TRANSPORT AND WORKS ACT 1992 INQ

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

TRANSPORT AND WORKS (INQURIES PROCEDURE) RULES 2004

THE PROPOSED NETWORK RAIL

(CAMBRIDGE SOUTH INFRASTRUCTURE ENHANCEMENTS) ORDER

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OPENING STATEMENT ON BEHALF OF THE APPLICANT

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## A. INTRODUCTION

1. This opening statement is made on behalf of Network Rail ('NR'), the Applicant for the proposed Network Rail (Cambridge South Infrastructure Enhancements) Order ('the Proposed Order').

2. Pursuant to the Proposed Order and associated applications (discussed at E below), Network Rail intends to build a station – Cambridge South –to act as a gateway into the Cambridge Biomedical Campus ('CBC'). The CBC forms part of the UK's world-leading 'Golden Triangle' life sciences cluster, and among the organisations housed there are research facilities which conduct cutting edge research into biomedicine, together with two hospitals, Royal Papworth and Addenbrooke's. Further developments are forthcoming, including a specialist cancer hospital, and a dedicated heart and lung research institute (a collaboration between the Royal Papworth Hospital and the University of Cambridge).

3. A railway – the West Anglia Main Line – has been an existing feature of the area since the 19th Century, and the railway and the CBC have coexisted successfully since the latter's inception.

4. There is a clear need for Cambridge South. The existing main station in Cambridge City Centre has recognised problems. It sits in a congested city centre, in an area that relies heavily on car-based transport. Pre-pandemic,

the City Centre station was subject to overcrowding. These problems are set to continue and to worsen. The surrounding area, the Cambridge Southern Fringe, is identified as an area of change, with substantial housing development anticipated before 2030, and the continued expansion of the CBC itself.

5. The lack of connectivity from the CBC to Cambridge and to the wider transport networks is a constraint upon its development and future success, which by its very nature requires highly skilled individuals to be able to travel to and from the area, including from international destinations.

6. The need for the CSIE Project is also common cause. Not a single objector to the Project takes issue with the need for the station; indeed 15 out of the 25 submitted expressly support the principle. This includes the three local authorities within whose area the CSIE Project is proposed. The first round of consultation identified overwhelming support for the project, with 94% backing its development.[1]

7. The form the CSIE Project now takes reflects the product of several years of engagement and consultation with the local community and stakeholders. The location of the CSIE Project was directly influenced by consultation, and the CSIE Project has undergone substantial change in order to carry as much local support as is feasible within the environmental and other constraints present in the area. NR considers that process of engagement to be an on-going one, and it continues to have constructive dialogue with stakeholders to address their concerns.

8. As is evident from the above, the CSIE Project seeks to promote the CBC. It is designed to further, not hinder, its development and, with it, a critical sector of the broader UK and global economy. Set against that context, it will be appreciated that it would be – quite frankly – perverse for NR to undermine in any way the important work carried out there, through the construction and operation of the new station. Consequently, NR has worked hard (and continues to work hard) to ensure that it does not, and to satisfy campus stakeholders in that regard, including through the offer of binding legal commitments as to its environmental performance.[2] Any suggestion that NR

[1] Outline Business Case, **NRE20**, Section 1.8.4, p. 14

[2] For example, in relation to noise and vibration.

has had inadequate regard to any of these considerations is completely at odds with the stakeholder-led approach to project development that is evidenced in the Project's Business Case, and the evidence of Messrs Barnes and Wingfield (**NRE 1.2 and 11.2**).

## B. PROCEDURAL REQUIREMENTS

9. The relevant procedural requirements have been met, as set out in the statutory declaration of Michele Vas of Denton UK and Middle East LLP which has been provided to the programme officer and is awaiting a document number.

## C. THE APPLICANT

10. NR is the Applicant for the Proposed Order and the associated applications before this Inquiry. NR owns and operates the rail infrastructure of Great Britain and its purpose is to deliver a safe reliable and efficient railway. It does so by license granted by the Office of Rail and Road, the terms of which require NR to secure the improvement, enhancement and development of the rail network in a timely, economic and efficient manner.[3] The Proposed Order provides for NR to construct and operate the authorised works.

## D. THE CSIE PROJECT

11. The Cambridge South Infrastructure Enhancements Project ('the CSIE Project') is fully described in NR's evidence and in summary comprises three principal elements: (1) the creation of a new station – Cambridge South – and related track works; (2) junction improvements at Shepreth Branch Junction and (3) a new connection between existing lines at Hills Road (to improve the southern access to Cambridge Station).

12. *Station* The new station, called Cambridge South, will be a fully accessible two-storey building situated on the West Anglia Main Line, between Cambridge Station in the North and Shepreth Branch Junction to the South. It will have

[3] **NRE11.2** (Lewis Wingfield), Section 2, p. 6

four 250m platforms (with two lifts each for step-free and bicycle access), each capable of accommodating stopping and non-stopping 12 car trains passing the station.

13. The station is bordered to the South by Hobson's Park and the Astra Zeneca development, and beyond that by Nine Wells Bridge (carrying Addenbrooke's Road) and to the North by Addenbrooke's Bridge (carrying the Guided Busway). To the West is Hobson's Park and the residential community of Trumpington, and to the East is the wider CBC. The track layouts will be remodelled in the vicinity of the station, and two additional loops will be installed to serve the four platforms.

14. The station footprint includes an eastern building and a western building. The eastern building will house the ticket office, staff accommodation and a retail unit, with views of the concourse and forecourt. There will be designated waiting areas, information boards and ticket machines. Public toilets (including a fully accessible 'Changing Places' WC) will be directly accessible from the concourse, beyond the gate line. The western building, which will reflect the informal park and green-corridor setting of Hobson's Park, will house similar facilities, as well as the plant, including a substation and back-up supply.

