CAMBRIDGE SOUTH EAST TRANSPORT ORDER

TRANSPORT AND WORKS ACT 1992

SUMMARY OF PROOF OF EVIDENCE

OF JOHN SOMMERVILLE MRICS

on behalf of the Pemberton Objectors (OBJ-444)

Introduction and scope

1. I am a Chartered Surveyor, a member of the Royal Institution of Chartered Surveyors and a partner at Bidwells. I have advised the Pemberton landowning interests in relation to the Cambridge Biomedical Campus ("CBC") and adjoining land since 2008. My involvement has included management of their interests under the development arrangements with Cambridge Medipark Limited, negotiating land drawdowns and assisting in documenting the detailed arrangements governing development of CBC. I am therefore very familiar with CBC, the Pembertons' retained land and its development context.

2. I give evidence on behalf of the Pemberton interests ("the Pembertons"). Their objection remains live while negotiations continue with Cambridgeshire County Council ("the Promoter") over an Overarching Agreement and associated technical and legal documents. If satisfactory terms are completed, the objection may be withdrawn. Until then, my evidence addresses those matters which require determination.

3. My evidence principally concerns planning, land-use, development-delivery and practical interface matters. I do not offer legal opinion on the draft Order, compensation or human-rights law.

The Pembertons' land and CBC

4. The Pembertons are freehold owners and/or occupiers of extensive land in and around CBC and agricultural land to its south and west. CBC is of exceptional strategic importance. The Cambridge Local Plan 2018 identifies it as an international centre of excellence for patient care, biomedical research and healthcare education, while substantial further development is permitted or anticipated.

5. The planning issue is therefore not simply protection of existing buildings. Existing operations, committed development and the realistic future evolution of this nationally important healthcare and employment location must not be sterilised, delayed or materially prejudiced by CSET.

Overall position on CSET and land take

6. The Pembertons do not object in principle to improved public transport in south-east Cambridge. My evidence is not that the busway should not be built. The objection concerns the extent and form of the powers sought over Pemberton land and insufficiently resolved interfaces with CBC and retained agricultural land.

7. The central issue is whether the land and rights sought are actually necessary and whether a materially less intrusive arrangement can deliver the same transport outcome. In my professional opinion it can. The Alternative Land Take Area ("ALT Area") shown on CD3-25.07 identifies the maximum freehold area which the Pembertons consider needs to pass to the Promoter around the southern end of Francis Crick Avenue/Dame Mary Archer Way. Other necessary operational rights

could be secured by appropriately drafted agreements while ownership remains with the Pembertons.

8. Compulsory acquisition should not be used simply to reorganise ownership because that is administratively convenient. The Promoter should be able to demonstrate, plot by plot and right by right, why an interest is required and why a lesser interest or consensual right would not suffice. Land east of the busway used for construction could, in principle, be dealt with through licences or controlled temporary rights, with appropriate operational and maintenance rights following construction.

9. The existing ownership and long-lease structure along Francis Crick Avenue and Dame Mary Archer Way should similarly be capable of being retained. Extensive arrangements relating to rights, services and drainage underpin substantial existing and future investment. Maintaining those arrangements is important to protect interests already disposed of to third parties and land remaining to be developed.

Farm access, Nine Wells, ecology and cycle route

10. The track immediately adjacent to the proposed busway provides important agricultural access to retained Pemberton land. Permanent acquisition is not justified merely because the Promoter may occasionally require it for maintenance. Any genuinely necessary access can be secured by defined rights while ownership remains with the Pembertons. The resulting access must be of equivalent practical width, construction and capability and suitable for commercial agricultural vehicles.

11. The Order also seeks rights over the farm access track east of Nine Wells Field. The Pembertons already own and use that access. Their case is that Network Rail has completed Cambridge South station and has not sought to acquire relevant land south of Addenbrooke's Road and east of the railway. If Network Rail no longer requires this access, its removal would reduce land take and cost without affecting Scheme delivery.

12. The arrangement of Ecology Ponds 1 and 2 and the cycle route should also be reconsidered. Relocating the ponds west of the busway would materially reduce acquisition of Pemberton land and simplify the relationship between the busway, agricultural access and active-travel routes. If technically acceptable and safe, the cycle route could consequently follow a simpler alignment.

Highway boundary, access and Campus operations

13. There is a discrepancy concerning the adopted-highway boundary around the Francis Crick Avenue/Addenbrooke's Road/Dame Mary Archer Way roundabout. This is important because an incorrect highway boundary may lead to an incorrect assessment of land requiring acquisition, dedication or stopping up. The final Order and settlement plans should therefore proceed on an agreed and verified boundary.

14. CBC depends on continuous and legally secure access between the public highway, Francis Crick Avenue, Dame Mary Archer Way, Robinson Way and individual development plots. Extinguishing or interrupting existing private rights without simultaneous replacement rights would create unacceptable operational and development risks for staff, visitors, deliveries, construction traffic and, particularly importantly, emergency access serving the hospitals.

15. The private-road estate-management arrangements are also important. They enable coordinated management of parking, services, maintenance and development access. The Order should not confer unnecessarily wide street powers that prevent effective estate management or create uncertainty about future maintenance and cost sharing. A legally secured interface regime should address notice, method statements, continuity of access, emergency arrangements, traffic management, reinstatement, maintenance responsibility and coordination with other Campus works.

Drainage and services

16. Existing CBC drainage capacity and rights have been planned to accommodate existing and future development. CSET must not reduce capacity allocated to Campus development, prejudice existing drainage assets or rights, impose uncontrolled additional flows on private systems or impede maintenance access. This is relevant both to remaining Phase 2 development and anticipated future development to the south.

Planning balance and resolution

17. I recognise and support the public benefits sought from CSET, including improved public transport connectivity to Cambridge and CBC, and give those objectives substantial weight. The question is whether achieving them requires the full extent of interference presently proposed with the Pembertons' interests. In my opinion, where the same transport infrastructure can be delivered through a smaller freehold transfer combined with carefully defined rights and licences, that represents the preferable planning outcome.

18. Negotiations over the Overarching Agreement have advanced significantly but remain unresolved. The principal outcomes required include: a reduced agreed land take; preservation or regrant of continuous access and service rights; protection of private roads and estate management; workable farm access within Pemberton ownership; appropriate construction controls; drainage and utility protection; resolution of ecology and cycle-route interfaces; and appropriate arrangements for detailed design, reinstatement and costs.

Conclusions

19. CSET's transport objectives can be achieved without the full extent of permanent and temporary acquisition currently affecting the Pembertons. The ALT Area provides a practical basis for materially reducing permanent land take while still allowing the busway to be delivered. Farm and maintenance access, Nine Wells access, ecology features and the cycle-route should likewise be configured so that no more Pemberton land or rights are taken than demonstrably necessary.

20. The Scheme must preserve continuous Campus access and the effective operation of the private-road, drainage and service infrastructure upon which existing occupiers and future development depend. As currently designed, it does not. Detailed and enforceable construction and interface protections are therefore necessary given the sensitivity and strategic importance of CBC and the prospect of concurrent development activity.

21. I therefore remain of the opinion that the Order should not be made in a form which confers unnecessary and unjustifiable compulsory purchase powers over the Pembertons' interests. If the Overarching Agreement satisfactorily secures the reduced land take and protections described above, those concerns may be capable of resolution without continued objection.

Witness Confirmation

I believe that the facts stated in this summary of my proof of evidence are true and that the opinions I have expressed are my true and professional opinions.

Signed:



John Sommerville MRICS

Bidwells

Date: 10th November 2026