

TRANSPORT AND WORKS ACT 1992

TRANSPORT AND WORKS (INQUIRIES PROCEDURE) RULES 2004

APPLICATION FOR THE PROPOSED CAMBRIDGE SOUTH EAST TRANSPORT ORDER

REFERENCE: TWA/25/APP/01

STATEMENT OF CASE

ON BEHALF OF EAST WEST RAILWAY COMPANY LIMITED

1. Introduction

- 1.1. This Statement of Case is submitted on behalf East West Railway Company Limited ('EWR Co') in relation to the application for the proposed Cambridge South East Transport Order.
- 1.2. EWR Co was established in 2017 by the Department for Transport to deliver East West Rail ('EWR'), a once in a generation opportunity to connect communities between Oxford and Cambridge with jobs, education and opportunities.
- 1.3. EWR Co supports the principle of the proposed Cambridge South East Transport ('CSET') project. The CSET project will enhance public transport improve connectivity to employment sites and support the continued growth of Cambridge and South Cambridge's economy, outcomes which are aligned with the objectives of EWR. The CSET project would also provide new direct public transport links to Cambridge South station, which is on the proposed EWR route.
- 1.4. The proposed limits of land to be acquired or used for CSET, as identified on the works and land plans submitted with the Transport and Works Act Order application, include some areas of land safeguarded by the Secretary of State for the proposed EWR project. A copy of the East West Rail Safeguarding Directions and associated plans are included at Appendix 2.
- 1.5. At this stage, it appears that the CSET proposals for the safeguarded land do not involve a material conflict with the EWR proposals. EWR Co is having constructive discussions with the applicant, Cambridgeshire County Council ('CCC'), and the scheme promoter, the Greater Cambridge Partnership ('GCP') to understand and manage the interface between

the two projects and these discussions will continue to ensure suitable arrangements are put in place to avoid or manage any potential conflicts.

- 1.6. EWR Co expects these arrangements to be entered into before the commencement of the inquiry into the proposed Transport and Works Act Order ('TWAO'), and EWR Co will keep the inspector informed of progress. If it is not possible to conclude these arrangements in time, EWR Co proposes to submit a written representation to the inquiry requesting that the direction for deemed planning permission requested by the applicant (if the order is made) be given subject to a planning condition which provides appropriate protection for the land safeguarded for EWR.

2. East West Rail

- 2.1. EWR is a project of national significance which aims to deliver much-needed railway connection for communities between Oxford and Cambridge by:

- 2.1.1. Upgrading an existing section of railway between Oxford and Bicester
- 2.1.2. Bringing back a section of railway between Bicester and Bletchley
- 2.1.3. Refurbishing existing railway between Bletchley and Bedford
- 2.1.4. Constructing a new railway between Bedford and Cambridge

- 2.2. EWR Co will apply for a development consent order ('DCO') under the Planning Act 2008 which (if made) would authorise construction of the new railway between Bedford and Cambridge as well as the other works and upgrades to the existing railway between Oxford and Bedford needed to deliver the full proposed EWR service.

Benefits of East West Rail

- 2.3. The benefits of East West Rail are:

- 2.3.1. Make access easier to other parts of the UK. EWR will connect to most of the UK's north-south main lines making it easier to get to the rest of the UK, opening up new journeys for local communities.
- 2.3.2. Provide fast, easy travel across the region for everyone. East-west public transport is currently limited to a coach service, which takes 1 hour 50 minutes between Oxford and Milton Keynes at peak times, and the bus journey between Bedford to Cambridge, which takes up to 1 hour 30 minutes. With EWR, these journey times could be cut to under 45 minutes from Oxford to Milton Keynes and could take 35 minutes between Bedford and Cambridge.

- 2.3.3. Bring more jobs within reach of local people. EWR will bring more people within commuting distance of high-quality jobs in the region, making it easier to get to employment centres whilst also boosting jobs in local areas.
 - 2.3.4. Reduce congestion on local roads. By offering rail travel as an alternative, EWR will help to ease traffic on local roads and provide a reliable, fast and more sustainable public transport option for people. The railway also creates the potential to reduce the number of lorries going through the area's towns and villages.
 - 2.3.5. Open new areas for businesses to grow. Growth in Oxford and Cambridge is constrained. Connecting them with the fast-growing and high potential towns and cities in between, like Milton Keynes and Bedford, will make places more appealing for people wanting to start and grow all types of businesses.
 - 2.3.6. Expand the labour market locally. EWR will help attract and retain the best talent in the region expanding the number of people within commuting distance of high-quality jobs, giving the region's businesses and innovators access to a much bigger pool of people to hire from as they grow.
 - 2.3.7. Open up new areas for businesses to grow in the region. EWR will bring businesses closer to their supply chains, research sectors, competitors and other sectors. This provides a unique opportunity in the region and the UK for businesses to develop in dynamic ecosystems and clusters.
- 2.4. EWR Co undertook a non-statutory consultation from November 2024 to January 2025 on its proposals for the DCO application which have been developed following feedback from previous consultations undertaken in 2019 and 2021, as well as further technical design work.
- 2.5. EWR Co will continue to develop and refine its proposals and will present these for further consultation before the DCO application is finalised.

3. Safeguarding

- 3.1. On 14 November 2024 the Secretary of State gave safeguarding directions in respect of the land required for EWR in exercise of the powers conferred by articles 18(4), 31(1) and 34(8) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The safeguarding directions protect the land to which the proposed DCO application relates from conflicting development proposals.
- 3.2. The directions require the relevant local planning authorities to consult EWR Co on applications for planning permission that fall within the safeguarded area. Such applications

must not be determined before the expiry of the period for consultation. A local planning authority must not grant planning permission on terms which are contrary to EWR Co's recommendations unless they have notified the Secretary of State for Transport. Following any such notification, the Secretary of State will either confirm that the local planning authority may grant planning permission or will issue directions restricting the granting of permission.