15. Vehicular access to the station is proposed from the east alone, from Francis Crick Avenue. It will be limited to taxis, drop off, Blue Badge holders and staff. There will be five bays for Blue Badge holders; three bays for drop-off by private cars and three bays for drop-off by taxis on the east, four of which spaces are now to be served by four EV charging points, as well as passive provision for further points in the future.[4] This eastern access will be facilitated by modifications to the Guided Busway and roads and crossings to the east of the railway.

16. In order to facilitate and encourage access by sustainable modes, access for pedestrians and cyclists (together with maintenance and emergency vehicles) is from both sides. A segregated pedestrian and cycle track will be provided through Hobson's Park to facilitate connectivity with Trumpington to the West. Sustainable access to the station will be further encouraged through the provision of a total of 1000 cycle parking spaces, 20% of which will be secure

[4] Recently agreed with the local planning authorities.

and which will be split between the east and western frontages in proportions to be determined following a further study.

17. *Improvements to Shepreth Branch Junction* are necessary to maintain the current levels of operational performance, which require an increase in the line speed through that junction from 30 mph to 50 mph. The junction will be re-modelled to incorporate a larger radius curve within an extended double junction. The works also include installation of safety screens on the existing footbridge, works to existing railway embankments, relocation of the GSM-R mast, and the creation of a small railway maintenance area.

18. *Works at Hills Road Junction* include the extension to the existing Shunt Spur[5] and connecting it to the main line. The purpose of these works is to provide flexibility around the existing Cambridge Station in order to maintain operational performance following the opening of the new Cambridge South station (where existing trains will then stop). Without these interventions (including increasing the line speed at Shepreth Junction and the additional signalling works) the performance would not be able to be maintained. These works are covered by permitted development rights and do not form part of the application for a direction for deemed planning permission, although they were subject to environmental assessment.[6]

19. Additional elements of the CSIE Project include the stopping up of two level crossings – Duke's No. 2 and Webster's – and their replacement with a new accommodation bridge to the west of the railway; a new railway systems compound in the Nine Wells area, containing a substation, signalling and telecommunications equipment, within a fenced enclosure; four supporting Distribution Network Operators supplies; the provision of supporting infrastructure such as overhead line electrification; modification of existing signals and associated cabling to allow new layout to be installed; new telecommunications facilities; power cables to serve railside and station infrastructure; reconstruction of Tibbets Culvert to minimise flood risk and provision of additional sustainable drainage for the railway infrastructure and modification of several existing culverts to receive new track layout;

[5] A short section of track allowing for reversal of train direction away from a main running line or platform. In layperson's terms, it is an arrangement designed to facilitate a train reversing.
[6] See **NRE9.2** (John Pearson), Section 2.3, p. 5

landscaping, both hard and soft, across the CSIE Project; and ancillary infrastructure such as fencing, lighting and electrical connections.

20. The timely and safe construction of the CSIE Project will require temporary construction compounds, temporary access roads and haul roads on both sides of the railway. The five construction compounds for the works on Cambridge South Station – reduced from an initial six – are split across both sides of the railway, and include two compounds in Hobson's Park. Four further compounds are required for the works on the Shepreth Branch.

## E. THE DRAFT ORDER AND ASSOCIATED APPLICATIONS

The draft Order

21. The Proposed Order (**NR02**) authorises NR to construct and maintain the scheduled works, which is the CSIE Project, and ancillary works such as the installation of electrical equipment and signalling, and landscaping, within the limits of deviation (Articles 6 and 7). Article 8 authorises the stopping up of the level crossings. Articles 9 to 11 authorise NR to alter the layout of streets, to execute street works, and to stop up streets. NR may also construct new highways, provide access to works and use private roads for construction and operation. NR may discharge water, survey and investigate land and undertake protective works to buildings.

22. The Proposed Order would allow NR to compulsorily acquire land and to acquire rights for the CSIE Project. The CSIE Project has been carefully designed so as to minimise interference with private property rights, consistent with Government guidance, found in *Compulsory purchase process and the Crichel Down Rules* (July 2019).[7]

23. In order to address representations made, a small number of changes are proposed to the Order. A revised draft has been provided to the programme officer and is awaiting a document number. In summary, the proposed changes include, in Article 35(4) to (6), provisions to ensure that AstraZeneca and others will not be subject to enforcement action if the CSIE Project prevents them from complying with certain conditions in an extant permission, and

[7] **CD02**

further clarity in Article 36(3) on the timing of the replacement open space provision. Minor consequential amendments have been made to Schedules 3 and 4 which define the land over which new rights can be acquired and those sought only temporarily.

The application for deemed planning permission

24. The request for a direction that planning permission be deemed to be granted relates to the development sought to be authorised by the Order (**NR12**), with proposed drawings found at **NR13**. As noted above in paragraph 18, it does not include the works at Hills Road Junction.

25. The application for deemed planning permission was accompanied by (amongst other things) a statement of proposed conditions (also at **NR12**).

26. Since submission of the application for the Proposed Order, the proposed conditions have been updated to address representations made, and extensively discussed with the relevant local planning authorities (Cambridge City Council and South Cambridgeshire District Council), and the revised proposed conditions can be found in Appendix A to the Proof of Mr John Pearson (**NRE9.3, Appendix A**). As discussions remain ongoing, a final set of conditions will be provided prior to the conditions session if required.

