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Our ref: TZZH/079640.00001

9 September 2025

Dear Mr Richard Clegg and Mr Geoff Underwood

OBJ213 - Clare Hall**Position Statement - Flooding****Application under the Transport and Works Act 1992 for the Cambourne to Cambridge Order (the Application)**

Please find attached a Position Statement from Mr Graham Sinclair (Create Consulting Engineers (Create) Limited) which addresses the withdrawal of the Environment Agency's objection to the Application, the outstanding policy issues associated with the Application, and the increased risk of flooding that proposed development poses.

This position statement should be read in the context of the Partial Application for Costs that was submitted to the Inspectors on 26 August 2025.

Please confirm receipt by email.

Yours sincerely



Thomas Horner
Associate
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Encl.

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Clare Hall

PROPOSED CAMBOURNE TO CAMBRIDGE BUSWAY – BIN BROOK CROSSING AND IMPACT ON CLARE HALL

Position Statement

Graham Sinclair, BSc (Hons), MSc, DIC, C.WEM, MCIWEM

Objector No: OBJ213

Inquiry Reference: TWA/24/APP/03

PROPOSED CAMBOURNE TO CAMBRIDGE BUSWAY – BIN BROOK CROSSING AND IMPACT ON CLARE HALL

Position Statement

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DOCUMENT AND QUALITY CONTROL

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1.0 INTRODUCTION

- 1.1 In my Proof of Evidence (CD26-08-W3-1) I explained the difficult position in which Create Consulting Engineers (CCE) had been placed as a result of the late provision of material by the applicant and the uncertainty at the time as to the position of the Environment Agency (EA) (see paragraphs 3.4 to 3.31).
- 1.2 Following receipt of the Proof of Evidence prepared by Mr Jack Southon of WSP (CD26-01-APP-W9-1), and having undertaken a detailed review of this document together with the EA's letter to TIPU withdrawing its objection (ref: AC/2024/132485/02-L01), dated 19 August 2025, I write to update Clare Hall's position in relation to flood risk and the implications of the Proposed Bin Brook crossing for both Clare Hall and the surrounding area.
- 1.3 This statement addresses the EA's response and identifies the outstanding policy issues that it leaves unresolved. It then reviews the potential for increased downstream flood risk, with particular reference to the direct impacts on Clare Hall, before assessing the cumulative flood risks.

2.0 FLUVIAL FLOOD MODELLING

- 2.1 I note that the WSP baseline modelling, despite the inaccuracies discussed below, demonstrates a similar degree of impact to our own modelling, and therefore accept that this modelling is generally representative of the baseline situation. I also understand that WSP have now agreed that an 8mm impact remains upstream of the crossing, extending beyond the red line boundary. This impact is acknowledged in the ES addendum (CD1-10.06) as referenced in my Proof of Evidence (CD26-08-W3-1).
- 2.2 On this basis, I will therefore seek to work with WSP over the coming weeks to establish relevant matters of agreement for inclusion in the draft Statement of Common Ground.
- 2.3 I do note, however, that in the developed case scenario (which includes the proposed busway), based on the model files provided by WSP, the proposed busway is underrepresented with a crest width of 9.5 m as opposed to 14.5 m shown on the submitted application drawings. In addition, the side slopes in the model are represented at 1:1 rather than the 1:4 proposed for the majority of the embankment.
- 2.4 These differences may have further implications on flood storage and potential offsite impacts, in addition to the 8mm offsite increases accepted by WSP and shown within their model. Clarification on this matter will therefore be required from the Applicant, and I will seek to liaise with the applicant further on this as part of the discussions relating to the Statement of Common Ground.

