridge City Council Sustainable Drainage

6.11 *Comments on application as submitted*

No formal comments received as City Council officers were waiting for the revised submissions to help inform their response.

6.12 *Comments on application as revised*

Satisfied with the proposals from a flood perspective subject to the imposition of a planning condition for a surface water drainage scheme which includes the management and maintenance details.

Cambridgeshire County Council (CCC) Ecology

6.13 *Comments on application as submitted*

Initially objected to the application on the basis that insufficient information had been provided to determine the level of impact on biodiversity, that the ecological assessment was not complete and up to date, and that some of the mitigation had been proposed outside of the red line boundary, and proposed inappropriate planting as part of the mitigation. The officer conducted a site visit to identify the discrepancies in the submission and the further work required. As more information was provided, continued to object to the application as the proposal had not demonstrated that the development would result in a net biodiversity gain, or no net loss in biodiversity, and continued to express concern with the accuracy of the Ecological Assessment, and clarity of the habitat calculations showing which areas of each habitat would be retained, permanently lost, temporarily lost & reinstated, and/or newly created.

6.14 *Comments on application as revised*

Following the provision of additional information, the officer removed her objection, and considers that, subject to appropriate planning conditions, the scheme will protect the ecological interest of the application site.

In particular, notes the enhancement of the railway corridor and long-term (25 year) management scheme as of particular benefit. Recommends conditions for the Ecological Design Strategy, Grassland Translocation methodology for the railway corridor, Landscape Ecological Management Plan, Construction Environmental Management Plan, Detailed Landscaping Scheme, and securing the haul roads to be reinstated to grassland.

Following the receipt of further Ecological Technical Notes and updates to the Environmental Masterplans, considers that further issues have been raised. Concern that the habitat calculations remain unclear, confirmation that the protected species survey work and mitigation strategy are deliverable, and that it has not been shown that there will be no overall net loss in biodiversity value at the site. Furthermore, following the formal submission of the bat survey work by the applicant, confirmed content with the findings and that this can be controlled through the Ecology Design Strategy.

Following concerns highlighted by the Wildlife Trust, the officer noted that it was unfortunate that the latest Ecological Technical Note submitted by the applicant didn't set out the habitat data in accordance with the Defra Biodiversity Offsetting metric, as recommended by herself and the Wildlife Trust during an earlier meeting. Confirmed that both she and the Wildlife Trust (separately) extrapolated the information contained within the Ecological Technical Note as best as possible, and concurs with the Wildlife Trust that overall the proposals will result in a net loss of biodiversity value.

Taking account of the above the officer considers that the revised landscape scheme and commitment to a 25 year management plan has maximised the scheme's ecological potential within the red-line boundary, providing that a high quality detailed landscape scheme & landscape and ecological management plan is secured by planning condition (if permission is granted). The applicant's commitment to a 25 year management scheme is commendable and will certainly help to enhance the railway corridor habitats, including habitats for which it is designated as a County Wildlife Site, and 'The Triangle' habitats which would otherwise continue to deteriorate owing to lack of current management and illegal encampment.

Confirms that, disappointingly, under the Defra Offset Matrix calculations (which provide a quantifiable value of biodiversity loss / gain taking into account habitat size and quality, risk of delivering habitat scheme and period of time required for establishment of habitat), the current proposal is insufficient to achieve a net gain in biodiversity value. Using the officer's calculations (assuming that figures & assumptions extrapolated from Ecological Technical Note are correct), the Matrix requires a post-development biodiversity value of x2.55 the pre-development biodiversity offset value to be considered "no net loss", as follows:

Pre-development biodiversity value = 17.12 biodiversity units;
Post-development biodiversity value = 16.85 biodiversity units;
Defra Offset Matrix required biodiversity off-sets value = 43.66
(therefore, the scheme is short by 26.81).

Taking account of the above confirms that under the Defra Offset Matrix calculations, "no net loss" cannot be attained without additional off-site enhancement, which is beyond the scope of the current application. A potential solution was identified during the

previous meetings with the applicant, Wildlife Trust & City Council by undertaking enhancements throughout the Commons and Leper Chapel land adjacent to the red-line boundary - we understand discussions between the applicant and City Council are already underway but this does not form part of the current proposal.

Cambridgeshire County Council (CCC) Flood & Water (Lead Local Flood Authority (LLFA))

6.15 *Comments on application as submitted*

Initially objected to the planning application on the basis that no surface water drainage details had been provided within the Flood Risk Assessment. Confirmed that works to ordinary watercourses within the proposal will require separate consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Requested details of the drainage and drains, and topographical levels of the Trail.

6.16 *Comments on application as revised*

Removed their objection, following resubmission which F&W considered demonstrates that a surface water drainage proposal could potentially be delivered on site. Requires that conditions for a detailed surface water drainage scheme and the long term maintenance of the scheme be secured by condition.

Cambridgeshire County Council (CCC) Highways Development Management

6.17 *Comments on application as submitted*

Requested a revised plan for the Newmarket Road underpass to improve forward visibility for the potential commuting speeds along this part of the route, realignment of the connections to the underpass for ease of manoeuvrability, including showing a minimum overhead clearance of 2.4 metres. Expected a statement regarding surveillance of the path regarding the lighting and vegetation clearance.

6.18 *Comments on application as revised*

Requested amendments to the drawings including path marking to what has been agreed between the applicant and Safety Auditors. This was addressed in the drawing.

Cambridgeshire County Council (CCC) Transport Assessments

6.19 *Comments on application as submitted*

Issued a holding objection owing to inaccuracies in the Demand Forecasting, requirement for further information and the lack of Transport Assessment in the initial submission. Following revised submissions, retained a holding objection and requested further information regarding accident data and suggested the securing of conditions for a Construction Management Plan and Travel Plan, details of signage, and scheme for monitoring the use of the Trail.

6.20 *Comments on application as revised*

Requested further information regarding accidents with junctions that required further consideration. Once this was provided, CCC Transport Assessments removed their holding objection.

Cambridgeshire County Council (CCC) Historic Environment Team (HET)

6.21 *Comments on application as submitted*

The proposed route passes through an area of high archaeological potential on the eastern side of the historic City of Cambridge. Features of note include the 12th century chapel on Newmarket Road, and significant aspects of the City's industrial heritage. In addition to the potential impacts of the scheme on sub-surface archaeology, there will also be implications for the City's built heritage assets. In addition to the potential impacts, there is also potential for the Trail Phase 1 to promote and enhance and improve access to the City's heritage assets.

6.22 HET do not object to the proposal, but recommend that archaeological works are undertaken where groundworks are required, secured by planning condition.

Historic England

6.23 *Comments on application as submitted*

Broadly support the principle of developing this walking and cycling route as it will enable more people to appreciate the historic environment, in particular the Leper Chapel on Newmarket Road. However, Historic England have questioned the methodology for assessing the impact, and would have preferred that an assessment based on professional judgment rather than a quasi-scientific matrix based methodology was used, and consider that a

professional consideration is missing from the Heritage Impact Assessment. Recommends that the Heritage Impact Assessment is revised in order to fully consider the impact of the proposals.

6.24 Historic England also expressed concern with some of the supporting plans and how the Leper Chapel is shown in order to fully understand the impact of the proposal on the Leper Chapel.

6.25 *Comments on application as revised*

Recommends referring to previous comments. Notes the addition of Viewpoints 2 and 3 provided as part of the Landscape and Visual Impact Assessment and recommends that a similar visual assessment should be carried out on the Leper Chapel.

Cambridge Past, Present and Future (CPPF)

6.26 *Comments on application as submitted*

Support the Trail Phase 1 overall, and supports the principle of the Trail Phase 1 as it relates to the land within their control. Have listed a number of conditions that they would like to see implemented as part of any decision relating to their land, and which they wish to be consulted on. This includes conditions relating to the negotiation of the legal agreement for the lease/sale and maintenance of the land; notification of the timings of the works; requirement for archaeological works; detailed design specifications including planting, materials, railings, fences; gates, removal of steps and reinstatement of the grass embankment and the access ramp north of Newmarket Road; details regarding construction methods; details of the lighting; details of the street furniture; details of the Newmarket Road underpass; details of "interpretation panel"; site drainage; support from statutory consultees; and details of the site surveys (bats, soil etc.) for their land.

6.27 *Comments on application as revised*

A second response from CPPF was received indicating concern that The Wildlife Trust's assessment indicated that additional ecological mitigation would be required in order to comply with national planning policy. Have suggested that further ecological mitigation could take place on CPPF owned land adjacent to the trail.

Environment Agency

6.28 *Comments on application as submitted*

No objection in principle to the proposed development. Recommend consulting the County Flood and Water Team as Lead Local Flood Authority. Recommended the securing of planning conditions for detailed design for floodplain compensation storage, the re-running of a model for the flow of Coldham's Brook, remediation scheme for potential groundwater contamination, and Biodiversity Action Plan for works and management of priority habitats.

6.29 *Comments on application as revised*

No objections in principle provided that the mitigation measures and precautionary methods of working are followed, and securing a long term ecological management plan.

Natural England

6.30 *Comments on application as submitted*

No objection. Provided standing advice regarding priority habitat, protected species, local wildlife sites and local nature reserves followed. Suggests that the proposal may provide opportunities to incorporate features that are beneficial to wildlife, such as bird nest or roosting bat boxes, and features for landscape enhancement.

The Wildlife Trust

6.31 *Comments on application as submitted*

Objected to this application on the basis that insufficient information had been provided to determine whether there will be a net loss or gain in biodiversity. Noted that the protected species survey work was outstanding and the proposed planting inappropriate for the area. Also requested that a clearly laid summary detailing habitat losses and gains be provided.

6.32 *Comments on application as revised*

Considers that the submission shows that there will be a net loss in habitat area, and therefore maintains their objection to the scheme. Considers that a biodiversity gain could be shown as part of this application through enhancement outside the red line area, but that is not currently proposed, therefore the current application should be refused for failing to deliver a net gain in biodiversity in its present form. While the Wildlife Trust welcomes the

commitment by the applicant to manage the habitat creation and enhancement within the red line boundary through a 25 year management plan, that is not overall sufficient to offset the losses in habitat area. The Wildlife Trust has confirmed that they have reached their conclusion that the development represents a net loss in biodiversity by applying the Defra Biodiversity Offsetting metric. In their view this is currently the only accepted biodiversity accounting tool used in England and their statements that the development represents a net loss in biodiversity are therefore based on a factual analysis of the scheme, while the applicants and their consultants' statements to the contrary are based on subjective assessment and opinion.

Cambridgeshire Police Crime Prevention Design Team

6.33 *Comments on application as submitted*

No comments on the application, would like to see the final decision and plans related to the lighting.

6.34 *Comments on application as revised*

No objections to the lighting statement. Happy with the proposed layout of the underpass, as there had been concerns about anti-social behaviour, but is hopeful this can be avoided with sufficient lighting. Nothing further to add.

Network Rail

6.35 *Comments on application as submitted*

"Please see our comments on the original application & also to continue to liaise with our Anglia Asset Protection Team." Reference to the "original application" by Network Rail is to the Bridge planning application, so their comments are set out in paragraph 6.36 below for completeness.

6.36 *Comments on the Bridge (C/5005/16/CC) application*

Confirmed that Network Rail are aware of the proposed works and have no objections provided that the development does not utilise Network Rail's land, other than that agreed with the applicant. Requires that the applicant liaise with Network Rail's Asset Protection Team prior to commencement of any works on site.

National Grid

6.37 *Comments on application as submitted*

Do not object to this proposal in principle. However, “It must be noted that there is an Intermediate pressure gas pipeline located inside the worksite proposal. The proposal will need to cross the pipeline, therefore National Grid will expect full engagement from the contractor carrying out the construction works to ensure that their work method statements & risk assessments (RAMS) are agreed by National Grid prior to works commencing. This is to ensure the safety of the pipeline is not at risk from any construction activities. National Grid request that the point above be made a condition of any planning permission granted.”

6.38 *Comments on application as revised*

No additional comments made on the revised proposal.

Cambridge Ramblers Group

6.39 *Comments on application as submitted*

Favours the application and considers that the route will enhance their walking opportunities. Notes that they have campaigned for a connection between Coldham’s Common and Ditton Meadows for many years.

Cambridgeshire County Council (CCC) Asset Information (Rights of Way)

6.40 *Comments on application as submitted*

No comments were received on the application as submitted.

6.41 *Comments on application as revised*

No comments to make on the proposed amendments, although guidance provided to the applicant by way of an informative, and details of the Public Rights of Way and Common Land explained to officers to assist with the assessment of this aspect of the proposed development.

British Horse Society

6.42 *Comments on application as submitted*

Comments that the British Horse Society (BHS) will seek to ensure that equestrians have the same opportunity for safe off road access as pedestrians and cyclists, where there is no valid reason

to exclude equestrian access from a proposed path. The BHS has requested that the applicant contact them to explore the potential for inclusion of equestrian access.

6.43 *Comments on application as revised*

States that the applicant has agreed that the proposed path will be examined to establish opportunities where equestrian access can be included. Considers that this consultation should have been carried out from the outset and therefore objects to the application as this has not been carried out.

CTC Cambridge (part of Cycling UK)

6.44 *Comments on application as submitted*

Supports the planning application as a much needed cycling and walking route between Cambridge North and the existing railway station that will become a popular and well-used route. Considers the route to be a good choice, being direct, continuous and largely traffic free. Welcomes the route avoiding difficult road crossings, and the Newmarket Road underpass providing disabled access to the Leper Chapel.

6.45 Considers the 3.5 metre width to be relatively narrow, given the shared use and high level of use expected, but that it represents a good compromise between the public good of the trail and the environmental impacts to Ditton Meadows and Coldham's Common. Considers that the benefits for leisure use have been undervalued, where work/commuting trips have been more considered. Commented regarding the technical layout of the existing Cambridge-Newmarket railway underpass, and considers the routes could be modified to be widened and create a straighter approach. Also encourages the applicant to consider further improvements to connected routes on Newmarket Road in the future.

Cambridge Cycling Campaign

6.46 *Comments on application as submitted*

Strongly supports the Phase 1 Chisholm Trail application. Considers that the route should enable many drivers to leave their car at home and make Cambridge a more pleasant place for all. States that half of Cambridge residents cycle at least once a month, so there will be a huge number of people who could benefit from the trail, which exceeds the number who oppose the trail and

whose concerns have been considered. Considers that the route will provide better access to Ditton Meadows, the Leper Chapel, Coldham's Common and Cambridge and Cambridge North railway stations. Considers that we must do all we can to encourage active travel to tackle the increasing problems of congestion, poor air quality and health issues due to inactivity, and that few transport projects in the City Deal pipeline will have as much impact on these issues as the Chisholm Trail.

Fen Ditton Parish Council

6.47 *Comments on application as submitted*

Objects to the proposed siting of the route on Ditton Meadows owing to its conservation area and City Wildlife Site/Protected Open Space status and as part of the green River Cam corridor. Considers the tranquillity and views across the meadow to and from Fen Ditton to be of high importance to the community. Recognises that the route close to the railway line is less intrusive than the alternative of crossing the open area, although considers that any path will reduce the rural aspect of the Meadow and will reduce the quality of the view across the Meadow.

6.48 States that consideration should be given to other routes to the west of the railway line (Stourbridge Common) closer to the Green Dragon Bridge, as there is a greater need for a north-south route to the west of the railway, and that this should be considered carefully due to the amount of public funds being used. Suggest that the benefit to Fen Ditton residents is likely to be small, with incremental time saving gains only for those cycling to the Science Park, Regional College or Cambridge North railway station. Believes that the proposal will increase parking problems within Fen Ditton, as users will park in the village and then use the Chisholm Trail to access Cambridge North railway station or Cambridge city.

6.49 Welcomes the connection from the new Cycle Bridge to the south/south-east (Ditton Walk, along Barnwell Junction Disused Railway), as considers that this is the main desire line for cyclists along this route, while for pedestrians it is along the existing south bank towpath. Requests clarification as to whether the widening and improvement to the wooden walkway under the railway bridge forms part of this proposal, and welcomes the principle of widening the walkway. Supports the use of low level lighting and would like to see this enforced through planning conditions.

- 6.50 Suggest alternatives to the alignment of the Bridge and brook to the east of the railway line and the connections to existing paths on Ditton Meadows, to reduce the need for a fence and gates/cattle grids in this location, and realignment of the watercourse to the east to create a screen for the trail and reduce the need for a fence. The realignment of the ditch is also suggested as an alternative drainage strategy. Suggests a width of 2 or 2.5 metres on the route to deter the use of the route by motor cycles, quad bikes and other vehicles as enforcement is ineffective.
- 6.51 Expresses concern with the conclusions of the Ecological Impact Assessment, and the potential presence of otters in the wider area and invasive species in the vegetation. Does not consider that the Ecology Impact Assessment has given sufficient weight to the ecology of the River Cam corridor.
- 6.52 Expresses concern that the Fen Ditton conservation area and the listed buildings within the village have not been considered to the same extent as the Chesterton conservation area, despite Fen Ditton being closer and with more direct sight lines to the Trail Phase 1 and Bridge.
- 6.53 Considers that the transport modelling is flawed and that path widths and costs based on this modelling are therefore unjustified. Considers that the potential for a future railway station at Addenbrookes, and potential for future paths west of the railway and north of the existing station are included in the modelling/assessment. Expressed concern with the inconsistency between the modelling for the Bridge and the Trail Phase 1, and with general inaccuracies in the transport modelling.
- 6.54 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

7.0 REPRESENTATIONS

- 7.1 Comments on this application were received from approximately 400 individuals and local businesses. A full anonymised list of comments is available on the application page on the County Council's website [here](#), alongside the relevant [attachments](#), and

has been made available to committee members prior to the Planning Committee meeting.