27. These conditions include, amongst many others, a requirement that the works must be undertaken in accordance with a Code of Construction Practice ('CoCP') Part A, and for NR to provide a number of detailed construction methodologies in a CoCP Part B prior to commencing development. This ensures that any adverse effects are properly mitigated, and gives the local planning authorities the ability both to approve and enforce these controls.

28. Apart from the integral mitigation included in the scheme through design (also secured through the parameter plans), the application for deemed planning permission itself creates a regime for subsequent approvals by the local planning authorities, including the very extensive requirements of the proposed CoCPs. The cumulative effect of these measures, together with the legal agreements concluded with a number of third parties, is to provide a formidable armoury of protection for the environment and those affected by the project. The result is a well-controlled set of works which can be brought about in a timely and efficient manner.

The Open Space Certificate application

29. Delivery of the CSIE Project necessitates both the permanent acquisition of an area of existing open space amounting to a total of 20,742 $m^2$ within Hobson's Park and (to a lesser extent) grounds of Long Road Sixth Form College, and permanent new rights over existing open space. The proposed permanent land take within Hobson's Park equates to 4.2% of its overall area, and less than 1% of the public open space within the border between the grounds of the Long Road Sixth Form College and the railway.

30. In order to compensate for the land being permanently lost, NR will provide replacement open space, using land to the immediate south of the Park's southern boundary. The replacement land was identified following the carrying out of a full open space assessment (**NRE19**), which assessment is also reviewed in in the Proof of Mr Jones (**NRE8.2**).

31. The replacement land is to be subject to landscape enhancement, indicatively shown in Drawing 158454-ARC-00-ZZ-DRG-EEN-000076 Rev P02 (**NR13**) but subject to a condition requiring the submission of details, with a view to ensuring wider community and amenity benefit to users of the Park.

32. Access to the land from the existing Park (which is currently precluded by Hobson's Conduit), is to be secured through the provision of both a farm accommodation bridge to the west (which will be sufficiently sized to accommodate the farm traffic that currently uses the level crossings proposed for closure) and a pedestrian footbridge to the east.[8]

33. Accordingly, pursuant to an application dated 23 August 2021 and made under ss. 19 and 28 of the Acquisition of Land Act 1981 (**NR19**), NR has sought a certificate from the Secretary of State that the land it proposes to provide in exchange for public open space being permanently acquired is no less in area and is equally advantageous to the public who use that land.

34. The permanent new rights which are sought over Plots 002, 008 and 008a are required to provide NR with rights of access to the replacement land (together

[8] NRE9.3, Appendix A, Condition 5(iv), p. 2.

with the ability to grant such rights to others) and for maintenance purposes.[9] This will in no way preclude any person's existing ability to use the land. The application therefore also seeks a certificate that the land over which it proposes to acquire new rights will, when burdened with those rights, be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before.

35. The Secretary of State has indicated that he is minded to grant the certificate sought.[10]

36. Following public consultation, a single representation was received in respect of this application (J Meed, **REP 11**), which was originally treated as an objection. The letter did not however relate to matters relevant to the grant of the certificate. By email dated 18 January 2022, the Transport Infrastructure Planning Unit confirmed that Mr Meed's representation would not therefore be treated as an objection to the grant of the Open Space Certificate and instead as a representation made in respect of the Proposed Order.

37. The grant of the certificate is therefore unopposed.

## F. THE NEED FOR THE CSIE PROJECT AND ITS AIMS AND OBJECTIVES

38. The case for the CSIE Project is clear and simple. The area surrounding the CSIE Project requires good transport links, and the demand for transport is set to grow as that area develops. Doing nothing has been assessed in the Outline Business Case and it is not a satisfactory option.[11] It would lead to further congestion in the city centre, threaten the growth of the CBC (and with it the important research that it undertakes), and hamper the continuation of much-needed residential development in the Southern Fringe. The cost of doing nothing is the long-term ability for businesses at the CBC to retain their highly

[9] NR confirmed the plots which were subject to the application made pursuant to s.28 and Sch.3 in a letter dated 25 January 2022.
[10] NRE11.2, [3.4.1], p. 9 (Lewis Wingfield)
[11] See NR20, [1.2.3], p. 7

skilled and globally mobile employees, and ultimately the success of that Campus.[12]

39. *Need related to the CBC* The CBC is expected to become an integral part of the UK life sciences industry, and is soon expected to house the largest concentration of biomedical expertise in Europe.[13] It forms part of the Golden Triangle of leading global players in the pharmaceutical, biological and research & development fields between Oxford, Cambridge and London. Transport connectivity is key to enabling the economic potential of the Golden Triangle which serves a key sector of the UK economy, and seeks to retain and attract talent post-Brexit.[14] The direct rail service would facilitate travel to the CBC, and encourage links with London for onward travel or access to other organisations within the Golden Triangle, including the newly opened Crick Institute in London next to St Pancras International Station, as well as materially improving journey times to international airports.[15] Growth of the CBC will help to attract a highly skilled workforce, and investment in transport infrastructure provides key links for business and their employees.

40. *Need related to the Hospitals* The CBC includes Addenbrooke's Hospital, and the Royal Papworth Hospital relocated there in 2018. Cambridge University NHS Foundation Trust has a vision to be one of the best academic healthcare organisations in the world and as such requires good accessibility to specialist staff and visiting experts, who may travel long distances.[16] Delivering specialist services and teaching facilities requires good transport links for highly skilled workers. Further development is anticipated in the area, with plans for a proposed Cancer Research Hospital next to the AstraZeneca Building, and a new Heart and Lung Institute under construction. Likewise, effective transport links – particularly in the south to the city where accommodation costs are lower – are important to some of the approximately 20,000 people who are, or who could be, employed on Addenbrooke's Hospital and the biomedical campus. It is also NHS policy to reduce the carbon footprint of its operations,

[12] Id.
[13] Outline Business Case, NR20, 1.2.1 p. 3
[14] Outline Business Case, NR20, 1.2.1 p. 3
[15] NRE20, Outline Business Case [1.8.3], p. 13
[16] NRE20, Outline Business Case [1.8.3], p. 13

which includes the emissions from staff travel. The CSIE Project assists to that end in providing a convenient sustainable gateway to the hospitals.

