

5 August 2025

By Email Only (transportinfrastructure@dft.gov.uk)

Transport Planning Unit
Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR

Dear Transport Planning Unit

Our Client: Deal Land LLP
Order: Cambridge South East Transport Order

1. We act on behalf of Deal Land LLP (the “Landowner”) who object to the above referenced Order, submitted by Cambridgeshire County Council (the “Council”) to the Secretary of State for Transport.
2. This correspondence is provided as an updated objection on behalf of the Landowner, which goes beyond the content of the Landowner’s original objection dated 7 March 2025.

Introduction

3. The Order seeks authorisation for the works and purchase of land for implementation of Phase 2 of the Cambridge South East Transport Project to allow the construction, operation and maintenance of a guided busway between Cambridge Biomedical Campus at the Southern end of Francis Crick Avenue in Cambridge and new travel hub facility at A1307/A11/A505 road junction south west of the village of Babraham (the “Scheme”).
4. To allow for the Scheme to be brought forward, the Council seeks consent for the proposed Order for the temporary use of 7.16 hectares of land owned by the Landowner, mainly for the storage of spoil, together with the permanent acquisition of 10.59 hectares of the land owned by the Landowner. In addition, the Order also seeks to acquire new rights or impose restrictive covenants across a parcel of land owned by the Landowner (plot 092).
5. The Landowner has engaged with the Council throughout the process of promoting the Scheme and has raised a number of specific concerns regarding the Scheme with the Council at various points. However, it considers that there has been limited

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Our ref: GT1./CSET Representation

meaningful engagement by the Council in respect of the Scheme, especially in the Scheme's current form, the route of which differs from what has previously been proposed by the Council.

6. Due to the lack of consideration of the Landowner's concerns by the Council and the recently amended proposed route of the Scheme, the Landowner feels it has no option other than to object to the Order.
7. The Landowner therefore objects to the Order on the following grounds:
 - a. If consented, the Scheme will constrain and increase pressure on the existing road network, in particular Haverhill Road, in the vicinity of the Landowner's land;
 - b. If consented, the acquisition of land under the Order will remove the Landowner's existing access to its land. The proposed replacement access contained within the Order is inferior to the existing access;
 - c. If consented, the Order provides that there will be land permanently taken from the Landowner adjacent to the highway, which will prevent/restrict access to part of its land and this will restrict/prevent the future development of at least part of the land owned by the Landowner;
 - d. If consented, the Order allows for the temporary use of land owned by the Landowner as storage compound for spoil. Whilst a Spoil Management Plan has been submitted in support of the Order, this provides little detail on actual management of the spoil, leaving the Objector concerned in relation to its impact on the use and potential longer term sterilisation of the affected land; and
 - e. If consented, the Order will allow for parcels of the Landowner's land to be effectively sterilised, as they will no longer be able to be farmed.
8. These grounds are discussed in further detail below.

Ground a

9. Haverhill Road is a local rural road, which is also used by the Landowner to access its 120 acre agricultural landholding, which represents 33% of the farm by area. The Landowner regularly grows and subsequently harvests up to 2000 tonnes of crops per annum on this agricultural landholding.
10. To carry out the necessary agricultural practices involved in growing and harvesting crops, the Landowner operates a significant amount of heavy farm vehicles/machinery to and from its land, via Haverhill Road.
11. The Scheme proposed, together with the recently permitted large retirement home on Haverhill Road, will result in an intensification of traffic on Haverhill Road which has not been taken into account in the Environmental Statement submitted in support of the Order.

12. This intensification of traffic on Haverhill Road will have an impact on the ability for the Landowner to efficiently carry out its normal agricultural practices.
13. This impact will also be conflated with the access issue set out in Ground b below.

