

Objection to Transport and Work Act Order to the Department for Transport (DfT) for a new busway to the southeast of Cambridge

I, **Marc Foote** of [REDACTED] am writing to make a formal objection to the Application for a Transport and Work Act Order to the Department for Transport (DfT) for a "*new busway, travel hub and path for walkers and cyclists to the southeast of Cambridge*", as submitted by the Cambridge Greater Partnership on 9 January 2025.

I very much support the need to develop the world-wide reputation of Cambridge and attract the best national and international talent to our beautiful historic city and surrounding countryside.

I also recognise that Cambridge is clogged with traffic out of all proportion to its size, and needs radical intervention to upgrade its transport infrastructure and build high quality housing to drive national economic growth and attract global capital.

So, I am **not** contesting the **busway** itself **nor** the proposed **route** across open countryside, since motorways and railways built in prior centuries provide ample evidence that regional transport is best upgraded with new routes separated from existing routes and with fewer stops. A rapid transit route **across** its precious **Green Belt** is vital to support significant new growth beyond the belt without damaging the historic integrity of the city and its beautiful countryside setting.

Instead I am **objecting to the TWAO** on these **two grounds**:

- the proposed shared path for walkers and cyclists will be **unsafe** and therefore **ineffective**
- the busway like most development on the Green Belt is **inappropriate** because it threatens the very aim and purposes of the Green Belt, **yet it argues no very special circumstances** (VSC) to balance this

These are expanded in the detailed sections that follow below, but I have two specific comments on one of the documents included in the TWAO, *Volume 1 Non-Technical Summary* (CSET-10-01). Although the title is unclear this document appears to be a summary of the environmental impact of the busway, yet seems to miss some important points:

- **section 3.3 "environmental sensitivities in the area"** mentions the new ~5ha retirement village development but makes no mention of ~20ha of new Country Park that development included and entrusted to our local wildlife charity and used to justify its (VSC). This seems a significant omission since some of this new Country Park would be built over by the proposed busway.
- on **p19** the **cumulative** contribution from another development, **Cambridge South Station**, is cited as a **benefit** but no mention is made of the cumulative and significant **negative** effect on the isolation of Green Belt land that the busway would create when coupled to the recent **retirement village** development, nor the fact that the busway **reverses** some of the **benefits** of the Country Park that was included as part of its development.

Safety and effectiveness of path alongside busway

I am a regular pedestrian user of the existing shared use world famous DNA path that is widely used by cyclists and others commuting to and from Cambridge. Although semi-retired now, I still use it to

access our local hospital on foot two miles from the village. At busy times this means of transport is quicker for me than car, and contributes both to my personal health and our shared battle against climate change. Sometimes I have a brisk relaxed walk and I enjoy the open countryside of the Green Belt, however at peak times it is crowded in both directions with young fit cyclists often on fast bicycles and increasingly on electrified cycles or scooters leaving me constantly looking over my shoulder and using the verge to avoid collisions. Although an active pensioner, I have witnessed several near misses when other pedestrians, dog walkers or even push chairs are involved.

The TWOA as currently set out includes a paved service road for, "cyclists and walkers". This could be great for users of increasingly electrified bicycles and scooters since it would allow them to commute right across the green belt in as little as 15 minutes at speeds of up to 20mph. This is a strong incentive for cycling commuters to leave their motor vehicles at home in Cambridge or parked at the new Travel Hub on the outer edge of the Green Belt reducing congestion and encouraging active travel in unpolluted air safe from collisions with motor vehicles. However, mixing them, even with fit pedestrians maintaining 3mph at most, not to mention the slower less predictable wandering elderly, families with children, dog walkers and horse riders will result in near misses that merely delay the cyclists or collisions that result in serious injury or death.

The proposed route has sensibly located stops at the intervening villages as it cuts across the green belt, so it is highly likely to be accessed by the retired and frail, young families with children and dogs and even horse riders enjoying a more leisurely pace and unpredictable trajectories that are totally incompatible with a paved surface and high speed active commuters.

This flaw in the current proposal could be rectified if a small modification was made to the current proposal to add a segregated pedestrian path with a natural permeable surface more suited to foot transport and less damaging to the environment. Disabled access provision could added for stretches of path close to the proposed bus stops and their disabled parking, to allow safe recreational access to the countryside for the least mobile users.