41. *Need from the CSF.* Considerable further development is expected in the Cambridge Southern Fringe. The Cambridge City Council Local Plan identifies the Southern Fringe as an 'area of major change' in which extensive development is to take place over the 2011-2031 plan period.[17] Over three thousand homes are to be built in the plan period in that area, with approximately 2,400 constructed on the Clay Farm development site (now Trumpington, but sometimes referred to in the documentation as 'Great Kneighton') west of the rail line.[18] This vision to create attractive, well-integrated, accessible and sustainable new neighbourhoods for Cambridge requires good transport links to support the development.[19]

42. The majority of public transport trips with an origin or destination in the Southern Fringe will need to travel via Cambridge city centre. The rural nature of Cambridgeshire means that commuting journeys are currently dominated by private car use, with only 2.5% of working age residents currently commuting by train.[20] As a result, highway congestion is a significant problem for Cambridge. This has negative effects on air quality, constrains parking availability, and creates accessibility problems for those living and working in the area, reducing its attractiveness.

43. The CSIE Project aims to address those problems. It was chosen above other transport options in the Outline Business case because it responded best to the strategic objectives of providing sustainable transport access, minimising highway congestion, reducing reliance on city centre infrastructure, integrating with other transport opportunities, and providing connectivity to international gateways and supporting the CBC and projected housing growth in the area by providing effective transport links.

44. Given the above, it is not surprising that the principle of the CSIE Project is firmly anchored in local planning and transport policy. The CSIE Project responds to the broader strategic aims of the Cambridge City Local Plan ('CLP')

[17] D06, Policy 18, p. 71
[18] NRE20, Economic Case, [2.1.3], p. 2 (in reference to CLP Policy 18)
[19] D06, CLP, Policy 18, Supporting Text, [3.55], p. 72.
[20] NRE20, 1.2.2, p. 6

and the South Cambridgeshire Local Plan ('SCLP') to promote accessible transport and support Cambridge's role as a world leader in higher education, research, and knowledge-based industries.[21] More specifically, the need for the CSIE Project is expressly recognised in the Transport Strategy for Cambridge and South Cambridgeshire 2014 ('TSCSC') which identifies a longer-term opportunity for a new rail station at Cambridge South, as part of an overall strategy to strengthen employment hubs and high-tech clusters in Cambridge and South Cambridgeshire.[22] Likewise the Cambridgeshire Local Transport Plan 2011-2031 (**D18**) identified need for a new rail station at Cambridge South[23]; its replacement, the Combined Authority Local Transport Plan (**D9**) identifies Cambridge South Station as a priority transport scheme, recognising that it would support development at the CBC and would help to relieve congestion in and around campus.[24]

45. As noted in the Introduction, it is a striking feature of this application that the need for the Project is unchallenged by any objector. The only suggestion related to the principle of the Project is that NR should be doing *more*, through the construction of a much larger station (**OBJ 22**, Smarter Cambridge Transport).

## G. THE DEVELOPMENT OF THE SCHEME

46. The Department for Transport considered a number of transport options in addition to a further train station at Cambridge South in its Strategic Outline Business Case (**C3**), including the introduction of longer distance direct bus or coach services, a busway service enhancement, and expanded park and ride sites, and doing nothing. No other option delivered the same performance against the relevant strategic objectives or provided comparable cost benefit ratios.[25] The station at Cambridge South was determined to be the most effective way of meeting those strategic objectives, in particular because it had

[21] D06, CLP Strategic Objectives 10 and 13, p. 10; D08 SCDC Policy S/2 (b) and (f), pp. 22 and 23.
[22] D10, p.5-4
[23] D18, p.4-107
[24] D9, p. 14, fig i
[25] C3, [2.5.3], p. 17]

the best advantages in journey times and could respond to a larger demand base.[26]

47. Development of the CSIE Project has taken stock of engineering and environmental constraints, including the green belt designation, flood risk, the historic environment and biodiversity. In the feasibility stage (GRIP2), three locations were considered: South (close to the Nine Wells Bridge carrying Addenbrooke's Road), North (close to the Addenbrooke's Bridge carrying the Guided Busway Bridge) and Central (between the two bridges). The various options – together with various access arrangements – were then sifted and consulted upon. Consultation preferred the North option due to its proximity to the centre of the CBC and possibility for interchange with the Guided Busway, bus stops and interaction with other planned development works. Options to the South were discounted in part because of their potential impact upon CBC stakeholders such as the UoC.

48. Provision of full access to the Northern option via routes both from the east and with vehicular access through Hobson's Park was rejected due to environmental impact. In the option selection stage (GRIP 3), NR conducted sifting workshops, and engaged in a second round of consultation in relation to access to the station, footprint and construction arrangements. Following discussion with the Department for Transport, the North option with full eastern access (and pedestrian/cycle access only through Hobson's Park) was selected as the one which would best serve local needs and retain the greatest level of local support.

