

TRANSPORT AND WORKS (INQUIRIES PROCEDURE)

**IN THE MATTER OF THE CAMBOURNE TO CAMBRIDGE TRANSPORT AND WORKS ACT ORDER
APPLICATION MADE BY CAMBRIDGESHIRE COUNTY COUNCIL (AND GREATER CAMBRIDGESHIRE
PARTNERSHP)
(TWA/24/APP/03)**

PROOF OF EVIDENCE ON MATTERS OF TOWN PLANNING

**ON BEHALF OF
CLARE HALL, UNIVERSITY OF CAMBRIDGE
(OBJ213)**

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1 Introduction and Scope of Evidence

- 1.1 I, Jessica Wilson, am instructed by Clare Hall, University of Cambridge to provide expert planning evidence in respect of the Cambourne to Cambridge Transport and Works Act Order application made by Cambridgeshire County Council (and Greater Cambridgeshire Partnership).
- 1.2 An application was made to the Secretary of State ('SoS') pursuant to section 6 of the Transport and Works Act 1992, for an Order under sections 1 and 5 of that Act in the terms of the draft Order. The application was made by CCC in conjunction with the GCP, who is tasked with promoting public transport schemes, including the Scheme provided for in the draft Order.
- 1.3 The application is seeking an Order to authorise works and the compulsory purchase of land to allow the implementation, operation and maintenance of a guided busway between Cambourne and Cambridge. The application also includes a request for deemed planning permission and this is the focus of the evidence provided in this Proof.
- 1.4 In my evidence I will consider the detail of the proposals so far as it affects Clare Hall (including it's status as a Grade II* listed building), identifying the parameters which would be set by the deemed planning permission should it be approved and what is expected to be dealt with under subsequent approvals. This detail is set out in Section 3.
- 1.5 Clare Hall is a statutory objector and submitted a letter of objection in January 2025. It generally supports the provision of sustainable transport in Cambridge. Clare Hall is objecting to the position/alignment of the preferred route as it progresses along Rifle Range Road, which runs along the southern boundary of the college.
- 1.6 Further to the submission of the Statement of Case, I am instructed to provide expert planning evidence in the form of this Proof.
- 1.7 Specifically, my evidence will consider the following matters:
 - a. Planning Policy Framework;
 - b. Planning Assessment (compliance with relevant planning policies), specifically in relation to flood risk, noise, transport and heritage matters; and
 - c. Overall Planning Balance.
- 1.8 I will refer to the evidence provided by other advisers to Clare Hall as follows:
 - Professor Short (President of Clare Hall)
 - Mr Haider (Transport and Alternative Routes);
 - Mr Sinclair (Flooding);
 - Mr Blacklock (Acoustics); and
 - Ms Lamb (Heritage).
- 1.9 Taking these matters into consideration, and the fact there exists a preferable route alignment along Adams Road to the north of Clare Hall which has not been adequately considered, I

will conclude that the deemed planning permission should not be approved for the Scheme as it is currently proposed.

1.10 Accordingly, this Report is structured as follows:

- **Section 2** summarises my experience and qualifications;
- **Section 3** summarises the background to the case and the request for deemed planning permission;
- **Section 4** sets out the scope of the evidence of this Proof;
- **Section 5** details the planning policy context and those policies most relevant to the Proof;
- **Section 6** is my planning assessment and planning balance exercise; and
- **Section 7** concludes the evidence in this Proof.

2 Experience and Qualifications

- 2.1 I, Jessica Wilson, was instructed by Clare Hall in March 2025 and I am a Chartered Town Planner and have been a Chartered Member of the Royal Town Planning Institute for 7 years and have been practising since 2015. I have a BSc (Honours) degree in Geography from the University of Sheffield and an MSc in Urban and Regional Planning from the University of Birmingham.
- 2.2 I am a Planning Director at Newsteer Real Estate Advisers. I joined the business in September 2019, prior to which I practised at GL Hearn.
- 2.3 I have extensive knowledge of the planning system in England and Wales and provide planning advice in relation to several major residential, mixed-use and healthcare developments across England. This has included numerous appraisals, applications and advice on planning strategy for complex development projects. I have appeared as a planning witness at a planning appeal under S78 of the Town and Country Planning Act.
- 2.4 I have dealt with various major planning applications including:
 - 110,000 sqm new hospital on a greenfield site (West Suffolk) (2020 – present);
 - 3,000 sqm new Energy Centre for regeneration scheme (Brent Cross) (2023 – present);
 - 461no. unit scheme for a national housebuilder (Surrey) (2022-25);
 - 89no. unit scheme across buildings up to 12no. storeys (Watford) (2020-25);
 - 494no. unit scheme across buildings ranging from 12 to 26no. storeys (Bromley-by-Bow) (2017-18);
 - 450no. unit scheme across two towers of 25no. storeys (Croydon) (2017-18);
 - 950no. unit scheme for a national housebuilder (Ebbsfleet) (2016-19);
- 2.5 The evidence that has been prepared and set out in this Proof of Evidence has been prepared in accordance with the guidance of my professional institution, the Royal Town Planning Institute. The opinions expressed are true and my professional opinion.
- 2.6 I have reviewed the Application Documents and am familiar with the scope of the application as far as it relates to my evidence on planning matters.