The scheme currently proposed provides no VSC to justify its damage to the Green Belt

We are not contesting the route across the open countryside as proposed, however the scheme is still **inappropriate** on the **Green Belt** and as per the National Planning Policy Framework(NPPF) guidance on the Green Belt, it must demonstrate some **very special circumstances (VSC)** before it is allowed to go ahead.

A precedent was set by the last development approved on our local Green Belt where **Axis Land Partnerships** appealed against my local South Cambridgeshire District Council and won their appeal because they were able to demonstrate **VSC** (Ref:APP/W0530/W/21/3280395)

In that case the proposed retirement housing was itself inappropriate **by definition**, but a development **combining** ~5ha of housing and ~20ha of Country Park **when considered together as a single scheme** was judged on appeal to offset the **harm** inflicted on our Green Belt with sufficient **benefit**.

Axis Land Partnerships had to forgo profit on 4/5 of the land they had acquired, convert it to **Country Park**, and contribute £349,950 (index-linked) to ensure its long term protection and enhancement (Appeal Decision para 4), in order to put **inappropriate** development on just one fifth (~5ha).

I am aware that the busway is classified as local **transport infrastructure**, so differs from a retirement village in that it is not automatically inappropriate by **definition** (NPPF para 154 h), iii), but it still has to prove that it is not inappropriate **for other reasons**.

Specifically, developers of transport infrastructure have to **avoid encouraging any urban sprawl** that would jeopardise the land remaining **permanently open** (NPPF para 142 and 154 h).

What makes the busway "inappropriate" on Green Belt?

The scheme as currently proposed is **inappropriate** because it threatens and reduces the Green Belt's **openness** and conflicts with most of its **purposes**.

In the Axis appeal (para 6) the inspector set out the general factors that make a development inappropriate even if not so "by definition":

"Some forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it"

The aim and purposes of the Green Belt are set out in the NPPF (para 142, 143):

*"The government attaches great importance to Green Belts. The fundamental **aim** of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their **openness** and their **permanence**.*

*Green Belt serves 5 **purposes**:*

(a) to check the unrestricted sprawl of large built-up areas;

(b) to prevent neighbouring towns merging into one another;

(c) to assist in safeguarding the countryside from encroachment;

(d) to preserve the setting and special character of historic towns; and

(e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

Only the first four purposes are relevant in our case, but as the planning inspector notes in his Axis Appeal Decision Report:

*"When considering any planning appeal, authorities should ensure that **substantial weight** is given to **any harm** to the Green Belt. It makes no difference **which, or how many, of the purposes** of the Green Belt would be harmed " (para 7)*

In considering openness for the Axis case he notes:

"Openness is a fundamental aim of Green Belt policy, distinct from its five purposes. It may be considered in both a spatial sense and in a visual sense" (para 8)

He also accepted that the Retirement Village did impact **Openness** since it would:

*"...turn the remaining undeveloped agricultural area of land between Haverhill Road and Hinton Way into an island of undeveloped agricultural land. The vulnerability of the resulting **island** of Green Belt agricultural land is emphasised by the Council's own suggestion, in its emerging local plan consultations, that part of this area of Green Belt be released for development."*

The proposed GCP busway will totally isolate this same Green Belt land already rightly recognised as vulnerable so now poses an even greater threat to the **permanent openness** that is the fundamental aim of the Green Belt.

The proposal is also contrary to 4 of the 5 **purposes** of the Green Belt legislation as follows:

- The Green Belt land directly on Mingle Lane that looks over this "*island*" of undeveloped agricultural land is also one of the viewpoints over **open** countryside at the boundary of the villages of Great Shelford and Stapleford that is valued by the residents of both villages and referenced in their joint neighbourhood plan.

<https://www.scamb.gov.uk/media/uo2hz0y3/submission-sgs-np-v6-compressed.pdf>

- The gap in the existing urban sprawl that offers this **open** country view as the village's residents mingle on Mingle Lane also prevents the neighbouring settlements **merging**, which is one of the stated purposes of Green Belt.
- This area of Green Belt **countryside** is now much more at risk of **encroachment** so is clearly **not** being **permanently safeguarded** by the proposed busway. The **setting and special character** of these two Saxon villages strung along the tributaries of the river that give both the historic town of Cambridge and its associated villages their names and identity is **threatened** more than ever by **unrestricted sprawl** of the villages' **large built up areas**.