49. NR engaged in extensive pre-application discussions with Cambridge City Council ('CCiC') and South Cambridgeshire District Council ('SCDC') (through their combined planning authority, Greater Cambridge Shared Planning 'GCSP'), with regular meetings. It has also engaged with Cambridge County Council ('CCoC') as the Local Highways Authority and Lead Local Flood Authority.

50. The first period of consultation on the location of the station, which showed a preference for the Northern option, ran from 20 January to 2 March 2020. A further period of consultation, under constraints as a result of the Coronavirus

[26] NRE20, 1.5.1.1, p. 12

pandemic, lasted from 19 October 2020 to 29 November 2020. A number of changes were made in response to the consultation, including changes to the station facilities to improve accessibility, and moving the station access to better integrate with CSET and be the most visually contained in the Green Belt.[27]

51. It is noteworthy that no party suggests that the proposed station should be in another location, or that there is an alternative (non-rail) means of meeting the need which it is intended to serve. As noted above (paragraph 45), the only party to raise an alternative suggests that there should be a *bigger* station, in the same location.[28] As the evidence of Mr Wingfield explains, however, the forecast demand does not support such a station, which would also have other disadvantages.[29] In any event, sensitivity testing has established that the proposed design could accommodate up to c. 6m passengers per annum, rather than the forecast demand of c. 1.8m.[30]

52. NR has continued to listen to stakeholders post-submission. This is reflected in the further refinements of its land take, such as the significant reduction in land required for construction within Hobson's Park, and with the commitments it has offered to those who have now withdrawn, or are about to withdraw, their objections. The CSIE Project is the product of refinement and collaboration with stakeholders and the public, and represents the fruit of many years of iterative, careful and responsive design.

## H. CONSTRUCTION OF THE SCHEME

53. The construction of the CSIE Project is detailed in the evidence of Andy Barnes (**NRE1.2**). Subject to confirmation of the Proposed Order, pre-construction is intended to start in autumn 2022 and construction in spring 2023, with a view to opening in summer 2025.[31] The fine details of the construction programme will however be established by the appointed Main Works Contractor.

[27] HRE11.2, [5.5.5], p. 31; Table 4, [5.6.6], p. 33
[28] See SCT OBJ22
[29] NRE11.2, Section 9.8.9, p. 51. The disbenefits are discussed at 9.8.9.14ff., p. 53.
[30] NRE11.2, [9.8.9.9] p. 53; NRE20, Economic Case, Table 8, p. 15
[31] NRE16, Vol 3, Appendix 2.4 – CoCP Part A, p. 5; Andy Barnes NRE1.2, Sections 6.11 and 6.12

54. It is inevitable that the construction of a project such as the CSIE Project will give rise to impacts from construction. NR has, however, designed the scheme and the associated mitigation measures so as to minimise those impacts as far as is reasonably practicable. There would be effective mechanisms to secure these, summarised in Mr. Andy Barnes' evidence (**NRE1.2**).

55. As noted previously, CSIE would be committed to the implementation of a CoCP via the imposition of a condition to be attached to the deemed planning permission.[32] The CoCP will therefore be binding on NR and on the appointed contractors and enforceable by the local planning authority for the relevant worksites. The CoCP Part A provides documented procedures to ensure that the relevant environmental issues – including noise, vibration, and dust – are effectively managed and implemented on site.[33] It was produced with the ES to ensure that likely significant construction effects could be avoided or mitigated, with site-specific controls to be developed subsequently during detailed design stage in the CoCP Part B. That Part B will set out the contractual obligations for the Main Works Contractor, with topic-specific environmental management controls. As explained in the evidence of Andy Barnes, the CoCP follows standard best practice in the area, but has been specifically tailored to account for features particular to the CSIE Project.[34] Protections in place for the principal potential construction phase effects can be summarised as follows.

56. *Noise and vibration* The CoCP Part A requires the Main Works Contractor to demonstrate and implement Best Practical Means to reduce noise and vibration impacts.[35] This is in addition to the controls that already exist under the Control of Pollution Act 1974, as read with clause 32 of the Proposed Order, which are enforceable by the relevant local authorities. There is therefore a complete system to reduce or avoid construction impacts, both within NR's construction arrangements in the CoCP, and as part of a statutory framework against nuisance. In addition, the particular requirements of sensitive occupiers such

[32] NRE13; NRE9.3, Appendix A, Condition 10, p. 4; NRE16, Vol 3, Appendix 2.4)
[33] NRE16, Vol 3, Appendix 2.4 – CoCP Part A, p. 2, [1.4.3]
[34] NRE1.2, Andy Barnes, [314-316], p.
[35] NRE16, Vol 3, Appendix 2.4 – CoCP Part A, [7.1.2], p. 21

as the Medical Research Council ('MRC') and UoC are being addressed through legal agreements being concluded at the time of writing.

57. *Construction dust.* The CoCP makes specific provision, as part of its controls on air quality, for the control of construction dust[36]. This requires the use of best practical means to avoid the effects of dust emissions[37] and CoCP Part B will include a Dust Management Plan, with mitigation measures based on accepted international standards for low, medium and high-risk activities.[38] Tried and tested examples of such mitigation are provided in Andy Barnes' Evidence[39]

58. *Heritage.* The area sits in an area of known archaeological value. A small section of a Scheduled Monument overlaps the CSIE Project boundary, and is likely to experience a significant effect, but less than substantial harm for the purposes of national planning policy. To mitigate against this, a written scheme of investigation will be prepared by the Main Works Contractor and submitted to the Local Planning Authorities for approval. This will allow for a systematic recording of the Scheduled Monument, and will enhance the understanding of the local archaeology by preservation through record. Provision is made for the discovery of unexpected artefacts during construction. By planning condition, no development shall commence until the archaeological investigations required by that written scheme of investigation have been undertaken (**NRE9.3**, Appendix A, Condition 11). Sympathetic landscaping will help to screen the CSIE Project from other heritage assets, including the Nine Wells Monument and a small number of Grade II listed buildings. As a result of these extensive protections, Historic England have indicated that the CSIE Project is consistent with the NPPF policies on heritage conservation (**REP07**).