7.2 Comments in support of the application are summarised as follows:

- Welcomed underpass moving to the east to limit the impact on Leper Chapel;
- Fully support the scheme as it will provide a pleasant off-road route;
- Will help to encourage sustainable modes of transport and reduce pollution and congestion (carbon emissions);
- Should be supported for the health benefits it will provide;
- The Chisholm Trail will provide access to wildlife and green open spaces;
- Will provide safe access for the younger generation;
- Will improve the north / south routes to link key employment and development in the area;
- Ecology can be mitigated and benefits outweigh these concerns;
- Businesses will have the opportunity to use the new routes e.g. delivery companies using cycles to compete with motor vehicles and reduce the use of vans etc. on the local roads, thus cutting congestion;
- Off-road route will have positive impact on health and well being, particularly for those that suffer from anxiety; and
- Route could enhance cycling commutes and encourage residents to leave their cars at home.

7.3 Comments in objection to the application are summarised as follows:

- Information riddled with errors and inconsistencies;
- Consider the Trail and Bridge not independent and simply elements of a single project, so it is wrong for them to be considered separately;
- Amended information still doesn't address points and concerns raised;
- Basic information not shown correctly so no confidence in the conclusions drawn;
- Sufficient information not submitted to enable an informed response;

- Inconsistencies with information supplied for the Bridge application;
- Loss of woodland and urbanisation proposed in one of the most sensitive areas of Cambridge;
- Proposals likely to facilitate secondary development and need to consider the cumulative and in-combination impacts with the Bridge application;
- Should be Environmental Impact Assessment (EIA) development or as a minimum applicant should voluntarily submit an Environmental Statement;
- Based on the lack of information provided the application should be withdrawn;
- Unclear how route has demonstrated overwhelming public need, the 'cheap as chips' option not considered;
- Arboricultural report appears to not show the southern end of the scheme south of Newmarket Road i.e. the entire area of Coldham's Common;
- Culvert replacement proposes quite extensive scrub / tree felling to the west of the alignment;
- Concern over protecting existing trees to remain;
- No map of trees supplied for the railway triangle wood;
- Ecology mapping and data insufficient with conclusion on effects underestimated or unsupported and does not comply with CIEEM or BS402020 good practice, nor is it compliant with BCT (2015) guidance;
- Application requires significant additional summer ecology surveys for botany, reptiles, birds, bats and otters;
- Landscape and Visual Impact Assessment (LVIA) concerns with rationale of many assessments unclear and awaiting suitable and accurate montages to be able to comment further;
- Concern over significant transport of contaminated materials from the railway line and the depot and possible storage or disposal on or nearby the site;
- Heritage assessment of Leper Chapel required;
- High level of errors exist in the inspection of European Protected Species (bats and water voles) in the June and November ecological documents for the Bridge application and the July 2016 and December 2016 Ecological Reports for the Trail Phase 1. Precise details on errors documented and concern therefore raised about the assertions made;
- Conservation Area not the right place for a cycle superhighway;

- Impact on wildlife and felling of healthy trees;
- Transport modelling flawed;
- Oppose any artificial lighting on the Meadows;
- 90% of the Chisholm Trail route already there so not needed;
- Meadows regularly water logged with dangers in winter and bad weather;
- Impacts on Chesterton High Street and Fen Ditton from parking;
- Contrary to the NPPF and local plan policies in relation to the Green Belt, landscape, heritage and biodiversity;
- Lack of open and transparent consultation;
- Impact from powerful cycle lights;
- Inconsistencies in documents submitted, so objecting until further detail known; and
- Impact on Barnwell Junction residents if design not right.

7.4 Further comments received as suggestions, rather than support or objections are summarised as follows:

- Opportunity to commission an artist to tile the underpass by the Leper Chapel e.g. with a scene of the Leper Chapel and Stourbridge Fair should not be missed, especially as the materials will be important to try and deter graffiti and damage;
- Underpass at Newmarket Road should be segregated for pedestrians and cyclists for safety reasons;
- Underpass should have CCTV cameras fitted;
- Maintenance of landscaping needs to be considered;
- Consideration of impact on underpass construction needs to be well planned;
- Paths should be wide enough for two-way dual use movements. Need to consider likely demand of movements especially to the Science Park etc.;
- Would have been used more if access made to Fen Road to the east of the railway line;
- Prefer to see the rather tight chicane adjacent to the Leper Chapel eased to allow a more direct alignment;
- Need to consider bins on the Meadows to try and discourage rubbish being left;
- Need for access to disabled users to be given serious consideration – gates and cattle grids not considered to be inclusive; and

- Anecdotal evidence provided to say that otters are known in the area.

7.5 Further comments have been made on the application that are not considered to be material planning considerations, but are included here for completeness:

- Cost disproportionate to benefits. Money should be spent on other services etc.;
- Alternative routes not considered; and
- No cost benefit analysis provided.

8.0 ASSESSMENT

8.1 From the consultation responses and representations received and from the case officer's inspection of the site and the surroundings, it is considered that the main issues are:

1. Principle of Development and Justification
2. Permitted Development Rights
3. Design and Visual Impact
4. Design and Practical Use
5. Public Right of Way, Permissive Paths and Commons
6. Green Belt
7. Conservation Areas
8. Heritage and Archaeology
9. Impact on Habitats and Wildlife Site Designations
10. Impact on Wildlife and Protected Species
11. Trees and Landscape Scheme
12. Transport Assessment and Highway Safety
13. Residential Amenity
14. Flood Risk and Drainage
15. Contamination
16. Construction
17. Cumulative Impact with the Bridge

Principle of Development and Justification

8.2 The Trail Phase 1 is a Greater Cambridge Partnership City Deal Phase 1 project. The applicant's aims for this proposal are to increase sustainable travel choices across Cambridge and encourage modal shift, by providing a safer, more accessible route from Ditton Meadows and the River Cam in the Abbey ward, to Coldham's Lane via a more direct north-south route though Barnwell Junction, underneath Newmarket Road, and through

Coldham's Common. As explained above in section 1.0 of this report, the Trail Phase 1 application has come forward as a separate and separately funded proposal from the Bridge proposal (permission reference; C/5005/16/CC), and is a standalone application for the purposes of this planning consideration. It is acknowledged that there are intrinsic links between the Bridge and the Trail Phase 1 applications, which has led to references to this application within the conditions of the Bridge permission (reference: C/5005/16/CC, granted: 17/02/2017). Similarly this has led to reference to the Bridge application in some of the recommended conditions for this application, with relevant triggers established for both scenarios, if the Bridge is or is not constructed.

- 8.3 The Trail Phase 1 is supported in principle at both a national and local level. Paragraph 17 of the National Planning Policy Framework (NPPF), states that the planning system should actively manage growth to make the fullest possible use of walking and cycling routes. Provision of this more direct, off-road route will support growth, such as Cambridge Northern Fringe developments and the existing Cambridge Science Park, as well as Cambridge North Railway Station. Its location has therefore been designed to allow residents and commuters to take full advantage of the pedestrian and highway network across Cambridge.
- 8.4 At a local level a cycle/pedestrian path adjacent or parallel to the railway line has been suggested since at least the Cambridge Local Plan 2006 (LP), where a link between Cowley Road and Ditton Fields/Newmarket Road, known as "camToo" was mentioned as part of Policy 8/8 Land for Public Infrastructure (LP). This policy refers to the link facilitating access to the proposed Cambridge North Railway Station and developments in East Cambridge and the Northern Fringe. However, it should be noted that the Trail Phase 1 was not included as a formal proposal in the development plan at that time.
- 8.5 In addition, Policy 80: Supporting sustainable access to development, of the emerging Cambridge Local Plan 2014 (LP2014) refers specifically to the indicative alignment for an early version of the Chisholm Trail proposal, which includes the Bridge crossing over the River Cam in the permitted location and the safeguarding of land for proposed walking and cycling routes, including the Chisholm Trail. It is therefore also supported by emerging plan policy.

- 8.6 The Local Transport Plan (LTP) and the Transport Strategy for Cambridge and South Cambridgeshire (TSCSC) both contain proposals for a north-south cycle and pedestrian route within the city. The schemes propose a route between the new/proposed Cambridge North railway station and the existing railway station/Addenbrookes Hospital, in order to facilitate economic and housing growth, and sustainable transport within Cambridge. Policy 5: Strategic transport infrastructure of the emerging local plan (LP2014) supports development proposals which are consistent with the LTP and TSCSC, with particular emphasis on those proposals which secure modal shift. As noted in the policy section of this report, these local transport plan policies are the relevant considerations for this planning application, although it has been noted that at the Combined Authority meeting on 28 June 2017 the Cambridgeshire and Peterborough Combined Authority was asked to adopt the existing policy frameworks contained in the Cambridgeshire and Peterborough Local Transport Plans. Following this, the Combined Authority will then prepare a full LTP for the area.
- 8.7 The NPPF contains a presumption in favour of sustainable development running throughout the document and this is reflected by local plan Policy 3/1 Sustainable Development (LP) and replicated in the emerging local plan as Policy 1: The presumption in favour of sustainable development (LP2014), which state that development will be permitted which meets the principles of sustainability. It is considered that the proposal achieves these aims in principle, crucially meeting the present need for transport infrastructure to alleviate pressures on the highway network and encourage sustainable travel choices, while minimising and mitigating the effect that the proposal will have on the environment. The application can therefore be supported in principle by these policies.
- 8.8 The applicant has a responsibility to consider alternatives to the proposal at the pre-application stage, as has been highlighted by comments received by individuals. However, the JDCC and officers must consider the application as proposed, and assess the proposal as put forward by the applicants on its own merits. Therefore, a detailed assessment of the proposal, as submitted by the applicant, follows in the subsequent paragraphs, considering the different aspects and impacts that the Trail Phase 1 proposal may have on the locality and wider city.

Permitted Development Rights

- 8.9 There are certain permitted development rights associated with some of the features of this development, afforded to the applicant as there would be any others, and also as Highway and Local Authority, where development can take place without the need for planning permission. However, a number of these permitted development rights have caveats which restrict development in certain circumstances. For example, Schedule 2, Part 2, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 provides the right to erect gates, fences and walls as means of enclosure. However, this is restricted to a height of 2 metres, and development is not permitted if *“it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.”* For the Trail Phase 1 this would be a relevant consideration to the development around the Leper Chapel on Barnwell Pastures, and any proposed fencing, gates or other means of enclosure within the curtilage of the Leper Chapel will require planning permission.
- 8.10 The applicant has submitted information in relation to the proposed fencing and reasons for its requirement e.g. for grazing purposes and safety from an active railway line etc. to try, as far as possible, to demonstrate the impact of the whole scheme following discussions with the landowners. However, despite several attempts by County Council officers to gain clarity on all these types of features, it is still acknowledged that inconsistencies between the submitted documents exist. For that reason, to ensure consistency across the development, and to ensure all the features of the proposal have been considered for their visual impact and impact on the surrounding area, it is considered appropriate that detailed designs of all such features will be secured by planning condition for this proposal (see Section 11 condition 5). These features will be discussed further in later paragraphs, but primarily consist of fences and gates within Barnwell Junction Pastures and in the Ditton Meadows area, which the applicant has stated have been requested by the landowners.
- 8.11 In addition to the above, it should be noted that the applicant has additional permitted development rights as the Highways Authority and Local Authority, and in the case of Ditton Meadows the landowner will have their own permitted development rights, as whilst these are removed for listed buildings, the same is not the

case for either the Green Belt or Conservation Areas. In the case of permitted development rights for local authorities they can, for example, have permitted development to install public refuse bins and other similar structures provided that they do not exceed 4 metres in height (Schedule 2, Part 12, Class A). While it is not considered necessary to secure the details of street furniture such as these, all other design details of the proposal will either be agreed as part of the submitted documents, or secured by planning condition (see Section 11 condition 5), should permission be granted. Furthermore, it is acknowledged that whilst officers have assessed the introduction of fences in line with those submitted as part of this planning application, the detail for which can be secured through a planning condition, as noted above, it cannot be ruled out that other structures or means of enclosure can be put up by the landowner on Ditton Meadows without the need for planning permission.

- 8.12 Finally, when assessing what can and can't be done as part of this planning application it should be clarified that references made to the removal of the Leper Chapel steps in the applicant's submission, and in the response received from Cambridge Past Present and Future, sit outside the red line application boundary area and therefore would need to be subject to a separate planning application / consideration.

Design and Visual Impact

- 8.13 Policy 3/4 Responding to Context (LP) and emerging Policy 55: Responding to context (LP2014) requires that development draws inspiration from the key characteristics of the surroundings, responding positively to the existing features of natural, historic or local character, and use these characteristics to inform the siting, massing, design and materials of the proposed development. Verified views have been submitted by the applicant to assist with this assessment and these will be discussed in the appropriate paragraphs below.
- 8.14 In addition Policy 3/7 Creating Successful Places (LP) permits development which "demonstrates that it is designed to provide attractive, high quality, accessible, stimulating, socially inclusive and safe living and working environments." This includes through the use of high quality materials and street furniture which are suitable to their location, and with a focus on the provision of high quality public spaces. Emerging Policy 56: Creating successful places (LP2014) has similar criteria for high quality, inclusive and a

comprehensive design approach. Policy 3/11 The Design of External Spaces (LP) and emerging Policy 59: Designing landscape and the public realm (LP2014) also place an emphasis on materials and street furniture used in external spaces, and that development should demonstrate that existing features which positively contribute to the landscape should be retained.

- 8.15 Given the nature of the Trail Phase 1 as a ground level path, the design of the Trail itself is highly unlikely to have a significant visual impact. A number of structures are proposed as part of the Trail Phase 1 scheme, including the Newmarket Road underpass and low level bridge over Coldham's Brook, which can be considered here for their visual impact, as well as the works to facilitate the path, such as the removal of vegetation. The use of the route by pedestrians and cyclists will also be considered. This section will consider the design and impact in relation to aesthetics and visual impact, separated by area as headed in the site description (section 1.0) for ease of reference. However, for consideration of the design in the context of the use of the Trail Phase 1, see paragraphs 8.39 – 8.47.

North of the River

- 8.16 The linking path on the north side of the river between Moss Bank and the new Cambridge North Railway Station (planning permission ref: S/1236/15/FL and 15/0994/FUL) only requires the installation of a small area of path off the turning/parking area at the end of Moss Bank. The applicant has been made aware that this element of the scheme has already been constructed by Network Rail in advance of the Cambridge North Railway Station opening on 21 May 2017, to ensure that access was facilitated as part of their planning permission. It is not considered that this has any significant visual impact in this location.

Ditton Meadows and Barnwell Junction Disused Railway

- 8.17 The proposal in this location will involve installation of the Trail Phase 1 along the western and southern boundaries of Ditton Meadows and along and over Barnwell Junction Disused Railway. These are ground level paths which are only proposed to contain wayfinding solar studs imbedded into the path. In addition, the applicant has stated that the landowner has requested that an agricultural stock-proof fence be installed between the path and Ditton Meadows in order to clarify for users that the Meadow is not common land and should not be walked over, aside from the existing Public Right of Way (RoW) which traverses the Meadow

from the south-west to north-east corner. A gate is proposed to be installed in this location where the Trail Phase 1 would intersect with the RoW (see further details in the Public Right of Way, Permissive Paths and Commons section of this report in paragraphs 8.48 – 8.54). In addition to the potential addition of a fence, use of the Trail Phase 1 by pedestrians and cyclists would introduce an increased visual element across Ditton Meadows, in addition to the existing users of the existing paths across Ditton Meadows, but these are not considered to be permanent features or an unsightly impact on the open view in this area, in the same way the potential for fencing could be.

8.18 While the Trail Phase 1 itself is highly unlikely to have a visual impact, an increased visual impact on the Meadow is likely to come from the fence that has been proposed. This has been raised as a concern by the City Landscape Architect who considers a fence between the path and the Meadow to be unnecessary, given the paths that are already in place without fences. Full details of the fence have not yet been provided as part of the application, and it is considered that these should be secured by planning condition (see Section 11 condition 5) to ensure that the fence has as minimal visual impact as possible, while being appropriate for its function as potentially required by the landowner. For the purposes of this report, the assessment has been made on the implementation of a stock proof type fence in this area as a worst case scenario, whilst also noting the potential of the landowner to use permitted development rights as discussed in paragraphs 8.9 – 8.12 above.

8.19 The applicant has stated that some tree and vegetation removal will be required in order to install the path, particularly along the southern boundary of the Ditton Meadows. A Verified View (Viewpoint 1) has been provided by the applicant to show the existing viewpoint, as well as the situation after 1 Year and 15 Years of plant growth, which will be secured in mitigation for the loss of vegetation and biodiversity. This shows the loss of some trees between Ditton Meadows and the industrial units off Ditton Walk, as well as the growth of new planting to compensate for this loss. This demonstrates that more of the industrial buildings off Ditton Walk will be seen from Ditton Meadows, which has been considered when assessing the impact on the Green Belt, Conservation Area and also wildlife designations.

8.20 Noting that a worst case scenario has been considered above, with full design details of the Trail Phase 1, and any and all boundary treatments secured as part of any condition of permission (see Section 11 conditions 4, 5, 7, 12, 29 and 30), it is considered that the visual impact on Ditton Meadows and Barnwell Junction Disused Railway will not be significant, and any harm to the Meadow would be outweighed by the positive benefits of improving cycling and pedestrian infrastructure in this location.