The points made above extend to all the other areas of Green Belt land where the proposed route runs close to the villages at the bus stops and isolates pockets of land and/or obstructs the openness of valued views from those villages.

Since both the Green Belt's fundamental **aim** of openness and most of its **purposes** are in jeopardy from the GCP TWOA as currently set out, I hope that the Secretary of State for Transport will agree with my rationale based on the precedent set by the previous government's Secretary of State for planning and she will accept that this current TWOA is also **inappropriate** development on this same area of Green Belt, and therefore has to be modified to demonstrate **very special circumstances (VSC)** that are comparable to those offered to justify the retirement village by the last developer before being granted permission for their **inappropriate** development.

What modifications could be made to the current scheme to balance its harm to the Green Belt and demonstrate VSC?

In the Axis appeal decision (para 7) the inspector reminds us

*"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in **very special circumstances**."*

The Axis development was considered **very special circumstances** and allowed only because the **country park** and **housing** development were **considered as a unit** comprising around 25 hectares.

The **inappropriate** development, on ~5ha of Green Belt was weighed against the very appropriate habitat improvement of the ~20ha of existing countryside upgraded to **public access country park** from arable monoculture .

Deficits of current proposal

The GCP scheme currently submitted appears to occupy somewhere between 50 and 100 hectares of Green Belt, so if resubmitted with between 200 and 400 hectares of Public Access Country Park, it too could be re-considered as **very special circumstances** .

The current GCP scheme claims a BNG of 50% which compares unfavourably with the permitted Axis development that is giving us 234%

The current GCP scheme claims no contribution to our local governments Countryside Enhancement Strategy whereas the Axis development contributed 19ha (3.6%) of the local target increasing the grassland in our area and extending the area of this that is already protected in our parish.

Not only do the GCP **not** include any such provision in their scheme, they are actually building over some of the 19ha that should have been permanently protected to serve the Green Belt purposes, so reversing the benefits already gained.

The fact that any such offsetting benefits have been omitted from the current proposal is all the more surprising given that my local council who opposed the Axis scheme, despite its VSC and even tried to understate them (para 52 of Axis Appeal) are now part of the GCP development group proposing this scheme that offers no such VSC.

Without any Country Park or provision of a segregated path, the current busway scheme offers nothing to recreational walkers wishing to enjoy access to and exercise in the open country other than a significant risk of serious injury if they venture onto the tarmac cycleway.

Suggested remediation

If we take the 1:4 ratio set as a precedent by **Axis**, then **GCP** should also **match** the **developed area** of their current scheme with **four times** the area of **Country Park**. Additionally they should also replace the portion of existing Axis Country Park just gained that will be lost where the proposed busway crosses right over it.

The developed busway area cited in the current TWAO in the BNG baseline assessment CSET-10-42 page 22 is just over 100ha, elsewhere figures of 53 and 85 are cited so the relevant figure is somewhat unclear.

Assuming the scheme currently submitted occupies somewhere between 50 and 100 hectares of Green Belt, if resubmitted with between 200 and 400 hectares of Public Access Country Park added as an integral part of a revised TWOA, then it too by combining the developed area with four times as much Country Park could be re-considered.

The **inappropriate** development on the Green Belt of the busway would be offset by four times the area of Green Belt being permanently protected as Country Park allowing **Very Special Circumstances** to be claimed.

If 400ha of new Country Park were added it would make a **75%** contribution to the councils **Countryside Enhancement Strategy** target which compares favourably to the 3.4% contribution made by Axis (some of whose Country Park is eroded by the current GCP proposal building over).

It could also match or exceed the 234% BNG provided by Axis (some also lost by the current GCP proposal)

Location of Country Park to maximise benefit

If this new Country Park were located in the Parish of Stapleford it could be abutted to the existing downland habitat already managed for biodiversity down the southern slope of the Magog hills replacing and upgrading the arable monoculture and reducing the water extraction needed. The area proposed could extend the existing areas of protected habitat to the village perimeter and right down to the valley floor to maximise the bio-diversity and other benefits to the local communities of Great Shelford and Stapleford in line with their joint neighbourhood plan and our region's desire to double nature.