Ground b

14. The Landowner's main vehicular access to its landholding off Haverhill Road, is located on land which is proposed to be permanently acquired under the Order (plot 074).
15. The Order provides for a replacement vehicular access to be created further north of the existing access, along Haverhill Road (plot 064a). However, the Landowner considers that the replacement vehicular access is not suitable for the following reasons:
 - a. Under the Order, the replacement access is within the proposed no stop zone of Haverhill Road. This will result in significant impacts on vehicular movements in and out of the Landowner's agricultural land and agricultural practices throughout the year, but especially when spraying crops and at harvest. For example, sugar beet is typically mounded near to the access and either transferred by overhead conveyor into an articulated lorry on Haverhill Road or loaded at the access point. Relocating the access point to an area which includes a no stop zone will prevent the parking and loading of trailers as is the Landowner's current practice. Additionally, it should be noted that the Landowner farms two crops on the agricultural landholding and that times for spraying and harvesting are different for both, essentially resulting in a 5/6 month period for which harvesting activities take place.
 - b. The replacement access is inferior to the existing vehicular access to the Landowner's agricultural landholding and is not suitable for the demands of the Landowner's business. The existing access includes a 25/30m track into the Landowner's landholding and this is not provided for in the replacement access.
 - c. The land on which the replacement access is to be located is proposed to be permanently acquired by the Council pursuant to the Order, whereas all the land adjacent to the highway in proximity of the replacement access land (being plot 64) is set out in the Order for temporary use only. The Landowner therefore queries the motive behind the proposal to permanently acquire the land for the replacement access. The permanent acquisition of the replacement access land will lead to the Council being in control of all future access to the Landowner's agricultural land which will potentially create a ransom situation. Clearly, this is not acceptable.
16. Overall, the Order leaves the Landowner with an access that is compromised and inhibits the safe and practical continuation of its agricultural operations. There will therefore be a significant impact on the Landowner's agricultural land in this regard,

none of which has been assessed in the Environmental Statement submitted in support of the Order.

17. The Landowner proposed to the Council that a hardstanding be included within the agricultural land, in close proximity to the relocated access to allow the Landowner to take the agricultural traffic off Haverhill Road whilst carrying out harvest activities. This proposal would alleviate the Landowner's concerns regarding its ability to continue the safe, practical and efficient operation of its business.
18. The intersection of buses crossing the highway, in proximity to a retirement/care home, agricultural traffic and operations (with up to 30 tonnes loaded capacity) and the addition of an equestrian route (as per ground c below), all on a narrow and fairly degraded Haverhill Road has the potential to become an accident hot spot. Therefore, the Landowner's suggestion of a hardstanding within the agricultural land is a sensible way forward to mitigate some of this safety risk. However, the lack of proper engagement from the Council on this point, given the potential safety ramifications, is alarming.
19. The Landowner's agent, Fisher German, has held discussions with the Council's agent for the scheme promoted by the Order and noted that the Council's agent agreed with the Landowner's position in relation to the access issue raised in this ground b. It is understood by the Landowner that the Council's agent recommended that the Council amend the Order to reflect these concerns.
20. However, this suggestion was not accepted by the Council, who consider that the previous changes made to the access position were sufficient to evidence that it had consulted on the scheme. However, the Landowner highlights that at the time previous changes were discussed, the scheme did not show that the access would be located in a traffic restriction area (as this was only added to the documentation in support of the Order very close to submission of the Order and without consultation).

Ground c

21. The land owned by the Landowner includes the verge alongside Haverhill Road. This provides the Landowner with sufficient control of its land for any future development aspirations and would allow the Landowner to overcome any concerns regarding access/visibility/highways requirements.
22. At present the land owned by the Landowner close to the village edge benefits from a drop kerb separate to the main field access, with limited practical restraint against amending this access into a more development friendly access point.
23. However, the Order proposes that the verge along the highway boundary (plot 069) is to be permanently acquired by the Council, which includes this drop kerb access.
24. The proposed permanent land take of the verge and trodden path (plot 069) in the Order is an excessive use of powers of compulsory purchase. Plot 069 is not required to bring the Scheme forward. However, the impact of including this within the Order removes the ability for the Landowner to use this drop kerb access, whether for existing agricultural purposes or for future development potential and could become a ransom strip against future development of the land owned by the

Landowner. Again, it would be unacceptable for the Council to benefit in from using its powers of compulsory acquisition in this way.