59. *Drainage.* There are extensive controls for drainage arrangements during construction, and the construction scheme will be designed with the complex drainage infrastructure in mind. The CoCP includes a Pollution Control Plan to safeguard the quality of surface water and groundwater, and reflects industry good practice. Specific methodologies will be devised in Part B in order to

[36] NRE16, Vol 3, Appendix 2.4, Section 4, p. 11
[37] NRE16, Vol 3, Appendix 2.4, [4.1.2], p. 11
[38] NRE9.3, Condition 10(3)), p. 4
[39] NRE1.2, [323]

accommodate higher risk activities and to take account of existing constraints, in particular the works to extend Tibbets culvert. None of the residual effects are assessed as being any more than slight adverse, and thus not significant.[40] Commitments to ensure the continued satisfactory operation of the drainage used by existing campus occupiers such as MRC and the UoC during the construction period are being secured through legal agreement.

60. *Biodiversity.* Biodiversity has always been an important consideration for the CSIE Project. Natural England not only do not object to the CSIE Project, but have praised NR for their "*proposed approach to minimising impacts to the natural environment including locally designated sites such as Nine Wells Local Nature Reserve and Hobson's Park, watercourses and hydrology*".[41] The presence of corn bunting in the area has been noted, and construction programme will be carefully planned to avoid the nosiest activities from March to September to reduce impacts on that bird, and with replacement habitat being offered during the construction period. The proposed planning conditions include requirements for an Arboricultural Method Statement and Tree Protection Plan and a requirement to replace trees identified in those documents if harmed or uprooted by the CSIE Project.[42]

61. *Transport.* Construction will result in an increase in transport on the CSIE Project site and in the broader area. NR has carefully considered the additional movements and their potential impacts, including on pedestrians and cyclists. We refer to the evidence of Geoff Hilling (NRE2.2, Section 7) who concludes that none of the effects are significant (See Tables 7.3 and 7.5). The additional movements will be managed in accordance with a Construction Traffic Management Plan, which will also address movements on the haul road and temporary access road close to the Scheduled Monument. Specific provision is made for Heavy Goods Vehicles, requiring them to follow designated routes, movements planning to avoid network peak hours, and any work outside the main hours requiring the prior agreement of Cambridge County Council.

[40] NRE 5.2, Table 8-1, p. 60
[41] Guy Stone, NRE12.2, [5.3.2.7]
[42] (NRE9.3, Appendix A, Conditions 34-36).

## I. THE SCHEME IN OPERATION

62. The CSIE Project will support the growth of the CBC for which connectivity – in particular to international transport hubs – is beneficial. It will also serve the intended growth in residential development in the Cambridge Southern Fringe. It is against that backdrop that the objector's positions must be understood. NR is promoting the CSIE Project to support the growth and development in the area. Undermining the operations in the CBC would unravel the very benefits the CSIE Project seeks to provide. For the reasons that NR will explore in its evidence, the CSIE Project does not undermine those operations, and the CSIE Project should be understood as a stepping-stone for, and not a hurdle to, the CBC's continued development and success.

63. The Prohject will encourage the uptake of more sustainable modes of travel. The Cambridge South station is predicted to reduce nearly 1500 vehicle trips per day on the local road networks in 2031 when operational.[43] It also optimises existing capacity on the WAML. Currently, in the morning peak period over half of the trains are empty, and a new station at Cambridge South would allow that existing capacity to be used.[44] This is important not only in that it reduces the existing congestion issues, known to be a problem. It assists more broadly in improving air quality in the Cambridge AQMA. It also tallies with the efforts to reduce greenhouse gas associated with car travel. This is of particular importance given the Department for Transport's policy on decarbonising travel (**D23** and **D27**), for which the number one strategic priority is accelerating modal shift to public and active transport.[45] It also contributes to similar policy goals that seek to reduce greenhouse gas emissions, such as the NHS policy on reducing indirect emissions through staff travel. This is an important consideration bearing in mind the proximity of Royal Papworth Hospital, Addenbrooke's Hospital, and the proposed specialist oncology hospital.

64. There are clear economic benefits to the CSIE Project. In addition to contributing directly to local employment, the reduction in travel time to which it gives rise will lead to a £3.2 million per year in annual time saving.[46] The

[43] Geoff Hilling, NRE2.2, [8.1.i8]
[44] NRE20, SOBC, 1.5.1.2
[45] Decarbonising Transport: A Better Greener Britain (2021) D27, p. 36
[46] NRE20, [1.6, p. 11].

increase in connectivity for certain areas in the Cambridge Southern Fringe also tallies with the Government's policy of levelling up. This would be achieved by bringing this major employment site with a mixture of higher and lower skilled opportunities, into the range of the more deprived parts of the wider region, and also by opening up improved healthcare opportunities to a wider cohort of society.[47]

65. The stopping up of two level crossings and replacing them with an accommodation bridge is also an advantage of the CSIE Project. The risk per traverse at each crossing is considered to be "*high*" [48] and neither offers the required view to all users in order to be able to cross safely. Both are passive level crossings, with users required to phone up the signaller in Cambridge to check if it is safe to cross, with no warning signs (e.g. lights or automatic barriers) to warn of oncoming trains. NR policy seeks generally to close level crossings as that is the only way of eradicating the risk they pose to the public. The continued operation of the Crossings, if the CSIE Project were to be carried out, would pose an unacceptable and wholly avoidable safety risk.