Barnwell Junction Pastures

8.21 There is currently no public access directly to Barnwell Junction Pastures, and therefore the main comparable visual impact would be from the south end of the area, from the north side of Newmarket Road adjacent to the Leper Chapel. The Trail Phase 1 in this location is proposed to descend from the disused railway and associated vegetation to the north of the pastures, along the eastern boundary of the pastures and along the western bank of Coldham's Brook. It is then proposed to head westwards and travel underneath Newmarket Road via a proposed underpass close to the Leper Chapel on the west of this area. In this location, the applicant has acknowledged that a more significant amount of vegetation will require removal in order to locate the Trail Phase 1 close to the Coldham's Brook and eastern boundary of Barnwell Junction Pastures, thus seeking to minimise the impact on the setting of the Leper Chapel as a Grade I listed building. The loss of vegetation and mature trees along the eastern boundary are proposed to be compensated by new hedgerow and vegetation planting along the southern and eastern boundaries, and in the setting of the Chapel.

8.22 The Trail Phase 1 is also proposed to include the installation of a fence along the eastern boundary of the grazed pasture land and, in order to define the Chapel Grounds, allowing an extension to the lawns of the Leper Chapel. As above, full design details for this fence have not been provided and it is considered necessary to secure the precise design details of the fence by planning condition (see Section 11 condition 5) to ensure that they are appropriate, and do not have a detrimental impact on the setting of the Chapel, noting there are no permitted development rights for fencing either within the curtilage of a listed building or as a means of enclosure surrounding it. As noted above, the Trail Phase 1 itself will be limited to the ground-level hard surfacing, with solar way-finding studs.

- 8.23 The Verified View (Viewpoint 2) provided in this location shows inconsistency with the fencing proposed as part of the Design and Access Statement and the Environmental Masterplan and that which the applicant has said will be installed by request of the landowner. This inconsistency is disappointing and the City Landscape Architect has clarified that she does not believe the Verified View to be an entirely accurate representation of what the plans show to be the proposed fencing, vegetation and new planting. However, the applicant has stated that the change in landowner requirements mean that this View is now accurate in their opinion, whilst acknowledging that there are inaccuracies in the fencing in other documents submitted as part of this application.
- 8.24 In order to reconcile these inconsistencies, it is proposed to secure a number of planning conditions, should permission be granted, in order to confirm and clarify the exact design detail of the path and associated fences in this area (see Section 11 conditions 4, 5, 6, 7, 12, 29 and 30). The final design will be secured for the lifetime of the development, unless new planning applications are sought to amend them, and the specification, material and colour will therefore be important. The precise details can be secured by planning condition, as noted above, in consultation with the Landscape Architect and Conservation Officer at the City Council, as well as the applicant ensuring that the details are suitable for the landowner's needs.
- 8.25 In addition, the underpass under Newmarket Road is also proposed to be in this location, and is likely to have a visual impact in its own right given the alterations to the bank and change in access near the Leper Chapel. While the development will certainly represent a change, it is considered that the effect on the setting of the Leper Chapel can be mitigated with the adjacent planting which has been proposed to obscure the majority of the structure of the underpass. It is considered that the harm to the setting will be limited and no more than the existing transport infrastructure in the area, provided that the final design details are secured by planning condition (see Section 11 conditions 4, 5, 6, 7, 29 and 30).
- 8.26 The response from Historic England and Cambridge Past, Present and Future (CPPF) indicate while the Trail Phase 1 is supported in principle, the impact on the setting of the Leper Chapel has not been fully considered by the applicant, and that the details of the

final design specifications should be secured by condition and approved in consultation with CPPF. For a consideration on the impact to heritage assets, Listed Buildings and the Conservation Area specifically, please see paragraphs 8.62 – 8.81.

Barnwell Pit

8.27 The aspects of the proposal located within Barnwell Pit will be the Newmarket Road underpass when viewed from the south and the Trail Phase 1 which is proposed to join up with the existing path on Coldham's Common, and the associated crossing of Coldham's Brook.

8.28 As above, the underpass is not considered to have a significant visual impact, and will have less impact on the south side of Newmarket Road given there are no heritage assets in this area.

8.29 Some vegetation will require removal to facilitate the path and crossing of Coldham's Brook, meaning that there will be a "gap" in the existing vegetation for the path. The applicant has provided a visualisation (Viewpoint 3) to show this against the existing landscape and years 1 and 15 following development. It is not considered that this gap will have a significant adverse visual impact on the area, and the loss of this vegetation as a visual barrier would be outweighed by the need for the path to cross Coldham's Brook and join up with the existing paths on Coldham's Common. The full design details of the bridge crossing to Coldham's Brook have not yet been provided and can be secured by planning condition (see Section 11 condition 6). However, for the purposes of this report the visual impact has been assessed on a ground level crossing, noting that no significant structures are proposed.

Coldham's Common

8.30 The development on Coldham's Common is proposed to involve the widening of existing paths; improvement to the existing underpass under the Cambridge-Newmarket railway line by lowering the ground height of the path to increase the headroom and improve the sight lines by aligning the Trail Phase 1 to be able to see through the other side with the gate and cattle grid relocated accordingly; and replacement of the existing culvert over Coldham's Brook on Coldham's Common with a bridge. Widening of the existing paths themselves is not considered to represent a significant visual impact, and has been considered as part of a Verified View (Viewpoint 4) to show the widening of the path

looking north from the Cambridge-Newmarket railway line underpass towards Abbey Stadium.

- 8.31 Street lights already exist along the path through Coldham's Common, and as with the remainder of the Trail Phase 1, it is only proposed to install additional lighting in the form of wayfinding studs embedded into the path.
- 8.32 The existing culvert of Coldham's Brook in this location will be replaced, but this is unlikely to have any increased visual impact than the present situation. There will be the need for some vegetation clearance to allow construction of the bridge, but proposals for reinstatement of vegetation can be secured through a planning condition (see Section 11 conditions 29 and 30). Equally, the improvements to the underpass are also not likely to have an adverse impact, and have been designed to improve the visibility and physical accessibility of the underpass.

Landscape and Visual Impact Assessment (LVIA)

- 8.33 Initial assessment, by City Council officers, of the LVIA provided by the applicant in support of this application, found discrepancies between the proposed plans for the landscape scheme and the verified views provided to show how the development will look one year, and fifteen years after completion. Aside from Verified Viewpoint 2 (discussed above in the context of the Leper Chapel, paragraph 8.23) the amended versions were submitted to the satisfaction of the City Council officers, which they consider to be an otherwise accurate reflection of the development at the one and fifteen year intervals.
- 8.34 The verified views provided by the applicant show the development from four viewpoints along the route, at intervals of one and fifteen years post-development, as discussed in paragraphs 8.19, 8.23, 8.29 and 8.30 above. While it is clear that the loss of vegetation as a result of the installation of the path will have some visual impact on the landscape, including exposing some existing structures in more detail than currently seen, the verified views show this has been mitigated by the applicant as far as possible through the establishment of the proposed planting scheme.

Lighting

- 8.35 The proposed lighting scheme for the path includes safety and wayfinding solar studs, with more significant lighting proposed to

the new underpass, rather than an attempt to light the entire paths which could have detrimental visual impact, and an impact on ecology and residential amenity. The addition of lighting to the Wildlife Sites has been raised as a concern in responses from individuals, and comments have been submitted by officers requesting details of the exact nature of the lights, as the precise detail of the lighting scheme has not yet been submitted. It will be necessary to ensure that the lighting scheme is approved prior to its use, as lighting could have a visual impact, as well as impact on residential amenity and the wildlife in the area.

- 8.36 Policy 4/15 Lighting (LP) and emerging Policy 34: Light pollution control (LP2014) require that a minimum amount of lighting is installed as part of a development, taking into account public safety, in order to minimise visual impact and light spillage. For compliance with these policies, the lighting scheme will be secured by planning condition (see Section 11 condition 7).
- 8.37 Discussion of the Visual Impact as it relates directly to the Green Belt and Conservation area designations is covered in paragraphs 8.55 – 8.72.
- 8.38 On balance, it is considered that the proposal, with the details of planting, lighting and detailed specification of the paths, underpasses, brook crossings, gates and fences secured by planning conditions (see Section 11 conditions 4, 5, 6, 7, 29 and 30), complies with the development plan in terms of the visual impact that the Trail Phase 1 will have on the surrounding area. Any negative impact is considered to be outweighed by the benefits of the scheme. The verified views supplied by the applicant have shown that the proposal can successfully assimilate into the landscape. Even with the inconsistencies identified, and officers considering a worst case scenario of what is likely following the completion of the development if permission is granted, it is considered to comply with policies 3/4, 3/7, 3/9, 3/11 and 4/15 (LP) as well as emerging policies 7, 34, 55, 56 and 59 (LP2004), as detailed above, in being a high quality design, that responds well to the context of its location and surrounding environment.

Design and Practical Use

Widths, Gradients and Segregation

- 8.39 Sustrans Guidance for a shared use path for cycling and walking states that a preferred minimum width for an unsegregated path

would be 3 metres, with 4 metres width provided on busier routes. The applicant has proposed a combination of 3 and 3.5 metre widths along the route in principle, and the detailed design of all the paths will be secured by planning condition (see Section 11 condition 4), to ensure that an appropriate width has been secured along the length of the path.

- 8.40 Sustrans Guidance also recommends an approach gradient of 1:20 for ramps for all users. The applicant has stated that the ramp from Newmarket Road to Barnwell Junction will be improved and the gradient eased from the existing agricultural access to a gradient of 1:15. This is steeper than Sustrans recommended guidance, but can be considered appropriate over shorter lengths where a shallower gradient isn't possible. In order to encourage the applicant to improve this gradient further, or demonstrate why it cannot be improved, the engineer's specification and detailed design of this ramp will be required by planning condition (see Section 11 conditions 4 and 6).
- 8.41 The Newmarket Road underpass will also require a shallow drop to facilitate its construction underneath the road. Sustrans Guidance recommends a headroom height of 2.3 metres for pedestrians and 2.4 metres for cyclists. The Newmarket Road underpass is proposed to provide a headroom of 2.7 metres. Sustrans guidance for underpasses also recommends a minimum width of 4 metres for an unsegregated route, and 5 metres for a segregated route. The applicant proposes a 5 metre wide unsegregated route, the detailed design of which will be secured by planning condition (see Section 11 condition 6).
- 8.42 The two crossings of Coldham's Brook proposed are essentially short bridges and it would therefore be suitable to assess these against the Sustrans guidance for bridges, which requires a minimum width of 3.5 metres on less busy routes, and 4 metres on main cycle routes. The applicant has stated that the width of the new crossing between Barnwell Pit and Coldham's Commons is proposed to be 4.5 metres wide, with parapet height of 1.4 metres, both meeting Sustrans recommended guidance for cycle bridges. Full design details of the crossing will be secured by planning condition (see Section 11 condition 6) in order to ensure that the final design details, arrangement and materials are considered acceptable.

8.43 The replacement of the culvert on Coldham's Brook with a new bridge on Coldham's Common is proposed to be 4.5 metres wide and therefore in accordance with Sustrans Guidance. It is also proposed to construct the parapets to a height of 1.4 metres, which is Sustrans recommended guidance for bridges used by cyclists. As above, full details and specifications of the bridge, including all dimensions and materials, will be required by planning condition (see Section 11 condition 6) in order to ensure that the final design details are considered acceptable.

8.44 The existing underpass under the Cambridge-Newmarket railway is limited by the existing railway line in the improvements that can be made without approval from Network Rail to close the railway line and restructure the entire crossing/underpass. However, as discussed in paragraph 8.30 above, the applicant proposes lowering the height of the path to improve headroom through re-grading the surface. This is proposed to increase the headroom height from the current 2 metres at the entrances and 2.2 metres at the centre to 2.4 metres at the entrances and 2.45 metres at the centre. As above, this meets the 2.4 metre recommended headroom as part of Sustrans Guidance. This will result in a gradient of 1:20 at the entrances on the northern and southern sides of this underpass, in accordance with Sustrans Guidance. As with the other engineered features of the route, the final design of the underpass will be secured by planning condition (see Section 11 condition 6), to ensure the best possible outcome and specification has been achieved.

Other Users

8.45 Sustrans Guidance states that a headroom of 3.7 metres would be required for mounted equestrians, which, given the height above ground level of the Cambridge-Newmarket railway line and the proposed Newmarket Road underpass, would appear to be unachievable, therefore preventing easy and safe access for mounted equestrian use south of Newmarket Road. For further discussion on the rights of access and the objection to this application by the British Horse Society, see the section on Public Rights of Way, Permissive Paths and Commons, paragraphs 8.48 – 8.54 below.

8.46 The gradients and widths specified above are considered acceptable to facilitate access by wheelchair users along the same route as cyclists and pedestrians. The details of any and all means of access such as gates, cattle grids and other enclosures, as well

as the gradients of the paths and ramps will all be required by planning condition (see Section 11 conditions 4, 5 and 6), to ensure that these accesses and the Trail Phase 1 are being designed to allow ease of access for all users where possible.

- 8.47 Noting all of the above points, it is considered therefore, that as the design has achieved the minimum recommended dimensions in Sustrans Guidance, often meeting the preferred dimensions, the practicalities of the design can be supported in principle, subject to the final designs being checked for compliance. In addition, it is considered that the proposal is in accordance with Policy 3/7 Creating Successful Places (LP), in that the design is high quality, accessible and socially inclusive which creates infrastructure which is safe and easily accessible.

Public Right of Way, Permissive Paths and Commons

- 8.48 Ditton Meadows is private land and is crossed by a combination of Public Rights of Way (ProW) and permissive paths, of which the latter are allocated by agreement with the landowner. A path, a short section of which passes over Cambridge Public Footpath No. 13, abuts the northern part of the Trail Phase 1, constituting the towpath and jetty along the southern bank of the River Cam and underneath the existing railway bridge. This connects to a permissive path that runs in a southerly direction to the boundary of Ditton Meadows. This permissive path is not surfaced, but is proposed to be made up to a hard surface path as part of this proposal to form part of the Trail Phase 1.
- 8.49 As described above in paragraphs 8.17 – 8.18, the applicant has proposed a fence and gate on the east and north side of the new cycle path on Ditton Meadows. The applicant has clarified that this is a landowner request as part of the permission to use the land. In order to retain access to the ProW from and across the permissive path in the south-west corner of Ditton Meadows the applicant proposes a gated access in this proposed fence. The full details and specification have not been provided at this time, and will be controlled and secured by planning condition (see Section 11 condition 5).
- 8.50 The applicant will be aware that the ProW must be kept accessible at all times, and any temporary effect on this access, as a result of the construction, requires a Temporary Traffic Regulation Order (TTRO). The requirement to secure this will be included as an informative as part of the decision notice, should permission be

granted, to ensure that the applicant is aware of their responsibilities.

- 8.51 Coldham's Common is common land and is recorded as CL_52 in the Cambridgeshire Register of Commons and Village Greens. This designation allows for open public access to the land. Sections of the existing paths on the ground across Coldham's Common, from Newmarket Road to Coldham's Lane (across Coldham's Brook and under the Cambridge-Newmarket railway line), are ProW, namely Cambridge Public Footpath 12 and Footpath 11. This means that they must be accessible at all times, and will require a TTRO. The requirement to secure this will be included as an informative as part of the decision notice, should permission be granted, to ensure that the applicant is aware of their responsibilities.
- 8.52 The British Horse Society has objected to this application on the grounds that, in negotiation with the applicant and the landowner, they have not been able to secure rights to use the Trail Phase 1 for equestrian use. Rights for equestrian access to the land on permissive paths are subject to a legal agreement negotiated between the landowner and the applicant, and are outside the remit of the planning system.
- 8.53 In addition, as discussed in paragraph 8.45, the nature of the two underpasses along the route would not allow appropriate headroom heights to be achieved for mounted equestrian use. While sections of the proposed route across Coldham's Common are ProW they are Public Footpaths (rather than Bridleways) so would not support equestrian use.
- 8.54 Therefore, whilst acknowledging that the equestrian access issues are outside the remit of this planning application, with the proposed informative regarding construction periods included, and subject to the details of the fencing and gates being required by planning condition for the access to the ProW on Ditton Meadows (see Section 11 condition 5), it is considered that the proposal is in accordance with Policy 8/4 'Walking and Cycling Accessibility' in ensuring links with the surrounding walking and cycling network and Policy 8/5 'Pedestrian and Cycle Network' in retaining and improving existing routes in the network (LP); as well as in line with national requirements set out in Paragraph 75 of the NPPF which supports protecting and enhancing public rights of way and access.

Green Belt

- 8.55 The City of Cambridge has an extensive Green Belt which surrounds the city, encroaches into the city's larger green spaces and extends into South and East Cambridgeshire districts. It is designated in Policy 4/1 Green Belt (LP), which supports a "presumption against inappropriate development in the Cambridge Green Belt." The Green Belt continues to be designated and supported by the emerging local plan, Policy 4: The Cambridge Green Belt (LP2014) which shows its importance and longevity in preventing urban sprawl and maintaining the separation of the City from the surrounding villages.
- 8.56 The Green Belt is further supported by Policy 3/2 Setting of the City (LP), where development should enhance the amenity of the urban edge, Policy 4/2 Protection of Open Space (LP) and emerging Policy 67 Protection of open space (LP2014) which states that development will only be supported if it is not harmful to the character of the open space. Additionally, emerging local plan Policy 8: Setting of the city (LP2014) states that development in the Green Belt will only be supported where it enhances the landscape setting and promotes access to the open space.
- 8.57 The NPPF defines the purpose of Green Belt designations as preventing urban sprawl by keeping land permanently open (paragraph 79, NPPF). However, some development may not be inappropriate "provided they preserve the openness of the Green Belt" (This includes "local transport infrastructure which can demonstrate a requirement for a Green Belt location" (paragraph 90, NPPF). Additionally, the NPPF states that planning authorities should "plan positively to enhance the beneficial use of the Green Belt" and look for opportunities to provide access and opportunities for outdoor recreation (paragraph 81, NPPF).
- 8.58 Ditton Meadows, Barnwell Junction Pastures and Barnwell Pit Wildlife Sites are all entirely within the Cambridge Green Belt. Barnwell Junction Disused Railway Wildlife Site is included within the Green Belt on the western half and Coldham's Common is also almost completely included within the Green Belt, aside from a small section in the south east, away from the application site. Within Ditton Meadows, the Cambridge Green Belt is characterised by its openness and views towards and across the River Cam from the south side of the river. In the other Wildlife Sites, the openness varies between open grassland, and wooded

areas, and is affected by a number of structures within and adjacent to its setting. For example, Newmarket Road has an effect on the perceived openness of the Green Belt as it splits Barnwell Junction Pastures from Barnwell Pit Wildlife Sites.

