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Secretary of State for Transport  
c/o Transport Infrastructure Planning Unit  
Department for Transport  
Great Minister House  
33 Horseferry Road  
London, SW1P 4DR

By email only

Our references: 22/03819/TWA & 22/03628/TWA

**DATE**

Dear Secretary of State,

### **THE TRANSPORT AND WORKS ACT 1992 PROPOSED NETWORK RAIL (CAMBRIDGE RE-SIGNALING) ORDER**

This letter is a joint representation on behalf of Cambridge City Council and South Cambridgeshire District Council ('the Councils') to the application made by Network Rail Infrastructure Limited ('Network Rail') to the Secretary of State for Transport under sections 1 and 5 of the Transport and Works Act 1992 for the proposed Network Rail Cambridge Re-signalling Order ('the Order'). The Councils received notification of the application on 05 August 2022. This representation has been approved by the Councils in accordance with their respective constitutions.

Overall, while the Councils support the aims of the scheme to improve the reliability and performance of the network and recognise the intended safety enhancements, the Councils place a **holding objection** to the application for the reasons set out in this letter. In summary, these relate to the concerns that the Councils raised with Network Rail in the earlier public consultation which have not been satisfactorily addressed, and further information that is required from Network Rail to address site-specific issues raised by Ward Councillors and Parish Councils as set out in this

letter. The Councils welcome further engagement with Network Rail to resolve these matters.

## **Proposal**

The draft Network Rail (Cambridge Re-signalling) Order relates to the Cambridge Re-signalling Relock & Recontrol Project to upgrade the re-signalling of the Cambridge station interlocking area and relevant level crossings, and any other works and operations incidental or ancillary to such works. The stated aim is to upgrade the re-signalling system to a 35-year life and improve the reliability and performance of the network.

The draft Order would confer powers for Network Rail to compulsorily acquire land and rights in land and take temporary possession in connection with the works required for project and stop up the public highway. The application does not include a request for deemed planning consent and as such no detailed plans for the works have been submitted. The Councils have therefore commented only on the deposited land plans and the accompanying description of the works to follow.

It is understood from the submission that the works would be carried out under the applicant's permitted development rights, prior approval or following the granting of express planning permission. As stated in the Listed in List of Consents, Permissions or Licences under Other Enactments (Required by Rule 10(2)(f)) (NR-07), the applicant would submit further applications for prior approval or the granting of express planning permission for works at Six Mile Bottom, Shepreth and Little Shelford. The Councils make no comment on whether or not the works fall within permitted development and reserve its position with regard to the need for planning permission or any other permissions.

Notwithstanding that the current application for the draft Order only confers powers to acquire land and does not consent the works to be carried out, the Councils consider it material to assess the impact of the intended works when commenting on this application. This is because the compulsory acquisition of land must be justified by the need for the works, and because the acquisition of land facilitates the use of permitted development rights and prior approval consents to carry out the works. Thus the impact of intended works is intrinsic to the assessment of the acquisition of land which cannot be considered standalone. It is on this basis that this representation is made.

Finally, it is stated in the application that the draft Order would authorise Network Rail to compulsorily acquire land and rights in land and take temporary possession of land in connection with the works, all within the Cambridgeshire County Council area for relevant works. Therefore, Cambridge City Council property services team has

not been consulted on the site to the south of Long Road bridge. Should this not be the case, then further consultation is required with the authority.

## **Public consultation**

The Councils submitted representations to Network Rail's public consultation in April 2021 and to the consultation on the Environmental Impact Assessment (EIA) screening request in July 2021. These have been summarised by Network Rail in the Consultation Report (NR-05). However, the Councils are concerned that Network Rail has not given proper consideration to all the issues raised. Therefore, copies of the representations are enclosed for completeness. The issues raised by the Councils in those representations are summarised as follows:

1. Strongly support the proposed signalling upgrades and the safety improvements to the level crossings.
2. Further assessment is required of impact of barrier down time on traffic within the locality and the wider highway network including avoiding unforeseen impacts, and the resulting potential reduction in air quality and carbon emissions.
3. Further assessment is required of barrier down time and behavioural responses including additional risk taking, to ensure that improvements in rail safety should not result in a reduction in road safety.
4. Consider accessibility for pedestrians, cyclists and equestrians as well as those with reduced mobility affected by the proposed level crossing changes.
5. Further assessment of the impact of the conversion at Shepreth from half barrier to a full barrier on vehicles queuing in the village is required, including the combined impact with the existing full barrier within 500 metres on traffic.
6. Consider future upgrades to ensure passive provision is provided, including at Six Mile Bottom level crossing.
7. Diversion of the Definitive Line of the Public Footpath Waterbeach 21 should be regularised.
8. Consultation with Natural England is required on the potential impact of the works at Shepreth on the L-Moor Site of Special Scientific Interest (SSSI) and at Dimmock's Close (East Cambridgeshire) on Cam Washes SSSI.
9. Consultation with Historic England is required on the potential impact of works at Milton, Waterbeach and Little Shelford on Scheduled Ancient Monuments.
10. The potential impact of the proposed development on protected species, listed buildings, Air Quality Management Zones, works within Flood Zones 2 and 3 should be assessed through information submitted with the appropriate consent applications.

The representations below are made with reference to these issues previously raised and new matters which have come to light.

## Representation

In preparing this representation, the Councils have engaged with Ward Councillors, Parish Councils and the Highways Authority, and have consulted with technical officers for the Councils. A copy of the representations received from Ward Councillors and Parish Councils are enclosed.

- **Principle of development (item 1)**

The Councils remain supportive of the aims of the scheme to improve the reliability and performance of the network which will enhance connectivity and thereby support economic growth within the Greater Cambridge area and promote the use of sustainable transport modes. Thus, the principle of development is supported. However, the Councils consider that this should be balanced against the potential impacts of the scheme in terms of transport, access and safety, air quality and carbon emissions, and other environmental impacts, which are discussed further below.

- **Transport (items 2, 5, 6)**

Network Rail has submitted Traffic Modelling Report and a Level Crossing Study with the application (reference documents). At the time of writing (08 September), the Councils have not received assurance from the Highways Authority that the applicant's modelling and the predicted impacts are supported. Therefore, the Councils place a **holding objection** until Network Rail has confirmed support from the Highways Authority. This must specifically address the issues raised in items 2, 5 and 6, and include a satisfactory response to the concerns raised by Ward Councillors and Parish Councils summarised as:

<b>Waterbeach</b>	<ul style="list-style-type: none"><li>• Under the 2018 traffic scenario, queues in the morning will reach back to the village green. Assessment of the impact of this on the village is required.</li><li>• Modelling doesn't take account of the development of the Waterbeach New Town therefore traffic growth is potentially too low.</li><li>• Barrier down times and specifically concerns that Waterbeach Station will become unusable for passenger during peak times, resulting in additional car or cycle trips to North Cambridge or choosing not to travel by train.</li></ul>
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	<ul style="list-style-type: none"> <li>• Future shuttle bus from Waterbeach New Town to the station intended to reduce traffic levels will get stuck in queues discouraging uptake.</li> </ul>
<b>Meldreth</b>	<ul style="list-style-type: none"> <li>• The proposal will increase congestion in the village through substantially increased downtimes and increase the difficulty of traffic flow.</li> <li>• The data underlying the conclusion that the effects on the village will be “minimal” is seriously flawed, being either contradictory, based on averages from other areas or inaccurate. As a minimum, consistent data specific to the Meldreth Road and Shepreth crossings should be collected, analysed and presented in a transparent and accessible manner.</li> </ul>
<b>Six Mile Bottom</b>	<ul style="list-style-type: none"> <li>• The land outside the old station is being acquired compulsorily (cars are currently parked here for Station House and 1 Station Cottages).</li> <li>• The VISSIM model suggests there will be significant increased queue possibly justified (p39) because the longer barrier down time ‘allows multiple trains to pass at once’, but this is single track, with one train each way each hour.</li> </ul>