66. These crossings will be replaced with an accommodation bridge over Nine Wells Conduit, to the West of the train line, which will allow the existing users of the Crossings to safely access farmland west of the line via Addenbrooke's road. Users will no longer have an open, and dangerous, interface with the live rails, but a permanent and open access to their farmland. This represents a considerable improvement in terms of safety and in terms of usability, as it offers permanent access to farmland without the need to telephone to a signaller in advance. It is to be noted that no objector has challenged the safety case for closure of the level crossings.

67. The environmental impacts have been comprehensively assessed in the environmental impact assessment, and subsequently refined as a result of further consultation. Overall, subject to only limited exceptions, the CSIE Project will not have any significant impacts during operation. The upshot is that the CSIE brings clear benefits, and the potential adverse effects have been carefully considered and responded to.

[47] NRE20, [OBC, p. 2]
[48] NRE6.2, [90] and [91].

68. This will be explored in evidence, but NR notes that:

a. On *biodiversity,* despite there being no legal obligation to provide biodiversity net gain, or any policy obligation to provide any particular level of net gain, NR has committed to providing a 10% increase in biodiversity net gain, consistent with the (as yet unimplemented) requirements of the Environment Act 2021. While there will be a short-term significant impact on one ecological receptor – the loss of woodland – the effects are local only, and are due simply to the length of time it takes for replacement woodland to grow rather than any inherent features of the woodland that will be impacted by the CSIE Project. All other environmental impacts have been appropriately mitigated, and their effects are not significant.[49]

b. Only one *vibration* receptor in the ES was found to have the potential to be significantly affected during operation, near the MRC Lab of Molecular Biology. Following detailed analysis and refinement of the design, NR has concluded that significant adverse effects can be avoided.[50]

c. No operational *noise* was considered to have a significant effect.[51] While the ES concluded moderate impact during the day and significant adverse effects on (amongst others) MRC and UoC receptors, with appropriate mitigation there will not be any significant adverse impacts on any receptors.[52]

d. On *drainage,* the increase in impermeable area which could result in surface water runoff will be managed through drainage proposals, including SuDS. None of the residual effects are considered significant, even when taken in conjunction with the CSET project.

e. The *heritage* impacts arising during operation will be avoided through amenable planting[53], and the Scheduled Monument and non-designated Cropmark Complex will be preserved by record in accordance with a

[49] [NRE12.2, 7.1]
[50] [NRE3.2, [9.4.2]]
[51] NRE16, ES, [5.7.6] p. 5-39
[52] NRE4.2, [7.6]
[53] NRE7.2, [2.1.14] and [5.3]

written scheme of investigation approved by the local planning authorities.[54]

f. On *EMI,* effects that have the potential to arise are capable of being controlled through the application of tried and tested, industry-standard mitigation measures.[55]

g. On *transport,* the CSIE Project has overall positive effects during the operational phase because it encourages more people to travel sustainably by rail to and from the surrounding area.[56]

## J. ENVIRONMENTAL IMPACT ASSESSMENT

69. The TWAO application is accompanied by a detailed ES which assesses all likely significant effects of the CSIE Project, both alone and in combination with other projects outside the scope of this application, such as CSET.

70. NR submitted a scoping request to the Department for Transport on 1st December 2020 with a Scoping Report (**NRE16**, Vol 3 Appendix 2.1). The Scoping Report was itself the product of extensive consultation with relevant stakeholders, including Natural England, Heritage England, and the local planning authorities. A Scoping Opinion dated 22 February 2021 was issued in response (**NRE16** Vol 13, Appendix 2.2). As required by the Transport and Works (Applications and Objections Procedure) Rules 2006,[57] the ES was prepared by competent experts in accordance with the Scoping Opinion provided.

71. Given the outline nature of the planning permission sought, the ES was based on an approach that assessed the reasonable worst case likely effects and identified broad means of mitigation, which are secured in the usual way, through parameter plans and conditions. This is an entirely conventional and acceptable approach. The main environmental effects have been outlined already.

[54] NRE7.2, [5.2] and [5.5].
[55] NRE13.2, Section 5.5, in particular [5.5.10], p. 27
[56] NRE16, ES, [17.1.10], p. 17-2
[57] Rule 11.

72. It is recognised that a very small number of Campus stakeholders have suggested that the ES is inadequate because it failed to provide a level of detail typically available at detailed design stage, or because of a perceived failure to assess certain impacts.[58] The concerns expressed by the Campus stakeholders are not however shared by any of the government agency statutory consultees, or by the local planning authorities. That this is so is unsurprising because, as will be apparent from the evidence the Inspector has seen, the level of detail sought by the Campus stakeholders was not required to assess the likely significant effects of the Project, or the impacts do not give rise to such effects. It is to be noted that resolution of all of the objections that raised ES adequacy are at an advanced stage, suggesting those concerns have been overcome.

73. Further and in any event, as the Inspector will be aware, the environmental information upon which she is able to draw for the purposes of her 'reasoned conclusion'[59] includes not only the ES itself but also the information deriving from the consultation upon it, which includes the objections and the evidence relating and in response to them. The Inspector has all the information she needs before her to reach such a lawful, reasoned conclusion.