- 8.59 The path is a ground level structure and therefore by itself would have a very limited impact on the openness and views across the Green Belt. In addition, the installation of an underpass under Newmarket Road could have a positive effect on improving the perceived and actual openness of the Green Belt in this location. Users of the path and visitors to the Leper Chapel and Barnwell Lakes will be able to see through the underpass, increasing the view and perceived openness; and travel through the underpass, an increase in actual accessibility and openness of the Green Belt.
- 8.60 Given the purposes of the Trail Phase 1 to improve and increase cycling and pedestrian access across the city, both from a local transport infrastructure perspective in encouraging cycle and pedestrian commuting across Cambridge and to and from the new north railway station, and from the perspective of increasing recreational access, it is considered that the proposed development is appropriate development in the Green Belt, in line with NPPF guidance. Given the stipulation for “appropriate development” being that which preserves the openness of the Green Belt, it is also considered that the fact that the Trail Phase 1 is a ground level structure, with few features above ground level to have a significant visual impact ensures that the openness of the Green Belt will be preserved.
- 8.61 It is therefore considered that the installation of the paths, brook crossings, and underpasses are not contrary to the intentions of the Green Belt as defined in Policy 4/1 (LP), emerging Policy 4 (LP2014) or paragraph 79 of the NPPF. The Trail Phase 1 will not increase the impact on the openness of the Green Belt, and can be considered appropriate development when considered against paragraphs 81 and 90 of the NPPF in providing increased access to the Green Belt for recreation.

Conservation Areas

- 8.62 Ditton Meadows, Barnwell Junction Disused Railway and Barnwell Junction Pastures all lie within the “Riverside and Stourbridge Common Area” of the Central Cambridge conservation area which has been designated for its visual importance and importance for sport, informal recreation and wildlife.

- 8.63 Policy 4/11 Conservation Areas (LP) states that development within, or which affects the setting of, or impact on views into and out of conservation areas, will only be permitted if it retains “features which contribute positively to the character or appearance of the area” and that “intensified use will not lead to traffic generation or other impacts which would adversely affect the Area’s character.” Emerging Policy 61: Conservation and enhancement of Cambridge’s historic environment (LP2014) has similar goals, ensuring development conserves or enhances the heritage assets of the city, including views into and out of conservation areas.
- 8.64 Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of “the desirability of sustaining and enhancing the significance of heritage assets...and the desirability of new development making a positive contribution to local character and distinctiveness”. Paragraph 134 of the NPPF states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”
- 8.65 The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering the granting of planning permission, special regard should be had to the desirability of preserving or enhancing the character or appearance of a conservation area (Section 72).
- 8.66 Policy 3/3 Safeguarding Environmental Character (LP) also states that development should respect and enhance the character and quality of an area, as defined by the Cambridge Landscape Character Assessment (CLCA). The CLCA states that new development should “take account of existing character and where possible achieve environmental or visual improvement.” Ditton Meadows is considered to be a defining character of the River Corridor, with its key character features being its setting, separation, views, recognition as part of the “Green Corridor”, and its environmental features.
- 8.67 It is considered that the Trail Phase 1 will increase access to the Riverside and Stourbridge Common Conservation Area for recreation, and as previously discussed in relation to the

Cambridge Green Belt (paragraphs 8.55 – 8.61), is unlikely to have a significant visual impact on the setting of this conservation area.

- 8.68 It should be noted that in Ditton Meadows, new fencing is proposed along the eastern and northern edges of the Trail, on the “inside” of the path between the path and Ditton Meadows. The applicant has stated that this has been requested by the landowner in order to control the movement across the Meadow. The installation of the fence has not been raised as a concern by consultees in terms of impact on the setting of the conservation area, although it has been raised as a concern by the Landscape Architect in terms of the visual impact on the Meadow who considers the fence an unnecessary addition to the proposal.
- 8.69 Although the landowner has permitted development rights to erect a fence up to 2 metres high on their land, even within the conservation area, it is considered appropriate to request full details of the fencing arrangement and materials by planning condition to ensure that the proposed fencing is appropriate and to ensure that the best possible balance between the requirement for a fence and visual impact has been achieved. Further discussion on the visual impact of the fence on Ditton Meadows is discussed above in paragraphs 8.17 – 8.18. The fence is proposed to include a gate to allow access to the ProW, see paragraphs 8.49 – 8.50 for discussion on rights of access in this area.
- 8.70 It is not considered that increased cycle and pedestrian use would lead to the type of traffic generation that would adversely affect the character of the area. Additionally, any landscape features, such as trees and plants that are being removed are proposed to be reinstated in order to compensate for the loss, therefore once established, the character of the area would not be affected in the long term.
- 8.71 Fen Ditton Parish Council has also expressed concern that the Trail Phase 1 will have an impact on the Fen Ditton Conservation Area, which is 220 metres to the east of the site at its closest point on Ditton Meadows, and also the boundary of Fen Ditton Parish. It is not considered that the Trail Phase 1, being a ground level path across an area of Ditton Meadows which already includes paved and unpaved permissive paths and Rights of Way, along with potential fencing along the boundary, will have any detrimental impact on the setting of Fen Ditton Conservation Area.

8.72 Taking account of all the above points, it is considered that the proposal is in accordance with policies 3/3 Safeguarding Environmental Character and 4/11 Conservation Areas (LP); emerging Policy 61: Conservation and enhancement of Cambridge's historic environment (LP2014); and paragraph 134 of the NPPF in that the proposal is in keeping with the intentions of the conservation area designation and landscape character assessment and will increase access to this landscape of visual, sporting and recreational importance. Therefore, the public benefit of the proposal would outweigh any perceived harm to the conservation area as a result of the removal of vegetation and installation of the path as it would increase the opportunities for access to this landscape.

Heritage and Archaeology

8.73 As described above, the application site falls within part of the Central Cambridge Conservation Area, which is a designated heritage asset. There are also a number of listed buildings within or adjacent to the application site as described in paragraphs 1.10-1.11.

8.74 Paragraph 131 of the NPPF states that in the determination of planning applications the "desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation" should be taken into account. Any harm to a heritage asset requires clear and convincing justification and great weight should be given to a heritage asset's conservation (paragraph 132). As above, Paragraph 134 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."

8.75 The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering the granting of planning permission, special regard should be had to the desirability of preserving a listed building or its setting (Section 66).

8.76 The County Council Historic Environment Team (HET) has commented that the location of the Trail Phase 1 is in an area of high archaeological potential, and within the setting of some of the City's heritage assets. While HET do not have an objection to the proposed development, they have requested that a written scheme

of investigation is secured by planning condition, to be submitted and implemented prior to any groundworks taking place (see Section 11 condition 21). This will ensure that any heritage assets that are currently unknown, are discovered prior to construction taking place and the appropriate investigation and analysis of material takes place.

8.77 Historic England is broadly supportive of the proposal, but has expressed some concerns regarding the setting of the Leper Chapel and the impact of the development on the setting of this heritage asset. They requested visualisations to help demonstrate the impact and also raised concerns about the methodology employed by the applicant to assess the impact. Paragraph 134 of the NPPF states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.” Historic England does not consider that this weighing can be carried out, as the assessment of the impact on the Leper Chapel has not been quantified.

8.78 However, it is considered by the County Council Historic Environment Team and assessment by City Council officers that there would not be a significant adverse impact on the setting of the Leper Chapel or The Round House subject to appropriate replanting. This is owing to the nature of the proposal as a ground level cycle path and the existing presence of Newmarket Road even with the addition of an underpass which is proposed to be screened by planting. It is considered that while Historic England do not consider that the impact has been fully assessed by the applicant, the impact of a cycle path, related underpass and associated features such as planting (some of which has been proposed by the applicant to screen the development from the setting of the Leper Chapel), and street furniture have been assessed by specialist officers and are not likely to have a significant impact on the setting of the Leper Chapel.

8.79 Comments have also been received from Cambridge Past, Present and Future (CPPF) indicating support for the Trail Phase 1 in principle. They have requested that a number of planning conditions be applied to the planning permission and that they be consulted on the final design specifications for the cycle path, underpass and associated features that are proposed on the land owned by them. Some of the requests, such as the removal of the

Leper Chapel steps, fall outside the remit of this planning application, but their concerns and wishes as the landowner have been taken into consideration.

8.80 It can be concluded then, that while the Trail Phase 1 is supported in principle by consultees concerned with heritage assets, it is clear that further assessment of the detailed design, and the design impacts on the setting of these heritage assets, will require further consideration, should the application gain approval. The requirement for detailed design specifications of every feature of the Trail Phase 1 (including the path, lighting, underpass, materials and landscaping, etc.) will be required by planning condition (see Section 11 conditions 4, 5, 6, 7, 29 and 30). This will ensure that the chosen design specifications are suitable and will be considered in consultation with HET, Historic England and the City Council, whilst also including CPPF as an interested party, in relation to the works around the Leper Chapel.

8.81 Provided that the above planning conditions are secured, and as the proposal is supported in principle by the above consultees, it is considered that the proposal is in accordance with Policy 4/9 Scheduled Ancient Monuments/Archaeological Areas (LP) which seeks to ensure that a full assessment of the impact a proposal might have on archaeological remains has been carried out, and is in line with the proposed procedure contained within that policy. It is also considered to be compliant with paragraph 134 of the NPPF in that the public benefit of improving access to the Leper Chapel is clearly significant in a positive regard and the harm to the Leper Chapel will be minimal provided that the final design details are secured by the above planning conditions.

Impact on Habitats and Wildlife Site Designations

8.82 Policy 4/6 Protection of Sites of Local Nature Conservation Importance (LP) and emerging Policy 69: Protection of sites of local nature conservation importance (LP2014) both state that development will not be permitted which would have an adverse impact on a County Wildlife Site, or a City Wildlife Site, unless it can be demonstrated that the proposal's benefits would outweigh the need to safeguard the value of the site. If development is permitted, measures to minimise harm, secure suitable mitigation and enhance the nature conservation value should be sought.

8.83 In addition, emerging Policy 70: Protection of priority species and habitats (LP2014) supports development which would enhance

and protect priority habitat, which would minimise ecological harm and secure achievable mitigation and compensation measures. Policy 3/9 Watercourses and Other Bodies of Water (LP) also states that waterside development will be permitted if it maintains and enhances the biodiversity of the watercourse.

- 8.84 The NPPF also crucially highlights, that development should minimise the impact on biodiversity and provide “net gain in biodiversity where possible” (para 109). Paragraph 118 states that “when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity. If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.”
- 8.85 As described above in paragraphs 1.7 – 1.16, the application site is almost entirely within areas designated as City or County Wildlife Sites. Therefore the applicant submitted an Ecological Impact Assessment in support of the application in order to show that the ecological implications of the proposal had been considered, and mitigation measures planned.
- 8.86 Initial consultation responses on this document were predominantly negative, with the County Council Ecology Officer and Wildlife Trust recommending refusal of the application based on the lack of information provided and the quality of the ecological assessments. Concern was also raised by a number of individuals and local groups that the ecological information provided by the applicant as part of the planning application was not complete or detailed enough to make a full assessment of the proposals. Initial appraisal of the application also suggested that the proposal would result in a net loss of biodiversity, as the applicant had not shown appropriate mitigation or compensation for the loss of habitats.
- 8.87 Extensive discussions have taken place between the County Ecology Officer, The Wildlife Trust, the City Biodiversity Officer and the applicant, in order to establish the remit for the ecological surveys required and the level of information that needed to be provided. A revised Ecological Impact Assessment and accompanying technical notes were submitted with the application, in order to try and address the concerns and provide the required information. This included further survey work and various

iterations of the tables setting out the loss / gains owing to inaccuracies found.

8.88 The final table linked to this assessment is shown below, and is based on the Environmental Masterplans provided in support of the application, which show the route of the Trail Phase 1 and the proposed landscaping plan and habitat areas to be created in principle. It should be noted that the Masterplans and the table below detail the overlap of the Trail Phase 1 application site with the Bridge application site, and the habitat mitigation considered as part of the Bridge application which cannot be “double-counted” to show a habitat gain as part of this application. This is because the Bridge application was assessed in terms of habitat loss/gain by considering the ecological enhancements as a result of the haul road in this overlap being reinstated to grassland, and therefore not being a permanent loss of habitat. The permanent loss of the grassland by the Trail Phase 1 in this overlap area needs to be considered as part of this application. Therefore, in the interpretation in the table below, the overlap area is shown as existing and proposed habitat of the same quality, so that it has not been “double-counted” as part of ecological enhancements, and shows a loss of habitat area, within the overlap area, as a result of the construction of the Trail Phase 1. This is then considered as part of the loss of habitat overall.

		Total Existing habitat within Application Site (sqm)	Total Proposed habitats post development (sqm)	Change (sqm)
Dense scrub		15528	10900	- 4628
Grassland (composed of both Species poor semi-improved grassland and Neutral Semi-improved grassland)		16935	12132	- 4803
Open water habitats		1063	1063	0
Brook and drain planting		0	543	543
Species rich grassland		0	4783	4783
Broadleaved Woodland		3172	4557	1385
Hard Standing		3847	6567	2720
Overlap Area with the Bridge Application Area	Habitats	13580	9909	- 3671
	Site Compound	3490	3490	0
	Cycleway		3671	3671
Totals		57615	57615	0

8.89 Regardless of the quality of the information submitted on behalf of the applicant, assistance from the County and City ecologists and The Wildlife Trust has ensured a robust scrutiny of the detail and assessment of the proposals. Whilst concern is still raised as the dependency of the information (particularly noting that the applicant has not used Defra's Biodiversity Offsetting metric to demonstrate their proposals) and the quality of the mitigation to ensure there is no net loss in ecology / habitat, there is still the acknowledgement that there is potential for more to be done. That said, it is also acknowledged that the applicant has had discussions with both the City Council and Cambridge Past Present and Future about the potential to seek additional mitigation on adjacent land that it outside the red line boundary. However, as this is outside the scope of this application this mitigation has not been taken into account in our assessment of the mitigation proposed, thus a worst case scenario has been assessed.

Ditton Meadows and Barnwell Junction Disused Railway City Wildlife Sites

- 8.90 The areas of Ditton Meadows required to construct the Trail Phase 1 will mean the loss of areas of semi-improved grassland and dense scrub on the western boundary and south-western sections of Ditton Meadows. The habitat that will be permanently lost to facilitate the proposal are the areas for the actual hard surfacing of the Trail Phase 1, which constitutes 0.36 ha of land. The remainder of the application site within Ditton Meadows has been considered and enhanced as part of the Bridge application, so as not to “double-count” it as ecological mitigation as part of this proposal. The mitigation for the loss of 0.36 ha of land in this area to the cycleway, has been considered across the remainder of the Trail Phase 1 application area.
- 8.91 Along the southern boundary, part of the Trail Phase 1 site falls within Barnwell Junction Disused Railway City Wildlife Site, with a section to the east outside of the City Wildlife Site boundary. This area is proposed to be used for the haul road for the Bridge application, and then permanently constructed as the Trail Phase 1. This eastern section is considered of similar ecological quality to the Barnwell Junction City Wildlife Site and it was considered by the CCC Ecology Officer to not have been adequately surveyed in the initial submission of the application. The works will require the removal of trees, scrub and grassland. The applicant has confirmed that any grassland of value will be translocated as part of the proposal; the survey and working scheme for which will be secured by planning condition (see Section 11 condition 27).
- 8.92 The wildlife site is otherwise dense scrubland, which the CCC Ecology Officer has indicated has become overgrown, and deteriorated in quality through lack of ecological management. As part of the proposal a 25 year landscape ecological management plan has been recommended and will be secured by planning condition (see Section 11 condition 30). The Ecology Officer has indicated that the scheme and the restoration of the key habitat along the length of the disused railway will deliver an enhancement in biodiversity value in this area, if managed appropriately.
- 8.93 There is a triangular area of Ditton Meadows in the south-west corner that has been included within the application site for the purposes of ecological enhancement and mitigation. This area is primarily dense scrubland which has not been managed and has become overgrown. This area is proposed to be enhanced through

new planting and a 25 year management scheme secured by planning condition (see Section 11 condition 30), in order to contribute to the overall ecological enhancement at the site.

Site Compound

- 8.94 The northernmost construction compound is proposed to be located on a vacant applicant owned site between Ditton Walk and Ditton Meadows. This site is not designated and is the only part of the Trail Phase 1 application site outside of the Green Belt and Flood Zones 2 and 3. It should be noted that the site compound was originally planned to be located on Ditton Meadows. However, the applicant has stated that they listened to concerns raised at the pre-application stage regarding the impact on the ecology of Ditton Meadows, and submitted an alternative proposal to locate the compound on the vacant site, thereby utilising the brown field site and avoiding the ecological impact on Ditton Meadows.
- 8.95 This approach, of using a brown field site rather than taking up more space on Ditton Meadows, is supported by national planning policy, as one of the core planning principles of the NPPF (para 17), and in relation to conservation of the natural environment (para 111) and is also supported by the Cambridge Cycling Campaign, stating it shows that the applicant has taken account of early consultation and the attempt by the applicant to limit damage as much as possible.