- **Access and safety (items 3, 4, 7)**

The applicant has provided risk assessments for each of the existing level crossings in Appendix A of the Consultation Report. However, the methodology and conclusions of these risk assessments is unclear. Furthermore, while it is accepted that the project aims to increase safety, no acknowledgement has been made about the potential increase in risk from users seeking to cross before the barriers come down to avoid the longer wait times. Therefore, the Councils place a **holding objection** until Network Rail has provided satisfactory explanation of the risk assessment and the potential increase in risk resulting from the longer barrier down times, and until Network Rail has provided satisfactory responses to the concerns raised by Ward Councillors and Parish Councils including:

<b>Waterbeach</b>	<ul style="list-style-type: none"> <li>• The crossing is used by Waterbeach residents to access the river. Safety concerns as increased barrier down times could lead to passengers crossing the barriers out</li> </ul>
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	<p>of frustration. Alternative provision is required for pedestrians and cyclists to cross the railway line.</p> <ul style="list-style-type: none"> <li>• Has a half barrier with obstacle detection has not been considered as an alternative which would improve safety but not increase barrier down time to the same extent?</li> </ul>
<b>Meldreth</b>	<ul style="list-style-type: none"> <li>• The applicant's flawed analysis of the safety record means that safety benefits of the scheme have been overestimated.</li> <li>• There are potential highway safety implications if speeding vehicles trying to cross before the barriers come down enter the residential area which needs to be considered.</li> </ul>

In regard to item 7, it is understood from the List of Consents Permissions or License under Other Enactments (NR-07) that no diversion of the Definitive Line of the Public Footpath Waterbeach 21 will be sought. The Councils defer to the Highway Authority on this matter, which is understood to relate to regularisation rather than access issues.

- **Air quality and carbon emissions (item 2, 10)**

The applicant has not provided any assessment of the potential impact on air quality or carbon emissions, contrary to the request made by the Councils. While the Councils anticipate the challenges of assessing localised and short-duration impacts from increased queue lengths of idling vehicles, nonetheless Network Rail should recognise the potential impact and consider the suitability of potential traffic management measures to mitigate any potential impact and the feasibility of any monitoring that could be put in place. Therefore, the Councils place a **holding objection** until Network Rail has provided a satisfactory response including addressing the site-specific concerns raised by Ward Councillors and Parish Councillors including:

<b>Meldreth</b>	<ul style="list-style-type: none"> <li>• The reality of significantly longer queues means there will be increased pollution and deteriorating air quality. There does not appear to be an assessment of the impact of this on the surrounding environment.</li> </ul>
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- **Other environmental matters (items 7, 8, 9, 10)**

The Councils defer to Natural England regarding the potential impact on SSSIs (item 8) and Historic England regarding the Scheduled Ancient Monuments (item 9). None of the land identified for permanent or temporary acquisition, nor that required for access to the identified sites within either South Cambridgeshire or Cambridge City has any statutory or non-statutory protection. Nonetheless, each site will require individual ecological assessment for protected species. Regarding item 10, no assessment of the potential impact on protected species, listed buildings, Air Quality Management Zones, works within Flood Zones 2 and 3 has been provided with the application. Therefore, the Councils place a **holding objection** until Network Rail has provided satisfactory information to demonstrate the scheme would have an acceptable impact.

In addition to this, the site to the south of Long Road bridge in Cambridge is within an area covered by a tree preservation order. Works within this area must avoid impact on trees which would require consent from the local planning authority. The Councils note that this area is the same as would be permanently acquired under the draft Network Rail (Cambridge South Infrastructure Enhancements) Order, still under consideration by the Secretary of State. The Councils question whether the schemes are compatible or are competing for the use of this area, which could put further pressure on works affecting trees. Therefore, the Council's place a **holding objection** until Network Rail has provided more information about the works in this area and an acceptable impact on protected trees.

I trust that these comments will be taken into account and please do not hesitate to contact me if you require further clarification.

Yours sincerely,

**Cllr Dr Tumi Hawkins**

Lead Cabinet Member for Planning,  
South Cambridgeshire District Council

**Cllr Katie Thornburrow**

Executive Councillor for Planning  
Policy and Infrastructure,  
Cambridge City Council

Enclosures -

1. Representation to consultation April 2021
2. Representation to EIA screening request July 2021
3. Copy of comments from Shepreth Parish Council
4. Comments from Ward Councillor for Milton and Waterbeach
5. Comments from Councillor for Little Wilbraham and Six Mile Bottom Parish Council