Such an aggregated habitat area would be **very significant** at the **local** level but also contribute to our **national** biodiversity goals and the attractiveness and reputation of Cambridge as an international leader in science and the benefits of acting on what science is telling us. Both the managed wildlife sites in the parish (CPPF and Magog Trust) are widely used to the extent that the recreational use impacts the habitat benefit to some extent, so a significant extension would help reduce this tension between humans and their dogs and the nature we seek to double.

The benefit of this additional Country Park would be **maximised** if it occupied precisely the areas of Green Belt at risk that make the busway **inappropriate**, specifically those between the busway and the villages it skirts.

My arguments about the busway's **inappropriateness** apply to at least the three areas of Green Belt adjacent to my own village of Stapleford, the first of which was already recognised as under threat in the Axis case, but all three apply to the busway and its impact in the context of the villages of Stapleford and Shelford and their needs as set out in their neighbourhood plan (referenced earlier).

1. The **island** of **Green Belt** to the north of Mingle Lane (between Haverhill Rd and Hinton Way) that would be completely isolated by the busway threatening it and the views from the gap that separates our two villages from merging into a continuous urban sprawl.
2. The **triangle** of **Green Belt** land **isolated** by the busway on the south east side of the proposed Stapleford bus stop and the houses on Haverhill Road that enjoy open views privately that are shared by the village at the Granary and accessible by public footpath and extend across the river valley. These views are also referenced in our Neighbourhood Plan. and the proposed raised embankment and bridge across the river will block them restricting the **openness**.

3. The Rangeford Retirement extension to our village, recently built by Axis, now enjoys views over open **Green Belt** countryside to the west, north and east. The busway puts the remaining **open chalk downland** opposite Rangeford to the East at risk. The proposed new bus stop will provide easy access to the hospital for its elderly residents but encourage further development on the Green Belt opposite.

All three of these areas can and should be protected by **permanent Country Park** in any revision that seeks to argue the **Very Special Circumstances** necessary to offset the inevitable **harm** from the busway as **inappropriate** development in the parish of Stapleford.

Funding

Although probably not within the legal scope of this objection, I feel moral responsibility for the increased funding that it implies.

As a local and national tax payer I understand that some fair share will fall on myself and or others but I believe this small step increase in the busway budget is justified by the very special circumstances of the giant leap for Nature and our local community and national economy if the suitably amended proposal prevails.

The acquisition of the necessary additional Greenbelt by GCP should be considered an integral part of the TWOA so should also be covered by the compulsory purchase powers that protect infrastructure projects being held to ransom by land agents.

The cost of the farmland at its **undeveloped** price could be recovered by using money already raised recently by partially closing tax loopholes enjoyed by rural landlords, or by closing them completely.

There are farmland owners who avoid the taxes the rest of us pay whilst claiming that they, rather than their hardworking tenant farmers, are struggling to make ends meet and feed the nation.

The vocal Clarksons and Dysons using our countryside and its farms to shelter their capital gains and legacy from tax should pay their fair share, rather than harming farmers and inflating farm prices. The standard rates of IHT and/or CGT on Clarkson's modest Oxfordshire "farm" alone would contribute somewhat more than *"Diddly Squat"* to the revival of the Cambridge phenomenon.

I believe this could be consistent with your government's position and garner the support of voters across all parties that share a British sense of fair play and detest those who are able to pay tax advisers to find loopholes to help them dodge their duty.

It will also reduce the cost of new housing because the market price of our beautiful farmland will not be pushed up by its popularity as a tax avoidance asset and speculation on future planning gain.

Summary

The GCP's current Transport Works Order application proposes a development on Green Belt land that will inflict **substantial harm** on our Green Belt yet, unlike prior **inappropriate** developments on the very same protected Green Belt offers no **very special circumstances** to mitigate it.

The **modest** change and additional cost I propose to the current proposal could make it acceptable and drive significant progress to all the local and national governments' goals set out below:

- protect the Green Belt as per NPPF
- achieve very significant biodiversity net gain
- achieve most of the local countryside enhancement target
- provide rapid safe active travel and reduction in carbon emissions across the Green Belt
- boost the development potential of the Oxford - Cambridge arc
- contribute to "doubling Nature"
- provide recreational access to permanently protected Green Belt
- public health improvements resulting from more exercise in less polluted air, rivers and fields
- attract international investment and stimulate the economic growth of our region and the whole nation