Barnwell Junction Pastures City Wildlife Site

- 8.96 Proposed works within Barnwell Junction Pastures will involve the removal of some trees to allow for the construction of the Trail Phase 1 in this area. New planting is proposed in order to enhance the habitat of the wooded area to the north-east of the Leper Chapel and the pastures around the Leper Chapel, including new hedgerow and planting along Coldham's Brook to enhance these environments. It is also proposed to remove the hedgerow closest to the Leper Chapel, to create a lawn area that can be used for events or exhibitions. Although there will be a loss of habitat within Barnwell Junction Pastures to construct the Trail Phase 1, of approximately 0.2 ha, the enhancements to the surrounding areas are proposed by the applicant to mitigate this habitat loss and enhance the ecology of the surroundings overall as far as possible within the red line area.

Barnwell Pit City Wildlife Site

- 8.97 The application area within Barnwell Pit is proposed to be temporarily used as a site compound for the construction of the Newmarket Road underpass, as well as the Trail Phase 1 linking Newmarket Road underpass to Coldham's Common. The area is currently a mixture of grassland, hedgerow vegetation, and worn ground which is used as an informal car park for Barnwell Lakes. Once the construction period is complete, the area will be restored to grassland, and the Trail Phase 1. There will therefore be a further loss of habitat in this area, as a result of the Trail Phase 1. Any future development to this area, for example, to formalise the car park, will need to be the subject of future planning applications.
- 8.98 The proposal also includes the crossing of Coldham's Brook to the east of Barnwell Pit, which will involve the removal of a section of established hedgerow which separates Barnwell Pit from Coldham's Common. As with other vegetation removal, this will require a precautionary method of working for nesting birds in season, and at the crossing of the brook, a precautionary method of working for water voles. These aspects will be secured by planning condition for an Ecological Design Strategy (see Section 11, condition 26).

Coldham's Common

- 8.99 Works to Coldham's Common are proposed to involve short sections of new path at the northern end of the Common and widening the remainder of the path. This will involve the loss of grassland on the common, but will not require the removal of any other trees, only the protection of the existing trees as discussed further in paragraphs 8.127 – 8.129 below. In addition, an area of path at the southern section which has historically been used for coach parking associated with the Abbey Stadium will be narrowed to the consistent width of 3.5 metres of the rest of the path. The land is proposed to be reinstated to grassland habitat, therefore representing a small gain in habitat area in this location.
- 8.100 The existing culvert on Coldham's Brook is proposed to be replaced by a low level bridge which may require the removal of some planting around the crossing. As with other vegetation removal and works to watercourses, the works will require a precautionary method of working, secured via the Ecological Design Strategy (see Section 11, condition 26).

8.101 Works to the watercourse, including replacing the culvert and the new crossing, will also require separate consent from the Lead Local Flood Authority. An informative to this effect will be included in the decision notice, should permission be granted.

Summary

8.102 In terms of overall habitat loss and creation for the Trail Phase 1 application, the applicant has provided a table, at the request of consultees, which sets out the habitat loss and creation across the application site (see paragraph 8.88 above). This table suggests that there will be a loss of 0.63 ha of habitat, as a result of the new hard surfacing for the Trail Phase 1, although it is acknowledged that this table has not used Defra's Biodiversity Offsetting matrix which has led to difficulties in its assessment by statutory consultees. This loss of habitat is unavoidable as part of the construction, and, as explained above, the applicant's proposed mitigation approach is to enhance the surrounding areas of habitat and Wildlife Site in order to show that there has been no net loss in biodiversity as a result of the application.

8.103 The new habitats proposed by the applicant will represent an enhancement over the current situation on site. For example, dense scrub and semi-improved grassland will be replaced with species rich grassland and species rich hedgerow. In particular an additional area of land (the south-western triangle in Ditton Meadows) has been included as part of this proposal in order to take the opportunity to enhance the wider surroundings and a larger area than just the immediately adjacent areas to the Trail Phase 1. This has been agreed in principle by the County Council Ecology Officer and City Council Biodiversity Officer, subject to the imposition of conditions to secure the detailed scheme for the methods of working and the detailed proposal for the landscaping (see Section 11, conditions 26, 29 and 30).

8.104 The Wildlife Trust's objection to this application still stands, on the basis that the application has not shown that the proposal will result in no net loss of biodiversity, given the 0.63 ha area lost for the Trail Phase 1 will not be fully compensated for by the proposed mitigation and enhancements, as measured using the Defra Biodiversity Offsetting metric. The Trust also considered that the Bridge and the Trail Phase 1 applications are intrinsically linked and that one should not be considered without the other.

- 8.105 The applicant, as discussed in paragraph 8.89 above, has considered and started to discuss some enhancement outside the red line area which could include additional mitigation measures undertaken on adjacent land owned by the City Council and Cambridge Past Present and Future, as recommended by the Wildlife Trust. This additional mitigation is likely (if agreed with the relevant landowners) to be included in the applicant's Landscape Ecological Management Plan in order to be able to demonstrate that there will be no net loss in biodiversity as part of the Trail Phase 1 scheme. Whilst the additional agreements to allow any mitigation planting outside the red line area have been included under point (h) of the Landscape Ecological Management Plan condition (see Section 11 condition 30), as stated above, for the purposes of this planning application assessment, this additional mitigation has not been considered at this stage, as it is outside the remit of the planning application and it is incapable of being enforced without separate undertakings and agreements with the landowners in question.
- 8.106 Taking account of all the above points, it is considered that subject to the imposition of the ecological and landscape conditions as outlined above (see Section 11 conditions 26, 29 and 30), the proposal complies with policies 3/9 Watercourses and Other Bodies of Water, 4/6 Protection of Sites of Local Nature Conservation Importance (LP) and emerging Policy 69: Protection of sites of local nature conservation importance (LP2014). The scheme has mitigated for any harm that could come to habitats as a result of the proposal, and proposed appropriate compensation alongside a 25 year management plan, albeit based on the enhancement of the surrounding areas through new mitigation planting being of better quality than exists at present over a reduced area. Whilst it is acknowledged that both the Wildlife Trust and the County Council's ecologist's assessment of Defra's Biodiversity Offsetting metric shows a net loss in biodiversity based on the current proposals, as discussed above, it is considered that details of the 25 year management plan, along with habitat creation and enhancement measures, including monitoring methods, has the potential to deliver improvements in the habitats within the limitation of the red line boundary to make it broadly compliant with the NPPF (paragraphs 109 and 118). Furthermore, with additional agreements potentially being secured with landowners outside of the red line area where additional habitat mitigation can be provided, the Biodiversity Offsetting metric can be further improved.

Impact on Wildlife and Protected Species

- 8.107 The Ecological Impact Assessment and submitted Technical Notes make reference to various species of wildlife and protected species within or close to the application area.
- 8.108 Local Plan Policy 4/7 Species Protection (LP) state that sites with protected species will be safeguarded from development proposals which would destroy or adversely affect them. Planning permission would only be granted if there was an overriding need for the development. Development which is permitted must reduce disturbance, facilitate the survival and provide alternate habitats to sustain current population levels. Emerging Policy 70: Protection of priority species and habitats (LP2014) takes a more positive approach, stating that development will be permitted which protects priority species, and that any proposal which might harm or disturb protected species population should minimise ecological harm and secure mitigation and compensatory measures. The policy requires that an assessment of the population and the impact of the proposed development is undertaken where development is proposed adjoining a protected species site.
- 8.109 The NPPF also crucially highlights, that development should minimise the impact on biodiversity (para 109) and where necessary only permit development which can adequately mitigate, or compensate for any significant harm (para 118).
- 8.110 Although not identified as an area with a Local Biodiversity Action Plan (BAP) in accordance with Policy 4/8 Local Biodiversity Action Plans (LP), the policy also states that those habitats which support protected species as outlined in the BAPs should also be protected by harmful development. Protected species are identified in the Wildlife and Countryside Act 1981 (as amended), and it is a criminal offence to intentionally harm any species on the list. Therefore the potential for harm to any protected species is a material planning consideration in the assessment of this application.
- 8.111 Initially it was considered by the CCC Ecology Officer and The Wildlife Trust that the applicant had not provided the appropriate survey work in order to have submitted a full Ecological Impact Assessment on which to base a consideration of the potential for protected species within and adjacent to the application site. Natural England also provided standing advice for the application

in relation to protected species, which reflects current law and best practice for survey work and mitigation methods. The identified species which required comprehensive survey work in order for the status of potential protected species to be fully assessed included birds, bats, reptiles, otter, great crested newt and water vole.

- 8.112 Further survey work was submitted by the applicant in order to establish the presence and likely harm to the protected species. This included the submission of a revised Ecological Impact Assessment and further technical notes with details of the survey work and the mitigation measures required in order to safely carry out the proposal. In addition, the CCC Ecology Officer asked for further survey work to be completed following a site visit, in December 2016, which was also provided.

Bats

- 8.113 The details of the Bat Survey work which was undertaken between August and October 2016 have been submitted and the CCC Ecology Officer considered that an adequate ecological assessment has been carried out for bats, which were found throughout the application site north of Newmarket Road. A single tree was identified to have low bat roosting potential for which the Ecology Officer has recommended that a Precautionary Method of Working should be followed, which can be secured as part of an Ecological Design Strategy (see Section 11 conditions 26).
- 8.114 The issue of bat habitats and the potential for bats to be on site has been raised in responses received from individuals, who consider that appropriate survey work has not been completed and that there are more trees on site with the potential to support bat roosts than just the single tree identified. It is considered that securing the Ecological Design Strategy for a Precautionary Method of Working, in consultation with the County Ecology Officer, City Biodiversity Officer and The Wildlife Trust, will ensure that the impact of the development has taken full account of bats and the effects to any trees with bat roost potential.

Reptiles

- 8.115 Following the submission of the Ecological Technical Note, the CCC Ecology Officer considered that an adequate ecological assessment has been carried out for reptiles. A Precautionary Method of Working will be followed to be secured as part of an Ecological Design Strategy (see Section 11 condition 26).

Water voles

- 8.116 Survey work for water voles was carried out in 2015 and between June and September 2016. Some evidence of water voles was found within the application site though no works are proposed on Coldham's Brook where water voles are known to be present. Therefore a working buffer of 10 metres and a Precautionary Method of Working will be necessary. This can be provided and secured as part of the Ecological Design Strategy (see Section 11 condition 26). Detailed design, planting scheme and long-term management of the vegetation around Coldham's Brook for the benefit of water voles can also be delivered and secured through the Landscape Scheme and Landscape & Ecological Management Plan (see Section 11 conditions 29 and 30).

Otters

- 8.117 No evidence of otters was found within the survey work, although anecdotal evidence has been provided by individuals and local organisations that otters are present. The CCC Ecology Officer has confirmed that the impact on otters has been adequately assessed in accordance with best practice guidance. It is considered that a precautionary method of working can be provided and secured as part of the Ecological Design Strategy (see Section 11 condition 26) to ensure that the appropriate measures are taken should evidence of otters be found during the development.

Birds

- 8.118 Evidence of three notable species (song thrush, dunnock and meadow pipit) as well as more common species, were recorded within 1 kilometre of the application site. It will be necessary for the trees and shrubs to be checked for nesting birds before removal, if removed within the breeding season. This can also be secured through the Ecological Design Strategy (see Section 11 condition 26).

Great crested newts

- 8.119 The initial survey work for the site established that there were ditches on the application site with the potential to support great crested newt. However, further survey work established that there was no evidence of great crested newts on the application site.

Summary

- 8.120 The CCC Ecology Officer confirmed that the necessary ecological assessments have taken place and that the survey work for

protected species have taken place in accordance with national planning guidance, in order for the proposals effects to be properly considered as a material planning consideration in the assessment of the development.

- 8.121 Ultimately, it was agreed between the CCC Ecology Officer and the City Council Biodiversity Officer that the full details for the mitigation measures and precautionary methods of working, for the above and any other species, that are required could be secured through a planning condition for an Ecological Design Strategy (see Section 11 condition 26). The Ecological Design Strategy will be required to show that methods of working and proposed mitigation methods are fully compliant with current law and best practice.
- 8.122 Additionally, the lighting scheme for the site has not yet been finalised, and will be secured by planning condition to ensure that lighting that could have harm to protected species is avoided, (see Section 11 condition 7), which will also protect the impact of light pollution on local amenity, intrinsically dark landscapes, and nature conservation in line with paragraph 125 of the NPPF. Therefore submission of the lighting scheme is also proposed to involve consultation with Ecology, Biodiversity and The Wildlife Trust.
- 8.123 With the above planning conditions secured, and taking a precautionary approach, it is still considered that the applicant has shown that there will be no significant harm to protected species, and that any potential for harm during the construction period, can be mitigated. It is therefore considered to be in accordance with the NPPF (paragraphs 109 and 118); local Policy 4/7 Species Protection (LP); and emerging Policy 70: Protection of priority species and habitats (LP2014).

Trees and Landscape Scheme

- 8.124 In order to facilitate the Trail Phase 1, it is necessary to remove 20 individual trees and all or part of 12 tree groups, of B, C and U category quality, as outlined in the applicant's Arboricultural Impact Assessment. This includes some trees of poor quality that need to be removed or worked upon for safety reasons, but the Trail Phase 1 alignment has been proposed to avoid the need to remove any A category trees, and to reduce the number of trees to be removed as much as possible. The final tree removal totals will be confirmed within an Arboricultural Method Statement that has been secured by planning condition (see Section 11 condition 28).

- 8.125 Policy 4/4 Trees (LP) and emerging Policy 71: Trees (LP2014) both state that development will not be permitted which would involve the felling, or potential root damage to trees, unless it can be demonstrated that the benefit of the proposal outweighs the loss of the trees. Where trees are felled, appropriate replacement planting should be arranged.
- 8.126 A Landscape Environmental Masterplan (part of the LVIA) has been provided as part of the submission which gives a general overview of the proposed landscape scheme, including the areas where new planting is proposed. Tree and shrub planting is proposed in order to mitigate the loss of vegetation to be removed in order to facilitate the path, and to compensate for the loss of screening, for example, between the Trail Phase 1 and residents adjacent to Barnwell Junction Pastures. The specification for the type, location and species of plants will need to ensure that the planting establishes in these areas in order to provide the visual mitigation required, as well as ensuring that suitable trees are replaced to compensate for the loss. In order to achieve a successful scheme and comply with the local plan policies, details of the soft landscaping scheme, with planting specification, will be required by planning condition (see Section 11 condition 29). This will ensure that an appropriate species, number and location of trees is provided as part of the delivery of new trees and shrubs.
- 8.127 The provisional Tree Protection Plans provided as part of the application show the Root Protection Areas to cover all of the trees on the application site which are not proposed to be altered, to ensure that there will be no damage to trees or roots. The City Council's Tree Officer has requested that a phased Arboricultural Method Statement and Tree Protection Plan are secured by planning condition, in accordance with the relevant British Standard, to ensure that no trees to be retained are damaged as part of the development (see Section 11 condition 28).
- 8.128 Concern has been expressed by individuals that the Tree Protection Plan did not fully consider the trees to the south of Newmarket Road. No removal of trees is proposed south of Newmarket Road, and while it would have been preferable that the Tree Protection Plan made this clear, the addition of a condition for a detailed Arboricultural Method Statement and Tree Protection Plan prior to the commencement of the development will ensure that all trees to remain on site will be fully protected during the

construction period (see Section 11, condition 28). This condition and approach has been recommended by the City Council Tree Officer.

- 8.129 Provided the tree protection condition and details of the landscape scheme are secured by planning condition, an approach that is supported by the City Council's Tree Officer, it is considered that the requirements of Policy 4/4 Trees (LP) and emerging Policy 71: Trees (LP2014) will have been met, to ensure that any loss of trees are replaced and that trees to remain are adequately protected during the development.

Transport Assessment and Highway Safety

- 8.130 As a transport infrastructure project, the aims of this proposal are to increase modal shift towards cycle and pedestrian travel in this part of Cambridge. The creation of a more convenient, direct and quicker route from Coldham's Lane to Ditton Meadows has been conceived to encourage this modal shift, the principle of which has been discussed above in paragraphs 8.2 – 8.8.
- 8.131 The applicant's demand forecast modelling has predicted that the development could result in use of the Trail Phase 1 as a result of a change in route choice, demand from surrounding developments and modal shift as people take up cycling and walking this route. The applicant's Transport Assessment has looked at the Trail Phases 1 and 2 as part of its assessment, split into 3 sections and the northern section covers Ditton Meadows and Barnwell Junction Pastures, which is most of the new paths in Phase 1. The northern section, for example, is predicted to see uses of around 5,130 cyclists and 1,777 pedestrians, per day. It is the applicant's aim that the proposal will encourage cyclists and pedestrians, and in particular encourage cyclists to travel off the main public highway, thereby improving the accessibility and safety of journeys across this part of Cambridge.
- 8.132 The submission for this proposal has been accompanied by a Demand Forecasting Report and Transport Assessment which has been assessed by the County Council's Transport Assessments Team to establish the effect of the proposal on the surrounding highway network. Following their initial comments, the documents have included an analysis based on the Trail Phase 1 being constructed without any other development, as well as assessing the implications of the Trail Phase 1 and the Bridge and Trail Phase 2 application also being approved and constructed. The

assessments also include an analysis of the accident data and the implications on the surrounding junctions.