3.0 ENVIRONMENT AGENCY RESPONSE

- 3.1 As I have explained, the EA has recently removed their objection to the proposals. The EA's letter announcing and seeking to explain the withdrawal of its objection does not adequately explain its late change of position, and Create is therefore seeking to discuss and resolve these points directly with the EA. To that end I have sought a meeting with the EA to go through each of the concerns that I have. These concerns are summarised below.
- 3.2 The EA state *'The model shows minor increases in flood depths in some already inundated areas. These increases are maximum 8mm increase on depths of approximately 900mm in open fields'*. This statement is factually incorrect, and I am concerned that it could leave the inquiry with a misleading impression. The 8mm increases over existing flood depth that have been identified as a result of the proposed development are not confined to open fields; they occur within the Bin Brook channel, the Gough Way flood diversion channel (which was specifically constructed to reduce flood risk on Gough Way) as well as within private gardens on the eastern side of Gough Way.
- 3.3 The EA then state *'The Design Manual for Roads and Bridges (Standards for Highways) states a less than or equal to 10mm increase in water levels, as demonstrated in modelling, is an acceptable detriment in road and bridge schemes'*. I have asked for clarity on this point as to how the EA seeks to reconcile this guidance in The Design Manual for Roads and Bridges with the clear policy in the NPPF, which is explicit in requiring flood risk to not be increased elsewhere. I have also sought clarification on the implications of the EA's explanation for its position here with its own published guidance on modelling for Flood Risk Assessments (included here: <https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments>), which clearly states that flood risk must not be increased elsewhere and makes no reference to the Design Manual for Roads and Bridges. Therefore, I have requested clarity from the Environment Agency on how the relationship between these documents is to be approached and in particular which takes precedence in their view.
- 3.4 Finally, the EA state *'The model outputs show negligible reductions in flood depth outside the red line boundary, limited to small reductions in some locations, with all increases contained within the site. As stated in the FRA (Section 5.2.7): "As these changes are within the redline boundary there are no impacts of increased flood risk to third parties." These changes are within acceptable tolerances, do not materially increase flood risk to third parties, and demonstrate that the proposed development can be made safe for its lifetime. On this basis, the FRA satisfies the second limb of the Exception Test by evidencing that the scheme will not increase flood risk elsewhere'*. Again, this statement is factually incorrect. The assertion that all increases are contained within the site is contradicted by the modelling evidence, as set out in paragraph 3.2 above. Furthermore, the EA's reliance on Section 5.2.7 of the submitted Flood Risk Assessment (CD1-11.13.02) is misplaced, as this section fails to account for the identified increases upstream of the redline boundary. WSP's own ES addendum (CD1-10.06) subsequently acknowledges an 8mm increase in flood levels beyond the red line boundary of the site, thereby confirming that their own Flood Risk Assessment was inaccurate. To be clear, this states *'Water levels along Bin Brook upstream of the crossing point would be similar to the baseline, with minimal 8mm increases in depth over a short reach of the watercourse'*.
- 3.5 I also have concerns with regards the thoroughness of the EA's review of the developed case model scenario which includes the proposed busway, particularly in light of the issues identified above, concerning the representation of the busway in the fluvial model. This misrepresentation could directly affect the assessment of offsite flood risk, and the extent of the floodplain compensation

required, and the EA's failure to notice these errors inevitably raises questions as to how carefully it has scrutinised the developed case model.

4.0 OUTSTANDING POLICY ISSUES

- 4.1 Notwithstanding the position I am now able to adopt with regards WSP's baseline flood modelling, as summarised above, the conclusions I have set out in my Proof of Evidence (CD26-08-W3-1) in relation to the various policy tests remain (Sections 8.5 – 8.18). To summarise, it is evident that the development, as proposed, fails both the Sequential Test and the Exception Test (see also the Proof of Evidence of Ms Jessica Wilson (CD26-08-W6)), and thus is not in accordance with the NPPF Paragraph 177, 178(b), 179 and 181. My evidence in respect of the Exception test relates to the second part (*The development will be safe for its lifetime, not increase flood risk elsewhere, and ideally reduce flood risk overall*), and the fact that the scheme is predicted to result in an increase in flood risk elsewhere. The proposals are also inconsistent with the PPG, contravening paragraph 031, and are contrary to the South Cambridgeshire Local Plan Policy CC/9. Jessica Wilson's evidence addresses the application of the Sequential Test and the first part of the Exception Test.
- 4.2 The development also fails to meet the criteria required for development within the functional floodplain (Flood Zone 3b), in that no level-for-level or volume-for-volume floodplain compensation is proposed, thus creating a net loss in floodplain storage. In addition, the scheme impedes floodplain flows, thereby contravening the requirements of the PPG at paragraph 049 and the explanatory notes to Table 2.

5.0 INCREASED VELOCITY DOWNSTREAM OF BIN BROOK CROSSING

- 5.1 My concerns with regards to increased flow velocity in the Bin Brook channel immediately downstream of the busway crossing remain. These are detailed in full in Chapter 7.0 of my Proof of Evidence (CD26-08-W3-1), and our own modelling demonstrates that the resulting increases could be in the order of 100%. Further analysis of WSP's own model shows increases of circa 50% in the design event. It is therefore imperative that, should the inspector be minded to recommend approval of the application, appropriate mitigation measures are secured to address this issue.
- 5.2 Such measures will be necessary to ensure that there is no detriment to the Bin Brook channel as it passes through Clare Hall's curtilage. We would welcome further conversations with the applicant regarding their proposals for mitigation in this regard. These are likely to entail either the re-alignment of the busway or in channel protective measures, which I note would not fall within the red line boundary as these would need to be placed within Clare Hall's curtilage.

6.0 PRECEDENT EFFECT AND CUMULATIVE IMPACTS

- 6.1 Finally, I would like to raise a concern relating to the potential precedent effect of the EA's apparent position in respect of the 8mm offsite impact. If the EA's willingness to accept such an increase in flood risk was reflected in the ultimate decision, this would set a precedent that could be applied to other development within the Bin Brook catchment (and potentially elsewhere). If the busway scheme was to be regarded as compliant with the requirements of flood risk policy, notwithstanding such impacts, the same would equally be true of other developments in future with similar adverse offsite impacts, notwithstanding the significant flood events which have occurred in this catchment in recent history. This would create a substantial potential for cumulative increases in flood risk as each development in turn adds its own incremental increase. In my view, the clear terms in which national planning policy on flood risk is expressed allows such incremental increases to be avoided so that flood risk is not increased elsewhere by developments either individually or cumulatively.
- 6.2 I therefore remain of the view that the predicted impact in this case would involve a contravention of national policy.

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The information contained within this report and any appendices or supporting information provided are to be treated as confidential.



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