- 3.3. The application for the CSET Order includes a request for a direction that planning permission be deemed to be granted for development under section 90(2A) of the Town and Country Planning Act 1990. Although this does not constitute an application for planning permission which engages the safeguarding directions it is clearly appropriate for the Secretary of State to take account of the EWR safeguarding directions when considering the application for the order.

4. Interface between East West Rail and CSET project

- 4.1. The section of EWR that is relevant to the CSET project covers the area between Comberton and Shelford. Within this area, the proposed TWAO would authorise the construction of the busway and associated works on land that falls within the area safeguarded for EWR. The proposed TWAO would also provide powers to acquire and use land in this area for the purposes of the authorised works.
- 4.2. The overlap with the EWR safeguarded land occurs where the proposed busway runs alongside the existing railway (West Anglian Main Line) to the east of Addenbrooke's Road and south of the new Cambridge South station under construction by Network Rail. Appendix 1 of this statement of case sets out the land within the proposed CSET order limits (as numbered in the applicant's book of reference) which fall within the area subject to the EWR safeguarding directions.
- 4.3. In this area, EWR Co proposes to construct two new tracks on the west side of the West Anglian Main Line on the approach into Cambridge, the CSET project is proposed to be located to the east of the existing West Anglian Main Line tracks. Details of EWR Co's proposals are set out in section 15.5 of the Consultation Document published as part of the EWR's non-statutory consultation (see Appendix 2).

5. Representation

- 5.1. As the proposed TWAO authorises works and the acquisition and use of land within the area safeguarded for EWR suitable arrangements need to be put in place between the parties to manage the interface effectively. The arrangements need to ensure that any works authorised for the CSET project on the safeguarded land do not prejudice or conflict with the delivery of EWR.

5.2. To achieve this, EWR Co requests that the following condition be included in any planning direction given by the Secretary of State in response to the request submitted by the Applicant as part of the application (Applicant's reference CSET-14-00).

5.3. Add the following definition:

“Safeguarded Land” means the land which is the subject of safeguarding directions given by the Secretary of State for Transport on 14 November 2024 in respect of the proposed East West Rail project under the powers conferred by Town and Country Planning (Development Management Procedure) (England) Order 2015 including any revised or replacement directions given by the Secretary of State for Transport in respect of East West Rail.”

5.4. Add the following condition:

“East West Rail

No development shall commence on any part of the Safeguarded Land until details of the proposed works have been submitted to and approved in writing by the Secretary of State for Transport in consultation with East West Railway Company Limited. The development on the Safeguarded Land shall be implemented in accordance with the details approved by the Secretary of State for Transport.

Reason: To ensure the development hereby permitted does not conflict with or prejudice the delivery of East West Rail.”

5.5. This planning condition does not prevent the CSET works being carried out on the safeguarded land and provides a reasonable and proportionate way for the Secretary of State for Transport to have oversight over the details of that development before it is carried out. The Secretary of State would consult EWR Co on the details submitted before deciding whether to approve them.

5.6. The proposed condition therefore replicates the protection given by the EWR safeguarding direction in relation to applications for planning permission submitted to local authorities under the Town and Country Planning Act 1990. Local planning authorities have to consult EWR Co on any such planning applications. If the planning authority proposes to grant permission on terms which are contrary to any recommendation made by EWR Co, they must notify the Secretary of State who can then either allow the permission to be granted or give a direction restricting the grant of permission.

5.7. The condition therefore provides an effective mechanism to ensure that, if the Secretary of State decides to grant authorisation (including deemed planning permission) for the CSET project, she does so on terms which will not conflict with or prejudice the delivery of EWR.

- 5.8. EWR Co, CCC and the GCP have been working together in the development of their respective projects. This constructive engagement will continue with a view to agreeing suitable arrangements to manage the interface between the two projects.
- 5.9. EWR Co will keep the inspector informed of progress.
- 5.10. Appendix 2 includes a list of documents on which EWR Co intends to rely on should it be necessary for the company to attend the inquiry.

Appendix 1

CSET Plot no	CSET Plan ref	Rights sought	Work No. (identified from Works and Land Plans)	EWR safeguarding plan
014A	Works and Land Plans, Sheet 1	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
014B	Works and Land Plans, Sheet 1	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
014C	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
014D	Works and Land Plans, Sheet 1	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
016	Works and Land Plans, Sheet 1	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
017	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
020	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
021	Works and Land Plans, Sheet 1	Unrestricted Powers to Acquire Land (Pink)	2	SG-98
023	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
024	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
028	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
033	Works and Land Plans, Sheet 2	Powers of Temporary Use of Land and Acquisition of Permanent Rights (Blue)	3	SG-98
034	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
035	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
037	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98

038	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	3	SG-98
041	Works and Land Plans, Sheet 2	Unrestricted Powers to Acquire Land (Pink)	-	SG-98
045	Works and Land Plans, Sheet 3	Powers Limited to Temporary Use of Land (Green)	-	SG-97

Appendix 2

Relevant documents that EWR Co intends to refer to or put in evidence

	Document
1	Safeguarding Directions given by the Secretary of State (14 November 2024)
2	Safeguarding Directions Key Plan Comberton to Shelford (Sheet 1 of 1) and Safeguarding Map (Sheets SG-98 and SG-99)
3	EWR Consultation Document (November 2024)
4	EWR Route section plan – Section 7 - Comberton to Shelford