- 8.133 Based on all the information now provided, Transport Assessment Officers are content that the implications of the development have been appropriately considered. The applicant has agreed to undertake a monitoring scheme to survey use of the Trail Phase 1, which the Transport Assessment Officers have requested to be secured by planning condition, and it is considered reasonable to ensure this is secured for a period of five years. This would ensure that the applicants collect data about use of the Trail Phase 1 and travel patterns, particularly data to recognise the use of the Trail Phase 1 by different user groups, such as the elderly, wheelchair users and the partially sighted. This would allow an assessment to be made about whether actions are required to improve signage, or change the way the path is segregated. It could also assist the applicants in planning future transport projects. The monitoring scheme will therefore be secured by planning condition (see Section 11 condition 32) should permission be granted.
- 8.134 Concern has been raised by individuals, as well as Fen Ditton Parish Council, that the Trail Phase 1, by providing a link to the new Cambridge North railway station (in combination with the Bridge) from Fen Ditton, and a link to the south of the river from East Chesterton, will exacerbate an existing problem of non-resident parking on Fen Ditton and Chesterton High Streets and other residential roads. Whilst it is acknowledged that excessive parking can be of concern for residents, vehicle parking on these streets is outside the scope of this planning application. Residents and the parish council will be able, should non-resident parking continue to be a concern, to request that a resident's permit scheme or other parking management measures are assessed and look into implementing these schemes through the Local Highways Improvement Initiative.
- 8.135 Concern has also been raised about the accuracy of the applicant's transport assessment and also the inclusion of the wider schemes such as a railway station at Addenbrookes Hospital which do not currently exist. These concerns have been noted but both the Highway Authority and the Transport Assessment Team are content with the updated transport analysis information supplied.

- 8.136 With the transport monitoring scheme secured, it is considered that the proposal is compliant with Policy 8/2 Transport Impact (LP) and emerging Policy 81: Mitigating the transport impact of development (LP2014), which requires that developments do not have an unacceptable transport impact, and provide the necessary information in order to assess the impacts of a proposal. Transport Assessment Officers are content that the information has been provided and that the proposal will not have an unacceptable impact on the highway network.
- 8.137 The proposal also conforms with the principles of policies 8/4 Walking and Cycling Accessibility and 8/5 Pedestrian and Cycle Network (LP), which both encourage new developments to give priority to walking and cycling, safeguard land and link with the pedestrian and cycle network, and improve and retain existing routes. While not specifically applicable to this proposal as it is a transport infrastructure project itself, the policies show the emphasis on prioritising sustainable travel accessibility and availability within the city.
- 8.138 It is also worth reiterating that the Chisholm Trail, and a crossing of the River Cam in this location has been part of the aspirations for the County and City Councils for some time, as noted in the discussion of the LTP and TSCSC in paragraph 8.6. It is therefore also in keeping with the city and county policy towards developing sustainable infrastructure projects and promoting sustainable travel to reduce vehicle use and traffic on the highway network.
- 8.139 Additionally, Policy 3/9 Watercourses and Other Bodies of Water (LP), requires that waterside development maintains or improves public access to the waterside. This proposal clearly improves accessibility for cyclists and pedestrians to the south side of the River Cam from Coldham's Lane and Newmarket Road, and from Cambridge North Railway Station, and therefore complies with this policy in this regard.

Residential Amenity

Construction Phase

- 8.140 It is considered that the period when this proposal is most likely to have an impact on residential amenity is during the construction phase. The impact from construction will be temporary, lasting approximately 50 weeks, although this time period is likely to be separated out in phases along the length of the Trail. The impact

from the construction can be minimised by securing by planning conditions the permitted construction hours and permitted construction delivery hours ensuring that construction doesn't occur late into the evening, overnight, or early morning, where potential disturbance would be most likely (see Section 11 conditions 14 and 15). A Construction Management Plan will also be required by planning condition (see Section 11 condition 9) to ensure that procedures and practices minimise disturbance to local residents as much as possible.

- 8.141 Given the location of the Trail Phase 1, there are only a small number of residents and businesses likely to be directly impacted by the construction of the Trail. The construction on Ditton Meadows has the potential to disturb residents on the north bank of the river. To the south of Ditton Meadows, the buildings off Ditton Walk are all light industrial and commercial where they back onto Ditton Meadows. The likelihood of disturbance during the day from the construction is unlikely to have a significant effect on the amenity of the workers in this location. The routing arrangement for the construction phase will take vehicles along Ditton Walk, along the same route used by the light industrial and commercial buildings, which could cause some disturbance to the residents along this road during the construction phase, through increased traffic along this road. However, as noted above, commercial traffic already travels along this road to access the businesses and light industrial estate along Ditton Walk.
- 8.142 It should also be noted that the potential for contaminated land has been noted within the disused railway site, which has the potential to affect the adjacent residents through the spread of contaminants. This has required the securing of conditions to ensure that appropriate assessments and mitigation schemes have been considered. For further discussion on contamination and the construction period, see paragraphs 8.161 – 8.166.
- 8.143 Where the Trail travels through Barnwell Junction Pastures, there are residents to the east off Ditton Walk and Maltings Close and west to the north of the Leper Chapel. These residents are in close proximity to the Trail construction and therefore some disturbance during the construction period is possible. Again, this can be minimised through securing appropriate planning conditions as set out above.

8.144 The construction of the Newmarket Road underpass is likely to have the most impact on the amenity of surrounding residents and the wider community, as the applicants have stated that it will be necessary to close Newmarket Road to facilitate the construction works. It has been proposed to limit this closure as much as possible to one weekend closure, in order to limit the impact on vehicle traffic around the city, and reduce the impact on residential amenity.

8.145 South of Newmarket Road the Trail is not in close proximity to any residences, with Abbey Stadium and Coldham's Common to the east, and the Common, light industrial and commercial units, then the railway to the west. As above, these units are unlikely to be disturbed by the construction works.

Operational Phase

8.146 Operationally, the increase in cycle and pedestrian traffic is unlikely to cause a detrimental impact to the amenity of surrounding residents. Noise from cyclists and pedestrians using the path is unlikely to disturb residents. The proposed lighting scheme is also unlikely to affect residential amenity, as the proposed scheme is to install way finding lights only, with surface level lights on the paths, and minimal lighting for safety at the underpasses. Details of the lighting scheme can be secured by planning condition (see Section 11 condition 7), to ensure that the impact on any lights does not affect residential amenity. The proposal is therefore considered to be in accordance with Policy 4/15 Lighting (LP) and emerging Policy 34: Light pollution control (LP2014) in this respect as the proposal, and details secured by planning condition as set out above, will minimise the impact on residential amenity.

8.147 It should also be noted that surrounding residents are subject to trains travelling along the existing railway line and across the railway bridge at regular intervals, which serves Ely and Peterborough and King's Lynn from Cambridge railway lines. The impact from noise from cyclists and pedestrians is therefore highly unlikely to disturb local residents when compared to the noise from trains travelling this route at regular intervals. It is therefore considered that the proposal would not raise concerns relating to emerging Policy 35: Protection of human health from noise and vibration (LP2014) which ensures that development doesn't lead to adverse effects on human health as a result of noise and vibration.

8.148 Concern has been raised in individual responses that the removal of vegetation in Barnwell Junction Pastures, will reduce the level of screening between the Trail Phase 1 and the houses to the east off Ditton Walk and Maltings Close. There has also been confusion in this area as to what means of enclosure are proposed as part of the hedgerow on the west side of the Trail Phase 1 to separate out the fields associated with the dwellings to the north of the Leper Chapel at Barnwell Junction. There is proposed to be a level of vegetation and fencing in place on both sides of the Trail Phase 1 to screen the route between the houses to the east and the field to the west. This vegetation is proposed to be managed through a 25 year Landscape Ecological Management Plan, which can be secured by a planning condition (see Section 11 condition 30), and grow up in the years following the construction. The final details of the fencing and vegetation in this area will be secured by planning conditions, as well as the Landscape Scheme, and the applicant will be encouraged to find the best possible solution to address the concerns of residents, the potential impact on the Leper Chapel and the need for ecological enhancement (see Section 11 conditions 4, 5, 6, 7, 29 and 30). Overall, given that the area is proposed to now have a commitment to long term management, secured by planning conditions as set out above, it is considered that any impact on residential amenity should be minimal.

8.149 As above, there are no residences to the south of Newmarket Road likely to be affected by the users of the Trail Phase 1, and it is highly unlikely that any employees working in the industrial and commercial units will be impacted.

Flood Risk and Drainage

8.150 The area where the Trail Phase 1 is proposed is almost entirely within areas designated as Flood Zone 2 and Flood Zone 3 indicating a high potential risk of flooding. The applicant has submitted a Flood Risk Assessment and Preliminary Water Framework Directive Compliance Assessment to support the application. As a result of this, the CCC Flood & Water Team as Lead Local Flood Authority (LLFA), objected to the scheme owing to the lack of a Surface Water Drainage Scheme.

8.151 Following the submission of revised information, the LLFA and City Sustainable Drainage Officer have agreed that Surface Water can be dealt with in principle at the site, and are in agreement to remove their objection subject to a detailed surface water drainage scheme and long term maintenance details being secured by

planning condition, (see Section 11 conditions 22 and 25). The LLFA has recommended that the applicant uses source control features, such as rain gardens or swales, to reduce surface water run-off.

- 8.152 In addition the Environment Agency (EA) has also agreed that they are satisfied that the development could be allowed in principle provided that details are submitted to provide floodplain compensatory storage. In addition, the EA has requested that a re-run of the model for Coldham's Brook, showing the impact of the development, is secured by pre-commencement planning condition, to ensure that the potential impacts have been properly assessed and mitigated. The assessments and schemes to address these issues can all be secured by planning conditions (see Section 11 conditions 22, 23 and 24).
- 8.153 Paragraph 100 of the NPPF requires that development in areas of risk of flooding should be avoided, but where development is necessary, it should be made safe without increasing flood risk elsewhere. To demonstrate this, a sequential test should be carried out for the development. Paragraph 101 of the NPPF describes the aim of the sequential test: "Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding."
- 8.154 In this case, the nature of the proposal, as an off-road cycle/pedestrian path connecting these two parts of the City to the east of the railway line requires the application site to be located within Flood Zones 2 and 3 by linking the river bank and Ditton Meadows to Coldham's Lane. All other potential options would result in on-road routes, which is not the aim of the development, that being encouraging sustainable development through providing attractive off-road routes in this part of the city. The applicant conducted a sequential test as part of the Flood Risk Assessment (FRA), which considered other options, such as a route to the west of the railway. However, it was concluded that the location and locational constraints, and the benefits of providing the more direct route to the east of the railway was the most suitable location. The results of the FRA have been assessed by the CCC Lead Local Flood Authority and the Sustainable Drainage Officer at Cambridge City Council from a surface water perspective and with the EA from a fluvial perspective and no concerns have been raised.

- 8.155 Paragraph 102 of the NPPF requires that the Exception Test is applied if development cannot be located in areas with a lower probability of flooding, and should demonstrate that the development provides wider sustainability benefits, and that the development will be safe without increasing flood risk elsewhere.
- 8.156 The positive wider sustainability benefits of the application are detailed throughout this report, primarily being the benefit from increasing sustainable travel options. The applicant has conducted an exception test as part of the FRA and concluded that the development is essential infrastructure in Flood Zone 3b. The Planning Practice Guidance therefore requires that the proposal be designed and constructed to 1. remain operational and safe for users in times of flood; 2. result in no net loss of floodplain storage; and 3. not impede water flows and not increase flood risk elsewhere.
- 8.157 The applicant considered that the proposal has shown this, and the FRA and principle of a surface water drainage scheme were agreed with the Lead Local Flood Authority and EA, to secure flood compensation areas and ensure no increase in flooding of development off site. Provided that the full and detailed scheme for these aspects, including the long term maintenance details, has been secured by planning condition (see Section 11 conditions 22, 23, 24 and 25), it is considered that the proposal meets the requirements of the Sequential and Exception tests, and is therefore in accordance with paragraphs 100-103 of the NPPF.
- 8.158 Taking all of the above points into account, it is considered that the proposal is in accordance with Policy 4/16 Development and Flooding (LP) and emerging Policy 32: Flood risk (LP2014), which require that development does not increase the risk of flooding or is an area with an unacceptable risk of flooding. It is also therefore in accordance with Policy 8/18 Water, Sewerage and Drainage Infrastructure (LP) and emerging Policy 31: Integrated water management and the water cycle (LP2014), which support the use of Sustainable Drainage Systems and would only support development where land drainage is available to meet the demands of the development. With the implementation of the appropriate conditions, as discussed above, the proposal will therefore be compliant with these policies.

- 8.159 Any technical works to ordinary watercourses (for example, replacing the culvert on Coldham's Brook on Coldham's Common) requires Ordinary Watercourse Land Drainage Consent from the Lead Local Flood Authority under the Land Drainage Act 1991 as already pointed out in paragraph 8.101 above. This will be included as an informative to the applicant should permission be granted, to ensure that they are aware of the additional consents required of them.
- 8.160 There are ecological implications for the works to Coldham's Brook and these are discussed above in paragraphs 8.96 – 8.100 and 8.116 – 8.117.

Contamination

- 8.161 Owing to the presence of the current operational railway line and the disused railway line, there is a reasonable likelihood that the ground could be contaminated in these areas, which could have implications for surrounding residences, and users of the path. A land Contamination Desk Study has been submitted as part of this application, identifying the likely risks as low, and confirming that testing should be conducted as part of the planning condition of any permission granted. This approach has been agreed by the Environment Agency and City Council Environmental Health land contamination officers, and therefore conditions to cover initial assessment for contamination, remediation works and verification reports for this work will be secured by planning conditions to ensure the appropriate surveys and necessary mitigation measures have taken place (see Section 11 conditions 17 - 20). With these planning conditions secured, it is considered that the development will comply with the requirements of Policy 4/13 Pollution and Amenity (LP) and emerging Policy 33: Contaminated land (LP2014) which require that development is only permitted which will not lead to adverse effects on health or the environment, and that pollution mitigation measures are implemented where necessary.

Construction

- 8.162 Two construction compounds are proposed for the development, the more northerly one to be located off Ditton Walk on a plot which is currently vacant and consists only of hardstanding. This would be used for the construction of the Trail Phase 1 on Ditton Meadows and into Barnwell Junction Pastures and it is also proposed for the Bridge works under planning permission C/5005/16/CC. The second compound is proposed to the south of

Newmarket Road, to the south of the proposed Newmarket Road underpass. This land is currently scrub land, used for informal parking for Barnwell Lakes. Both areas are proposed to be returned to their former state following the development.

- 8.163 The construction period for the Trail Phase 1 is proposed by the applicant to be approximately 50 weeks, and is likely to commence in late 2017, early 2018, should the proposal gain approval.
- 8.164 Some material is proposed to be removed from the site to facilitate the construction of the Newmarket Road underpass and for the construction of the Trail Phase 1. This has been estimated by the applicant to be 4595.9 cubic metres of excavated material and top soil. Some of this is proposed to be reused on site (subject to contamination checks being carried out), leaving approximately 3164.9 cubic metres to be removed from the site, this equates to approximately 5696.82 tonnes and approximately 285 vehicle movements.
- 8.165 The above movements only relate to the worst case scenario for transporting material off-site and it is therefore not a full number of vehicle movements to be associated with the application during the construction phase, as it does not take into account daily movements for contractors or movement of equipment and new materials. As such, a Construction Management Plan will be required by planning condition, as recommended by the Transport Assessment Team (see Section 11 condition 9) and permitted construction and delivery hours will also be secured by planning conditions (see Section 11 conditions 14 and 15) to ensure that the construction period has as minimal impact on the surrounding residents as possible.
- 8.166 The applicant has a legal responsibility to ensure that the appropriate permissions for the construction activities have been gained before works are carried out. This includes the applicant directly consulting with Network Rail and the National Grid regarding works to their land and the works that might affect the intermediate gas pipeline located within Ditton Meadows. It also includes gaining Ordinary Watercourse Consents from the Lead Local Flood Authority and a Temporary Traffic Regulation Order from the Highway Authority, for impacts to the Public Rights of Way and closures of Newmarket Road. The requirements for these will be included as informatives.

Cumulative Impact with the Bridge

- 8.167 As described earlier in this report, the Bridge, while a separate project for the purposes of this application and planning assessment, will form part of the northern section (Phase 1) of the Trail, should permission be granted for the Trail Phase 1, and the Bridge, which has been granted planning permission (application reference: C/5005/16/CC, 17/02/2017), is constructed. Concern has been raised by consultees and individuals that accepting two separate applications for these proposals is tantamount to a “salami slicing” approach to development, which is contrary to government guidance for the consideration of planning applications that are part of an overall project, as well as consideration under the Environmental Impact Assessment (EIA) regulations as to whether a proposal should be considered to be EIA development or not.
- 8.168 The approach for the planning application was discussed with the applicant at the pre-application stage, and it was determined, that because the funding sources for the Bridge and Trail were separate, the delivery timetables were different, and the fact that the Bridge could be developed without the Chisholm Trail coming forward, that the proposals could be considered separately. The example often cited against this approach is the development of separate sections of a motorway as part of different applications, which could not possibly have any benefit without the other sections being approved and built. In this case, the Bridge can come forward as a viable link across the river in this location, and the Trail Phase 1 could also provide a safer off road link from Coldham’s Lane to Ditton Meadows, even if the other development was not constructed.
- 8.169 In the same way, while the applicant has aspirations for Phase 2 of the Trail to link Coldham’s Lane to the existing railway station south of the city centre, this too could come forward as a separate proposal which would make sense in the context of the existing network and would provide a viable piece of infrastructure. Together, the three elements provide a linked up route across the city, but separately they individually have the potential to improve sustainable transport options within the area.
- 8.170 Similarly, in the assessment made against the EIA regulations, the Trail Phase 1 was considered for its individual impacts on the environment. However, as cumulative impact is an important aspect of whether a development is EIA or not, it was also fully

considered with the potential cumulative impacts of the Bridge and the Trail Phase 2, alongside other adjacent development. This ensured that all the potential impacts from the Trail Phase 1 application were fully assessed both individually and cumulatively, before a negative screening opinion was adopted stating that it was not EIA development.