## K. LAND AND RIGHTS REQUIRED FOR THE PROJECT

74. Temporary land take is required in order to construct the project. As the project is linear, it is necessary to have compounds on both sides of the railways. The compounds required, and their size, are necessary in order to provide safe and efficient delivery of the works. NR has sought to reduce the temporary land take as far as possible. As evidence of this, it is no longer proposing to acquire rights over the originally proposed CC5, and the compound on Hobson's Park has been substantially reduced, following helpful engagement with local community groups and further work undertaken by the appointed contractor.

75. NR has sought to acquire land and rights required permanently by agreement where possible, consistently with Government guidance. Every landowner has been contacted, with a dedicated point of contact providing regular updates on the CSIE Project and attempting to reach agreement. Network Rail has made

[58] OBJ06, CUH (on transport modelling assumptions only); OBJ08 UoC; OBJ09 MRC.
[59] As required pursuant to s.13B of the Transport and Works Act 1992.

substantial progress with a number of landowners, including landowner objectors. An update to the latest position will be given to the Inquiry by Mr Simms.

76. As the Inspector will be aware, compensation is a matter for the Upper Tribunal and not for her, or the Secretary of State. Mr Smith's attempt, on behalf of the UoC, to bring compensation into the inquiry sphere should be firmly resisted. It is common ground (as is evident from the Estimate of Costs, **NR6**) that the funding for the Project would not accommodate the costs of relocating the AMB to another location, or to reimburse its entire annual grant funding. It does not need to. There is no evidence before the Inquiry that shows theses costs are anything but 'doomsday' scenarios. Any conclusion to the contrary would be, quite simply, perverse. NR has taken advice from its experienced consultant team as to the effects that the Project is likely to give rise, and upon the compensation which it is likely to have to pay. There are no grounds for the Inspector to go behind that.

77. Ultimately, the right to property is a qualified right which can be limited where there are – as here – pressing reasons in the public interest. That interest here is the need to support the CBC and prospective development in the Cambridge Southern Fringe through the provision of a sustainable alternative, reducing reliance on the car and pressure on Cambridge City Centre. Doing nothing is not an option. It will be submitted that the compelling case is patently made out.

## L. REPRESENTATIONS

Overview

78. As of today, taking account of withdrawn objections, there remain 16 objections to the Proposed Order out of an initial 25 objections.[60] The objections withdrawn include AstraZeneca (OBJ03), whose corporate headquarters are adjacent to the CSIE Project, and which serve their strategic

[60] OBJ01: St John's College; OBJ02 Chris Pointon; OBJ06 CUH; OBJ07 Trumpington Residents' Association; OBJ08 UoC; OBJ15 Pemberton Trustees; OBJ14, CPPF; OBJ19 St Mary's School; OBJ20 Dave Jackson; OBJ21 Mr and Mrs Price; OBJ22 Safer Cambridge Transport; OBJ23 CCiC; OBJ24 SCDC; OBJ25 Mark Chaplin.

effort to improve its pipeline productivity and biopharmaceutical innovation[61], and Cambridge County Council. This is a testament not only to NR's collaborative approach to seek to acquire rights by private agreement, but also to the compatibility of the CSIE Project with its surroundings.

79. It is anticipated that further withdrawals will be secured early in the inquiry process, and updates will be provided as soon as they are available.

Representations

80. In total, eleven representations have been received in relation to the Project. Two of them, from CCiC and SCDC (**REP08** and **REP09**) are now treated as objections (see **OBJ23** and **OBJ24**), and a third then submitted a letter of objection to the CSIE Project (**OBJ25)**. NR has responded to these points of concern raised by these objections in its evidence.

81. National Grid, a statutory undertaker, confirmed in its representation that it had no objection to the Proposed Order (**REP06**). Historic England, in its representation, "*welcomed the opportunity for early engagement that is referred to in the submission*" and praised NR for its design which has "*acknowledge that design has sought to avoid encroachment and impacts on the White Hill Farm Scheduled Monument, and its setting, as far as possible*" (**REP07**). They advise that the submission meets the test in what is now paragraph 200 of the NPPF (**D2**).

82. NR has responded to the remaining representations, addressing their issues of concern. With the exception of Mr Meed, who has stated that he is "*greatly reassured*" by NR's response and will consider Mr Stone's comments in relation to biodiversity as soon as he gets the opportunity, no further response has been received in relation to any of these. NR will provide the Inquiry with a bundle of the correspondence that addresses their concerns.

Outstanding objections

[61] SOC, [1.1]

83. Since the pre-Inquiry meeting on 22 November 2021, a further five objectors have withdrawn.[62]

84. Following the withdrawal of the objections of Cadent (OBJ 12) and with the South Staffordshire Water (OBJ 15) objection being the subject of an agreement awaiting signature, there is no substantive outstanding objection from any statutory undertaker.

85. There is no objection from any government agency statutory consultee, after the Environment Agency withdrew its objection and Historic England made a representation on the heritage aspects of the CSIE Project.

86. Mr Wingfield will provide NR's understanding of the latest position with the remaining objectors during his oral evidence.

## M. CONCLUSION

87. The CSIE Project is a carefully considered and much needed scheme, intended to assist the growth of organisations at the forefront of this country's contribution to global scientific knowledge. Intervention is required to address ongoing congestion in the city centre, support the growth of the Southern Fringe, and encourage sustainable travelling habits. Doing nothing is not an option.

88. The Project is on any view the fruit of extensive – and ongoing – consultation, refinement and planning. Network Rail is proud of the result, which it will respectfully commend to the Inspector and Secretary of State for approval.

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1 February 2022

[62] AstraZeneca OBJ03; OBJ06 Cambridge University Hospital; OBJ12 Cadent; Cambridge Ramblers OBJ13; OBJ18 Cambridge County Council.