25. Additionally, given the proposal in the Order for the Council to utilise plot 076 as a spoil compound, it would appear to the Landowner that retaining the drop kerb access in plot 069 provides the Council the required access to the compound throughout the construction of the scheme.
26. The Landowner has proposed to the Council that the proposed footpath and verge could remain in its ownership (on a County maintained basis) following the completion of the Scheme and that no permanent land take is required in this regard. This would prevent the sterilisation of the land owned by the Landowner for future development. Again, no regard has been had to this as the Order is drafted.
27. The Landowner's Agent has discussed these issues with the Council's agent since the issue of the original objection and understands that the Council's position is that there is an equestrian facility along plot 069 that the scheme provided for in the Order, needs to replace.
28. However, upon investigation, the Landowner's understands that no such equestrian facility is documented on the Definitive Map (and it is not a designated public right of way) nor is it clear from the land itself, as whilst there are signs, these are blank.
29. Subsequent discussions between the parties have led to further confusion as to the intention for the acquisition of plot 069, with the Council suggesting the retention of what currently exists but also then suggesting that this will be upgraded. The Landowner queries whether the Order, which powers are to provide a guided busway, also contains powers for the provision of a substantially upgraded equestrian route, which appear to be outside of the remit of the Order.
30. Additionally, these suggested physical works to plot 069 will add further physical impediment to the future use of the Landowner's retained land, which had previously not been considered.

Ground d

31. The majority of the Landowner's land that is proposed for temporary use pursuant to the Order is to be used as a storage compound for the spoil from the construction of the Scheme (plots 075 and 076).
32. The Landowner is concerned regarding the lack of detail provided on how, when and in what manner the spoil will be dealt with. Whilst a Spoil Management Strategy has been submitted in support of the Order, there remains a significant lack of detail as to the actual management of the spoil and the impact this will have on the land owned by the Landowner, especially as the agricultural land is graded as best and most versatile agricultural land, the benefits of which should be recognised and considered in decision making, as per paragraph 187 of the National Planning Policy Framework.

Ground e

33. The Council are proposing to take temporary possession of plots 091 and 093 to carry out the Scheme. However, due to the permanent land take around these plots, the net effect will be that plots 091 and 093 may no longer be able to be farmed. These plots would therefore be sterilised.

Other concerns

34. The Landowner is aware of the Guidance on the Compulsory Purchase Process (January 2025) issued by the Ministry of Housing, Communities and Local Government ("CPO Guidance"), which states that acquiring authorities are encouraged to engage and communicate regularly with those who are to be affected by the use of powers of compulsory purchase.
35. The Landowner acknowledges that consultation has previously taken place, however this related to an earlier version of the Scheme, not the route of the Scheme that is currently proposed pursuant to the Order.
36. With regards to the current Scheme, very little consultation/engagement has been carried out by the Council. The little consultation/engagement that has taken place, provided the Landowner with only a few weeks to respond ahead of the Order being submitted to the Secretary of State. This did not constitute meaningful or constructive consultation/engagement of the Scheme.
37. Notwithstanding the little time that was provided for the Landowner to provide representations to the Council on the Scheme, the Landowner attempted to put forward suggestions for amends to the Scheme that would mitigate the impacts of the Scheme on the land owned by the Landowner. Some of these suggestions are noted in the grounds of objection above but also include the potential for the Landowner to retain and manage the land that is proposed for the biodiversity net gain (plot 090), as opposed to the Council acquiring this land permanently.
38. Whilst the Council's agent has suggested the principle of the Landowner retaining and managing plot 090 could be agreed, subject to a management agreement, no formal confirmation or draft documentation has been provided in this regard to be able to take this forward. If this suggestion can be agreed, the permanent acquisition of plot 090 could be removed from the Order.
39. The lack of constructive consultation/engagement on the route for the Scheme now being promoted has therefore not been through the requisite level of consultation, ahead of the Council seeking to rely on powers of compulsory purchase.
40. Additionally, the Council should have made proper attempts to acquire the land and rights sought under the Order by voluntary agreement, as is required by the CPO Guidance. Unfortunately, the terms offered by the Council to the Landowner are inferior to what the Landowner's position would be under the Compensation Code following compulsory purchase of its land and rights.
41. Notwithstanding that some discussions have taken place more recently between the parties, the Council have provided no formal responses to the Landowner's suggestions and/or objections, despite the importance not just to the Landowner, but also to the wider public in light of the safety implications that the Order raises.

Instead, the Council have stated that they will only respond formally in their Statement of Case. This approach hinders any meaningful engagement being able to take place or the full consideration of key issues and subsequently prevents any chance of agreement being reached between the parties.

42. This leads to the conclusion that the Council has not acted in good faith in this regard.

43. In light of the details set out above, the Landowner objects to the Order and requests that the Order not be confirmed by the Secretary of State.

Yours faithfully

Squire Patton Boggs

Squire Patton Boggs (UK) LLP