9.0 CONCLUSION

- 9.1 This proposal has been considered against local and national planning policy, as well as other material planning considerations, in order to provide a full assessment of the benefits and negatives that need to be balanced with a project of this nature.
- 9.2 It is considered that subject to the imposition of the planning conditions discussed in this report and set out in Section 11 below, the proposal will have a minimal negative impact on the Cambridge Green Belt and conservation areas which is outweighed by the benefits of the development. Detailed design of the Trail Phase 1 and surrounding landscapes can be secured through planning conditions to ensure that the best possible design is secured, whilst worst case scenarios have been used by officers, in consultation with key statutory consultees, to ensure the potential for harm to all heritage assets, listed buildings, conservation areas and wildlife sites has been fully assessed using a precautionary approach. Furthermore, it is also considered that any impact to the Wildlife Sites, habitats and protected species can be mitigated through the implementation of planning conditions for both the design and construction phases, as discussed within this report.
- 9.3 Therefore, the positive benefits afforded to the new cycling and pedestrian infrastructure in this part of the City, are considered to outweigh the minimal negative impacts when mitigation and compensation measures are taken into account.

10.0 RECOMMENDATION

- 10.1 It is therefore recommended that planning permission be **granted**, subject to the planning conditions, advisory note, and informatives set out in Section 11 below.

11.0 PROPOSED CONDITIONS

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 4, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 21, 22, 23, 24, 26, 28, 29 and 30 below all require further information to be submitted, or works to be carried out, to protect the environment and ensure sustainable methods of operation during the construction of the development and are therefore attached as pre-commencement conditions. The developer may not legally commence operations on site until these conditions have been satisfied.

1. Commencement

The development hereby permitted shall be commenced not later than three years from the date of this permission. Within 14 days of the commencement of the development the County Planning Authority shall be notified in writing of the date at which the development commenced.

Reason: In accordance with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. Opening

Within one month of any part of the Trail Phase 1 first being brought into public use the County Planning Authority shall be notified in writing of the date at which the Trail Phase 1 was first opened to the public.

Reason: In order to be able to establish the timescales for the approval of details reserved by conditions and to enable monitoring of the development.

3. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the application form dated 8 May 2017 and the following information and plans (received 1 August 2016, unless otherwise stated), except as otherwise required by any of the conditions set out in this permission:

- Red Line Drawing, drawing no.: 5040130/HW/LP/003, Rev B, dated: 12/16 (received: 13/12/2016);
- Scheme Layout Sheet 1 of 5, drawing no.: 5040130/HW/GA/101, Rev H, dated: 13/01/16 (received: 09/03/2017);
- Scheme Layout Sheet 2 of 5, drawing no.: 5040130/HW/GA/102, Rev F, dated: 13/01/16 (received: 09/03/2017);
- Scheme Layout Sheet 3 of 5, drawing no.: 5040130/HW/GA/103, Rev G, dated: 13/01/16 (received: 09/03/2017);
- Scheme Layout Sheet 4 of 5, drawing no.: 5040130/HW/GA/104, Rev G, dated: 13/01/16 (received: 09/03/2017);
- Scheme Layout Sheet 5 of 5, drawing no.: 5040130/HW/GA/105, Rev E, dated: 13/01/16 (received: 09/03/2017);
- Proposed General Arrangement (CCC Bridge No 471591) [Coldhams Common Culvert Replacement], drawing no.: 5040130_BR_GA_201, Rev B, dated: 15/07/16;
- Proposed General Arrangement [Mildenhall Line Bridge Refurbishment], drawing no.: 5040130_BR_GA_300, Rev B, dated: 15/07/16;
- Proposed General Arrangement [CCH Railway Underpass Improvements], drawing no.: 5040130_BR_GA_400, Rev D, dated: 15/07/16 (received: 05/01/2017);
- Proposed General Arrangement (CCC Bridge No 471591) [Barnwell Footbridge], drawing no.: 5040130_BR_GA_500, Rev C, dated: 15/07/16;
- Newmarket Road Underpass General Arrangement Sheet 1 of 1, drawing no.: 5040130/BR/GA/101 Rev B. dated: 20/07/2016;
- Newmarket Road Underpass Cycleway Sight Lines. drawing no.: 5040130/HW/SK/104, Rev B, dated: 10/16 (received: 05/01/2017);
- Newmarket Road Underpass Drainage Layout 5040130/HW/DR/501, Rev B. dated: 10/16 (received 11/10/2016);
- Chisholm Trail Flood Risk Assessment by Atkins, Rev 4.0 dated: 8 December 2016 (received 09/03/2017);
- Chisholm Trail Preliminary WFD Compliance Assessment by Atkins, dated: 11 April 2016 (received 09/03/2017);

- The Chisholm Trail Phase 1, Cambridge Arboricultural Impact Assessment by Atkins, Rev P3, dated: March 2017 (received 17/03/2017);
- Tree Protection Plan Sheet 1 of 3, drawing no.: 5146436/ATK/ARB001, Rev P3, dated: 16/03/17 (received 17/03/2017);
- Tree Protection Plan Sheet 2 of 3, drawing no.: 5146436/ATK/ARB002, Rev P3, dated: 16/03/17 (received 17/03/2017);
- Tree Protection Plan Sheet 3 of 3, drawing no.: 5146436/ATK/ARB003, Rev P3, dated: 16/03/17 (received 17/03/2017);
- Heritage Impact Assessment on The Leper Hospital of St Mary Magdalene at Sturbridge by Oxford Archaeology East, Report Number 1886, dated: Feb 2016;
- Leper Chapel Geophysical Survey of land adjacent to St Mary Magdalene Chapel (Leper Chapel) by Cranfield University, Report No 134, dated: May 2016;
- Chisholm Trail: Phase 1 - Lighting Statement C/5007/16/CC by Atkins Limited, dated: 01/09/2016 (received: 02/09/2016);
- Street Lighting Layout, drawing no.: 5040130/HW/LP/004, Rev A, dated: 08/16 (received: 02/09/2016);
- Chisholm Trail – Phase 1 Landscape and Visual Impact Assessment (including Figures and Appendices) by Atkins, Rev 5, dated March 2017 (received 14/06/2017);
- Chisholm Trail Demand Forecasting Report by Atkins, Rev 4.0 dated: 13 September 2016 (received 29/09/2016);
- The Chisholm Trail Transport Assessment by Atkins, Rev 1.0 dated September 2016 (received 29/09/2016); and
- Chisholm Trail Land Contamination Desk Study by Atkins, Rev 2.0 dated: March 2017 (received 09/03/2017).

Reason: To define the site and protect the character and appearance of the locality in accordance with policy 3/7 of the Cambridge Local Plan (adopted July 2006).

4. Path Specifications

No development shall commence until detailed engineers drawings for the development, including detailed dimensions, levels, gradients and specifications of the paths and ramps,

including any cattle grids, have been submitted to, and approved in writing by, the County Planning Authority.

The development shall only be carried out in accordance with such approved details.

Reason: To ensure that the paths are accurately constructed on site to a high standard in accordance with policy 3/7 of the Cambridge Local Plan (adopted July 2006). The detailed information, including gradients, in relation to the paths are required prior to the construction phase so must be agreed before development commences.

5. Fence, Railings and Gate Specifications

No development shall commence until detailed drawings and specifications of the fences, railings, path apparatus including cattle grids and gates to be installed as part of this development, including detailed dimensions, locations and materials have been submitted to, and approved in writing by, the County Planning Authority. The details shall include, but not be limited to, the following information:

- Detailed drawings showing the relationship of the proposals to the wider context of the area;
- Adjacent to the Leper Chapel and Barnwell Junction Pastures, provide visualisations of the proposed fences, railings and gates in the wider context;
- Set out materials and colours (including RAL numbers) to be used;
- Demonstrate how proposals allow access to the Public Right of Ways in the area; and
- Demonstrate the need for the enclosures in the sensitive locations by the Leper Chapel, Barnwell Junction Pastures and Ditton Meadows.

The development shall only be carried out in accordance with such approved details.

Reason: To ensure that the fences, railings and gates are accurately constructed on site to a high standard, maintain the appropriate access to the public rights of way, and take account of their wider context in relationship to the Cambridge Green Belt, local conservation areas and wildlife / heritage designations in accordance with policies 3/7, 3/11, 4/1, 4/6 and

4/11 of the Cambridge Local Plan (adopted July 2006). The detailed information in relation to the fences, railings and gates are required prior to the construction phase so must be agreed before development commences.

6. Underpasses, Brook Crossings and Ramps Specifications

No development shall commence until detailed engineers drawings for the underpasses, bridges/crossings, and ramps to be installed as part of this development, including detailed dimensions, levels, specifications and materials have been submitted to, and approved in writing by, the County Planning Authority. The details shall include, but not be limited to, the following information:

- Detailed drawings showing the relationship of the proposals to the wider context of the area;
- Adjacent to the Leper Chapel and Barnwell Junction Pastures, provide visualisations of the underpass and ramp specification in the wider context; and
- Set out materials and colours (including RAL numbers) to be used.

The development shall only be carried out in accordance with such approved details.

Reason: To ensure that the underpasses, brook crossings and ramp specifications are accurately constructed on site to a high standard, maintain the appropriate access to the public rights of way, and take account of their wider context in relationship to the Cambridge Green Belt, local conservation areas and wildlife / heritage designations in accordance with policies 3/7, 3/11, 4/1, 4/6 and 4/11 of the Cambridge Local Plan (adopted July 2006). The detailed information in relation to the underpasses, brook crossings and ramp specifications are required prior to the construction phase so must be agreed before development commences.

7. Lighting Specification

Prior to the installation of any lighting, a lighting scheme and specification shall be submitted to and approved in writing by, the County Planning Authority. The scheme shall include:

- a) specifications for any artificial lighting of the site, including underpass lighting and lighting on the paths and way-finding lights at ground level;
- b) a lighting impact assessment with predicted lighting levels at proposed and existing residential properties, sensitive receptors, and the boundary of the site;
- c) details the hours that the lights will be illuminated; and
- d) details of any motion detection sensors and how they will be used.

No lighting shall be installed except in accordance with such approved details and shall be retained on site thereafter.

Reason: To ensure that light pollution is prevented in this sensitive location in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006).

8. Signage/Markings Specification

Prior to the Trail Phase 1 first being brought into public use, a scheme for signage and path markings shall be submitted to and approved in writing by, the County Planning Authority. The signage/markings scheme shall include, but not be limited to:

- Detailed design of all signage and path markings within the application site.

The signage/path markings scheme shall be carried out in full in accordance with such approved details, shall be put in place prior to the Trail Phase 1 first being brought into public use and shall be retained on site thereafter.

Reason: To ensure that the paths are marked for wayfinding and safety purposes and in accordance with policy 8/4 of the Cambridge Local Plan (adopted July 2006).

9. Construction Management Plan

No development shall commence until a Construction Management Plan has been submitted to, and approved in writing by, the County Planning Authority. The plan shall include, but not be limited to, details of:

- a) construction methods, including measures to minimise the spread of airborne dust from the site during the construction period;

- b) existing path closures and maintenance of safe access;
- c) construction vehicle movements, numbers and routes;
- d) site protective fencing;
- e) plant required to serve the compound such as generators and any security lighting for well being;
- f) site compound layout; and
- g) a plan for the removal/reinstatement of the site compound following completion of the development.

The development shall only be carried out in accordance with such approved details.

Reason: To protect the amenity of the adjoining properties in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006). The Construction Management Plan relates to the construction phase so must be in place before development starts.

10. Construction Noise and Vibration

No development shall commence until a Construction Noise and Vibration Report has been submitted to, and approved in writing by, the County Planning Authority. The plan shall set out the demolition / construction noise and vibration impact associated with this development in accordance with the provisions of BS 5228:2009 Code of Practice for noise and vibration control on construction and open sites, and include full details of any piling and mitigation measures to be taken to protect sensitive receptors from noise and vibration.

The development shall only be carried out in accordance with such approved details.

Reason: To protect the amenity of the adjoining and nearby sensitive receptors in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006). The Construction Noise and Vibration Report relates to the construction phase so must be in place before development starts.

11. Construction Environmental Management Plan

No development shall commence until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the County Planning Authority. The plan shall include:

- a) A Precautionary Method of Working (PMW) in respect of bats, reptiles, nesting birds and hedgerow;
- b) Full details for the protection of water voles during any culverting works;
- c) Provision for and confirmation that an Ecological Clerk of Works must oversee all site clearance works and monitor the PMW;
- d) Pollution controls;
- e) Invasive plant species controls; and
- f) That construction activities should be restricted to within normal daytime working hours, so that no additional lighting is used on the construction site overnight.

The development shall only be carried out in accordance with such approved details.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated, in the interests of the amenity of surrounding sensitive receptors and protection of protected species in accordance with policies 4/7 and 4/13 of the Cambridge Local Plan (adopted July 2006). The Construction Environmental Management Plan relates to the construction phase so must be in place before development starts.

12. Haul Road Details and Reinstatement

No development shall commence until full details of the haul road(s) including routes; turnaround areas; construction; and method and timetable for removal and re-instatement have been submitted to, and approved in writing by the County Planning Authority.

The haul road(s) described above shall be removed and the land reinstated in accordance with the above scheme.

Reason: In order to demonstrate the impacts of the construction works and to ensure no net loss of biodiversity as a result of this application in accordance with policies 4/6 and 4/7 of the Cambridge Local Plan (adopted July 2006). Details of the haul road, including the method of construction and re-instatement of the area, is required ahead of the construction phase so must be approved before development starts.

13. Materials Management Plan

No development shall commence until a Materials Management Plan has been submitted to, and approved in writing by, the County Planning Authority. The plan shall include:

- a) an inspection and sampling strategy for the testing of excavation formations;
- b) a procedure for screening contamination discovered in the development phase to be screened against criteria outlined in the Contamination Remediation Strategy;
- c) a stockpile validation strategy;
- d) detailed material re-use criteria;
- e) details of arisings processing;
- f) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in a) to e) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action;
- g) details of the volumes and types of material proposed to be imported or reused on site;
- h) details of the proposed source(s) of the imported or reused materials;
- i) details of the chemical testing for ALL material to be undertaken before placement onto the site;
- j) the results of the chemical testing which must show the material is suitable for use on the development; and
- k) confirmation of the chain of evidence to be kept during the materials movement, including material importation, reuse placement and removal from and to the development.

The development shall only be carried out in accordance with such approved details.

Reason: To ensure that any contamination of materials is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006). The detailed material information, including the methodology linked to testing for contaminated land related issues etc. is required ahead of the construction phase so must be in place before development starts.

14. Permitted Construction Hours

No development shall take place other than between the following hours: [0800 hours and 1800] hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of the adjoining properties in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006).

15. Permitted Construction Delivery Hours

No deliveries to, or removal of waste or materials from, the site shall take place except between the hours of 0800 and 1800 Monday to Friday, 0800 and 1300 on Saturdays and at no time on Sundays, bank or public holidays.

Reason: To protect the amenity of the adjoining properties in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006).

16. Earthworks

No development shall commence until full details of earthworks have been submitted to and approved in writing by the County Planning Authority.

These details shall include the existing land levels of the red line site area as a baseline for the scheme, alongside the amount of spoil to be retained on site; soil analysis for re-use in construction; calculations for removal or movement of soils; soil stripping, handling and storage; ground protection during construction; and ground re-instatement and soil reconditioning all in line within the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. Details of earth mounding shall include the amount and type of soil to be retained on site, the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform.

The development shall only be carried out in full in accordance with such approved details, and shall be completed prior to the Trail Phase 1 first being brought into public use.

Reason: To ensure that the details of the earthworks are acceptable in accordance with policies 3/4, 3/11 and 3/12 of the Cambridge Local Plan (adopted July 2006). The baseline land levels data and details of the earthworks proposed are required ahead of the construction phase so must be in place before development starts.

17. Contamination Preliminary Study

No development shall commence until a preliminary contamination study has been submitted to and approved in writing by, the County Planning Authority. The study shall include:

- a) Desk study to include:
 - i. Detailed history of the site uses and surrounding area (including any use of radioactive material);
 - ii. General environmental setting;
 - iii. Site investigation strategy based on the information identified in the desk study.
- b) A report setting out what works/clearance of the site (if any) is required in order to effectively carry out site investigations;
- c) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site; and
- d) The results of a site investigation based on (c) and a detailed risk assessment, including a revised CSM.

Reason: To adequately categorise the site prior to the design of an appropriate investigation strategy in the interests of environmental and public safety in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006), and to protect and prevent the pollution of controlled waters in line with National Planning Policy Framework (NPPF) paragraphs 109, 120 and 121; and Environment Agency Groundwater Protection: Principles and Practice (GP3). The contaminated land issue relates to the land ahead of the construction phase and remediation measures may be needed as part of the construction phase so must be in place before development starts.

18. Contamination Remediation Strategy

No development shall commence until a contamination remediation strategy has been submitted to, and approved in writing by, the County Planning Authority. The strategy shall include:

- a) A site investigation report detailing all works that have been undertaken to determine the nature and extent of any contamination, including the results of the soil, gas and/ or water analysis and subsequent risk assessment to any receptors;
- b) A proposed remediation strategy detailing works required in order to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented; and
- c) The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

The approved remediation strategy shall be implemented in full and shall be completed prior to the Trail Phase 1 first being brought into public use.

Reason: To ensure that any contamination of the site is identified and appropriate remediation measures agreed in the interest of environmental and public safety in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006), and to protect and prevent the pollution of controlled waters in line with National Planning Policy Framework (NPPF) paragraphs 109, 120 and 121; and Environment Agency Groundwater Protection: Principles and Practice (GP3). The contaminated land issue relates to the land ahead of the construction phase and remediation measures may be needed as part of the construction phase so must be in place before development starts.

19. Contamination Remediation Strategy – unexpected contamination

If, during the construction of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the County Planning Authority.

The approved remediation strategy shall be implemented in full.

Reason: To ensure that any unexpected contamination is rendered harmless in the interests of environmental and public safety in accordance with policy 4/13 of the Cambridge Local Plan (adopted July 2006).

20. Contamination Completion/Verification Report

Prior to the Trail Phase 1 first being brought into public use, a Contamination Completion Report shall be submitted to, and approved in writing by, the County Planning Authority. The report shall include:

- a) A completion report demonstrating that the approved remediation scheme as required by conditions 17 (Contamination Preliminary Study) and 18 (Contamination Remediation Strategy) has been undertaken and that the land has been remediated to a standard appropriate for the end use; and
- b) Details of any post-remedial sampling and analysis (as defined in the approved Contamination Remediation Strategy) which shall be included in the completion report along with all information concerning materials brought onto, used, and removed from the development. The information provided must demonstrate that the site has met the required clean up criteria.

Upon completion of any works pursuant to the Contamination Remediation Strategy, no works shall take place within the site such as to prejudice the effectiveness of the approved scheme of remediation.

Reason: To demonstrate the site is suitable for approved use in the interest of environmental and public safety in accordance

with policy 4/13 of the Cambridge Local Plan (adopted July 2006).

21. Programme of Archaeological Works

No development shall commence until a Written Scheme of Investigation (WSI) has been submitted to, and approved in writing by, the County Planning Authority. The agreed WSI shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI; and
- d) The timetable for the investigation.

The development shall only be carried out in accordance with such approved details.

Reason: To protect any underlying archaeology in the area in accordance with policy 4/9 of the Cambridge Local Plan (adopted July 2006). To ensure that the underlying archaeology is protected the Programme of Archaeological Works needs to be agreed ahead of the construction phase so must be in place before development starts.

22. Drainage Scheme

No development shall commence until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the County Planning Authority. The scheme shall include:

- a) A plan clearly detailing the levels of the trail, to demonstrate the gradient of the camber. This must demonstrate that the surface water will drain away from the trail;
- b) The submitted Newmarket Road Underpass Drainage Layout (Drawing No: 5040130/HW/DR/501 Rev B dated 10/16) seems to show that the gradients falls towards the

centre line as detailed above the applicant will need to clearly demonstrate that surface water can drain away from the trail;

- c) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes;
- d) Confirmation of the critical storm duration;
- e) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required; and
- f) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.

The drainage scheme shall be carried out in full in accordance with such approved details, and shall be completed prior to the Trail Phase 1 first being brought into public use and retained on site thereafter in accordance with the scheme.

Reason: To prevent the increased risk of flooding, to protect water quality, improve habitat and amenity, and to ensure that the drainage and flood risk implications of developments are mitigated in accordance with policies 4/6 and 4/16 of the Cambridge Local Plan (adopted July 2006). Elements of the surface water drainage arrangements may need to be installed in an early part of the construction phase so the scheme must be in place before development starts.

23. Flood Compensation

No development shall commence until a detailed scheme to provide floodplain compensatory storage has been submitted to, and approved in writing by, the County Planning Authority.

The scheme for floodplain storage shall be carried out in full in accordance with the approved details, and shall be completed prior to the Trail Phase 1 first being brought into public use and retained on site thereafter in accordance with the scheme.

Reason: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with policy 4/16 of the Cambridge Local Plan (adopted July 2006). Details of the flood compensation need to be agreed

ahead of the construction phase so need to be in place ahead of development.

24. Coldham's Brook Model

No development shall commence until such time as a report containing final results of the re-run of the Coldham's Brook model has been submitted to, and approved in writing by, the County Planning Authority.

Should the results of the report show an unacceptable impact on the surrounding area from the proposed development, mitigating solutions shall be submitted under conditions 22 (Drainage Scheme) and 23 (Flood Compensation), and the model re-run until such time that the results of the re-run of the model shows an acceptable level of impact.

Reason: To prevent flooding elsewhere and to ensure that any amendments as part of the detailed design and design of the surface water drainage scheme and floodplain compensatory storage have been assessed in accordance with policy 4/16 of the Cambridge Local Plan (adopted July 2006). The re-running of the model is intrinsically linked to the surface water drainage and flood compensation requirements of the proposals and therefore need to be agreed and finalised ahead of development commencing.

25. Drainage Long-term Maintenance Plan

Prior to the installation of the surface water drainage scheme approved in condition 22 (Drainage Scheme) above, details for the long term maintenance arrangements for any parts of the surface water drainage system which are not to be adopted (including all Sustainable Drainage Systems (SuDS) features) shall be submitted to, and approved in writing by, the County Planning Authority.

The submitted details shall identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. The plan shall also clarify the access that is required to each surface water management component for maintenance purposes.

The maintenance scheme shall be carried out in full in accordance with such approved details.

Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework and policy 4/16 of the Cambridge Local Plan (adopted July 2006).

26. Ecological Design Strategy

No development shall commence until an Ecological Design Strategy (EDS) addressing conservation of biodiversity features of the application site has been submitted to and approved in writing by the County Planning Authority. The EDS shall include the following:

- a) Detailed mitigation and enhancement measures for protected species and other species / habitats of conservation interest (including, but not limited to, water vole, reptiles, bats, breeding fish, aquatic invertebrates and City Wildlife Site habitats);
- b) Details showing the protection of watercourses, including ditches, from damage of pollution during construction, with detailed biosecurity control measures for Himalayan balsam or any other invasive non-native species which may be found during the proposed works;
- c) Purpose and conservation objectives for the proposed works;
- d) Review of site potential and constraints;
- e) Detailed design(s) and/or working method(s) to achieve stated objectives, including any opportunities to improve the habitat for the adjacent watercourse of Coldham's Brook;
- f) Extent and location/area of proposed works on appropriate scale maps and plans;
- g) Type and source of materials to be used where appropriate, e.g. native species of local provenance;
- h) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- i) Persons responsible for implementing the works;
- j) Details of initial aftercare and long-term maintenance;
- k) Details for monitoring and remedial measures; and
- l) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with such approved details and all features shall be retained in accordance with the details approved thereafter.

Reason: To ensure the protection of existing species and the ecological and biodiversity value of the area, including protection of BAP habitats within and adjacent to the site in accordance with policies 4/2, 4/3 and 4/8 of the Cambridge Local Plan (adopted July 2006) and in line with National Planning Policy Framework (NPPF) paragraphs 109 and 118. The Ecology Design Strategy detail will need to be agreed ahead of the construction phase so the scheme must be in place before development starts.

27. Grassland Translocation

No development shall commence within the area shown as green on plan CCC1, attached to this decision notice, until a Grassland Translocation Survey and Scheme has been submitted to, and approved in writing by, the County Planning Authority. The scheme shall include:

- a) detailed botanical surveys;
- b) a detailed scheme for the storage of ballast/soils, vegetation and important plant species; and
- c) a detailed scheme for the reinstatement of quality grassland & ballast to the area shown as green on plan CCC1.

The scheme, once approved in writing by the County Planning Authority, shall be implemented in full and completed prior to the Trail Phase 1 first being brought into public use, or in the first planting season following the Trail Phase 1 first being brought into public use.

Reason: To ensure the protection of existing species and the ecological and biodiversity value of the area shown in plan CCC1 in accordance with policies 4/2, 4/3 and 4/8 of the Cambridge Local Plan (adopted July 2006).

28. Tree Protection

No development, including the bringing of any equipment, machinery or materials onto the site for the purpose of the development, shall commence until a phased Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), in accordance with BS5837 2012, has been submitted to, and approved in writing by, the County Planning Authority. The AMS and TPP shall include:

- a) Consideration of all phases of construction, in a logical sequence, in relation to the potential impact on trees;
- b) Details of the specification and position of protection barriers and ground protection; and
- c) all measures to be taken for the protection of any trees from damage during the course of any activity related to the development, including demolition, foundation design, storage of materials, ground works, installation of services, erection of scaffolding and landscaping.

Prior to the commencement of site clearance a pre-commencement site meeting shall be held and attended by the site manager, the arboricultural consultant and Local Planning Authority's Tree Officer to discuss details of the approved AMS. This meeting will be to discuss the implementation of the approved AMS. The minutes of this meeting shall be submitted in writing to the County Planning Authority, within 14 days of the meeting.

The development shall be carried out in full in accordance with the approved AMS and TPP throughout the duration of the development. The agreed means of protection shall be retained on site until the development has been completed and all equipment, and surplus materials have been removed from the site. Nothing shall be stored or placed in any area protected in accordance with this condition, and the ground levels within those areas shall not be altered, in line with the baseline ground levels agreed under condition 16 (Earthworks), nor shall any excavation take place.

Reason: To safeguard existing trees on the site and to ensure that suitable replacement trees and planting are provided to mitigate the impact of the development in accordance with policy 4/4 of the Cambridge Local Plan (adopted July 2006). The detail related to tree protection and an Arboricultural Method Statement will need to be agreed ahead of the construction phase so the scheme must be in place before development starts.

29. Landscape Scheme

No development shall commence until full details of both hard and soft landscape works have been submitted to and approved in writing by the County Planning Authority.

These details shall include plans, method statements and calculations and comprise temporary site fencing; soil analysis for re-use for landscaping purposes; calculations for removal or movement of soils; removal of felled tree timber and other vegetation; proposed finished levels or contours; no-dig construction; retaining features; drainage (ground water flows and surface water); means of enclosure or fencing (location, type and detail); hard surfacing materials; lighting; proposed and existing functional services above and below ground; and retained historic landscape features and proposals for restoration, where relevant. Soft Landscape works shall include planting plans at an appropriate scale; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

The landscape scheme shall be carried out in full in accordance with such approved details, and completed prior to the Trail Phase 1 first being brought into public use, or in accordance with the implementation programme agreed in writing by the County Planning Authority.

Reason: In the interests of visual amenity and to ensure that suitable hard and soft landscape is provided as part of the development in accordance with policies 3/4, 3/11, and 3/12 of the Cambridge Local Plan (adopted July 2006). The detail related to the landscape scheme will need to be agreed ahead of the construction phase so the scheme must be in place before development starts.

30. Landscape Ecological Management Plan

No development shall commence until a Landscape Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the County Planning Authority. It shall include:

- a) A ditch management plan;
- b) Measures to ensure no impact on the River Cam County Wildlife Site (CWS);
- c) A mitigation strategy for Water Vole, including details of translocation exercise;

- d) Mitigation measures for habitat loss within City Wildlife Sites and Stourbridge Common Local Nature Reserve (LNR);
- e) Mitigation measures to control spread of invasive non-native species (inc. Floating Pennywort & Parrot's Feather);
- f) A detailed planting scheme, including species list, for ecological mitigation areas (brook and grassland);
- g) Details of plant establishment for a period of 5 years;
- h) Long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including copies of agreements with landowners that provide details of the location extent and maintenance of replacement habitat mitigation (outside of the red line boundary) so as to ensure there is no net loss in biodiversity;
- i) A scheme detailing how the new habitat will be established, managed and maintained for a period of 25 years; and
- j) A scheme for the provision of annual reports, to be submitted to the County Planning Authority, to report on the ongoing habitat management, as agreed in part i) above, for a period of 25 years.

The approved plan shall be implemented in full for a minimum of 25 years from the date that the Trail Phase 1 is first brought into public use.

Reason: In the interests of visual amenity and to ensure that landscaping becomes appropriately established on site in accordance with policies 4/3, 4/4 and 4/7 of the Cambridge Local Plan (adopted July 2006). The detail related to the Landscape Ecological Management Plan will need to be agreed ahead of the construction phase so the scheme must be in place before development starts.

31. 5-Year Landscape Establishment

Any trees or plants provided as part of the landscape scheme as detailed in condition 29 which, within a period of 5 years from the planting date, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species as those originally planted.

Reason: In the interests of visual amenity and safeguarding trees and plants that are worthy of retention in accordance with policies 4/3 and 4/4 of the Cambridge Local Plan (adopted July 2006).

32. Transport Monitoring

Prior to the Trail Phase 1 being first brought into public use, a scheme for the monitoring of the use of the Trail Phase 1 shall be submitted to, and approved in writing by, the County Planning Authority. The scheme shall include, but not be limited to:

- a) How the monitoring data will be collected to take account of stakeholders;
- b) The methodology for categorising the data by user type e.g. cyclist, pedestrian, resident; and person type e.g. elderly, wheelchair user, partially sighted, in order to assess how the needs of all user groups are accommodated;
- c) How actions will be agreed as a result of the monitoring e.g. additional signage or changes in dimensions of the segregated sections;
- d) The timescale of the monitoring, which shall be no less than 5 years from the date the Trail Phase 1 is first brought into public use;
- e) Who will be responsible for undertaking the monitoring and the frequency the results shall be published; and
- f) Evidence of early engagement with the Highway Authority to ensure design, monitoring methodology and equipment e.g. automatic permanent counters etc. are compatible.

The approved scheme shall be implemented in full.

Reason: In the interests of highway safety and assessing the impact of the Trail Phase 1 on modal shift in accordance with 8/2 of the Cambridge Local Plan (adopted July 2006).

INFORMATIVES

LEAD LOCAL FLOOD AUTHORITY - ORDINARY WATERCOURSE CONSENT

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every

river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridge County Council's Culvert Policy for further guidance:

http://www.cambridgeshire.gov.uk/info/20099/planning_and_development/49/water_minerals_and_waste/4

ENVIRONMENT AGENCY – FLOODPLAIN COMPENSATION

It will need to be demonstrated that any increase in built footprint within the 1 in 100 year flood extent, including an allowance for climate change, can be directly compensated for, on a volume-for-volume and level-for-level basis. The outline Technical Note addresses this for the Earth Mound, however for South of Newmarket Road a 1 in 1000 year event is considered. You should demonstrate the 1 in 1000 year outline is at least equal to 1 in 100 year (CC). If the floodplain on the West and East of the disused railway embankment are unconnected, any in built footprint will need to be compensated for on the equivalent side.

PUBLIC RIGHTS OF WAY

If any Public Right of Way is required to be temporarily closed then the applicant will be required to apply for a Temporary Traffic Regulation Order (TTRO). This should be applied for via the Streetworks team at street.works@cambridgeshire.gov.uk and should be received no later than 12 weeks prior to the proposed closure. Information about the TTRO process can be found on the Cambridgeshire County Council Website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>

NATIONAL GRID – INTERMEDIATE PRESSURE GAS PIPELINE

There is an Intermediate Pressure Gas Pipeline located inside the application area. The development will necessitate crossing the pipeline, therefore National Grid will expect full engagement from the contractor carrying out the construction works to ensure that their work methods statement and risk assessments (RAMS) are agreed by National Grid prior to works commencing. This is to ensure the safety of the pipeline is not at risk from any construction activities.

NETWORK RAIL – ASSET PROTECTION

Given the location of the proposed development Network Rail require the applicant to liaise with their Asset Protection Team at AssetProtectionAnglia@networkrail.co.uk and agree to an Asset Protection Agreement prior to the commencement of any works taking place on site.

CONSTRUCTION NOISE AND VIBRATION

Owing to the proximity of this site to existing residential premises and other noise sensitive premises, impact pile driving is not recommended.

LIGHTING GUIDANCE

Artificial lighting on and off site must meet the Obtrusive Light Limitations for External Lighting Installations contained within the Institute of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light – GN01:2011 (or as superseded).

PLANT NOISE

If plant is required to serve the compound areas (e.g. generators for security lighting and wellbeing) it is required to be acoustically mitigated to ensure noise does not adversely impact upon the locality.

It is recommended that the rating level (in accordance with BS4142:2014) from all plant, equipment and vents etc. (collectively) associated with this application located within the compound areas should be less than or equal to the existing background level (L90) at the boundary of the premises subject to this application and having regard to noise sensitive premises.

DUST

To satisfy condition 9 (Construction Management Plan) the applicant should have regard to:

The Cambridge City Council Supplementary Planning Document "Sustainable Design and Construction" (June 2007)
<http://www.cambridge.gov.uk/public/docs/sustainable-design-and-construction-spd.pdf>

Guidance on the assessment of dust from demolition and construction
http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

Air Quality Monitoring in the Vicinity of Demolition and Construction Sites 2012
http://www.iaqm.co.uk/wp-content/uploads/guidance/monitoring_construction_sites_2012.pdf

Control of dust and emissions during construction and demolition - supplementary planning guidance
https://www.london.gov.uk/sites/default/files/Dust%20and%20Emissions%20SPG%208%20July%202014_0.pdf

For further information or guidance on any of the above, the applicant is advised to speak to the Environmental Health Team at Cambridge City Council.

CONTAMINATED LAND

The route of the proposed trail passes through areas of former and existing industrial uses. Whilst exposure of future site users to potential contamination will be brief, anecdotal evidence from previous applications suggests that soils heavily compacted by contamination may be found during the groundworks. The applicant needs to satisfy themselves as to the condition of the land/area and its proposed use to avoid a public health situation arising in the future.

For further advice on contaminated land issues the applicant is advised to contact Cambridge City Council.

INACCURACIES WITHIN THE PLANNING APPLICATION THAT WILL REQUIRE SEPARATE CONSENTS

The applicant is reminded that any development outside of the red line boundary for this permission that requires its own consent e.g. the removal of the Leper Chapel steps and any connected works in the curtilage of the listed building, will require a separate planning application and listed building consent.

Contact details

To inspect any related papers or if you have a query on the report please contact:

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