3 Background and Application Context

The Proposed Development

- 3.1 The Cambourne to Cambridge Scheme proposes a new two way guided busway of 13.6km in length running from Cambourne to Grange Road in Cambridge. The proposed busway is primarily segregated from local highways but there are some sections which are on-road, including that at the Cambridge University West Cambridge Campus.
- 3.2 The proposals include bus stops and an emergency and maintenance access track which runs alongside for most of its length which is accessible to pedestrians and cyclists for most of its length and will also function as a bridleway.
- 3.3 The proposals also include a travel hub, Park and Ride facility and new bridges over the M11 and at Bin Brook.
- 3.4 A full Description of Development was provided to the Inspector in July 2025 (please refer to **Appendix B**).

The Application

- 3.5 The Application to the SoS was made in November 2024, pursuant to Section 6 of the Transport and Works Act 1992, for an Order under sections 1 and 5 of that Act in the terms of the draft Order.
- 3.6 The Application was made by CCC in conjunction with the Greater Cambridgeshire Partnership (GCP), who is tasked with promoting public transport schemes, including the scheme provided for in the draft Order.
- 3.7 The application is seeking an Order to authorise works and the compulsory purchase of land to allow the implementation, operation and maintenance of a guided busway between Cambourne and Cambridge.
- 3.8 Clare Hall is identified within the Book of Reference (CD1-3) as having rights/interests in land which are subject to permanent compulsory acquisition pursuant to the draft Order and was notified of the proposed Order pursuant to Rule 15 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (the A&O Rules). Accordingly, Clare Hall is a statutory objector.
- 3.9 Clare Hall has written to the Sos in the objection letter dated 7 January 2025 (CD23-17) stating that although it supports the provision of sustainable transport in Cambridge, Clare Hall objects to the position/ alignment of the preferred route as it progresses along Rifle Range Road. It is considered that there is an alternative route down the parallel Adams Road which would not incur the significant adverse impacts resulting from the proposals as they currently stand.
- 3.10 The Public Inquiry for the Application opens on Tuesday 16th September 2025.

Request for Deemed Planning Permission

3.11 As set out in Section 1, the Application to the SoS includes a 'Request for Deemed Planning Permission' (CD1-14). The Application Planning Statement (CD1-15) confirms that planning permission is sought for *'the required change of use of land, along with the physical development and other works which make up the Scheme.'*

3.12 The full Description of Development is provided at **Appendix B**. The Planning Statement (CD1-15) includes a summary of this description of development at Section 5.2 which states:

A direction for deemed planning permission is sought for the development provided for in the draft Order with a detailed description of the Scheme set out in Chapter 3 of the ES (Scheme Description) which should be referred to for full details of the scheme.

The draft Order in summary seeks authorisation to construct a guided busway connecting Cambourne to the edge of Cambridge City that includes segregated off road and unsegregated on road sections.

The development will include public transport stops, operational lighting, bridges over the M11 motorway and Bin Brook and signalised junctions where the route interacts with existing roads.

An emergency and maintenance access track will run alongside the guided busway for the majority of the proposed route.

The development will require amendments to existing highways and accesses, parking arrangements and the erection/reinstatement of boundary fencing.

A Travel Hub at Scotland Farm with capacity for up to 2,000 cars including bus pick up/drop off point, coach parking, waiting room and welfare facilities, recharging points for electric powered vehicles and secure cycle parking for up to 300 bicycles will form part of the development.

A number of temporary construction compounds are proposed along the proposed route.

Environmental mitigation including drainage features, earthworks and landscaping along with other ancillary works are also proposed.

The Scheme will result in a change of use of land from its existing use to guided busway with ancillary uses of land.

The Scheme and the Application Site are shown out in detail on the Deemed Planning Drawings (Document ref: CtoC-16-00) that accompany the Order application.

3.13 The Description of Development (**Appendix B**) provided in July 2025 includes a written description of the busway route, including areas of new/ replacement junctions or access ways, where new cycle track or footways are proposed, new bridges and right of way/ bridleway realignment. As well as this, the description states:

The development as a whole includes the provision of emergency and maintenance access tracks along the majority of the route, new and improved junctions, realigned and widened highways, new bridges, and the diversion or enhancement of existing public rights of way. It also includes a new park and ride facility west of Scotland Road, north of the A428, stops for the busway, attenuation and infiltration ponds, provision of drainage, accommodation works such as crossings, and works to divert or provide apparatus for utilities and communications providers. Construction compounds are also proposed to facilitate implementation of the scheme.

- 3.14 Most relevant to Clare Hall, the Description states for the 'final section' of the busway:

The final section of the scheme comprises a 1,601- metre busway extending southward through the West Cambridge Campus and across agricultural land. It crosses Bin Brook via a new bridge and terminates at Grange Road, Cambridge. This section includes highway improvements to Grange Road, as well as new means of access to adjoining premises.

- 3.15 Notably, there is no reference to any additional environmental mitigation which may be required (for instance relating to noise mitigation or landscaping). This is however covered in the draft planning conditions addressed below.

- 3.16 The Request (CD1-14) proposes a total of 34no. draft planning conditions, covering:

2. Commencement of Development
3. Approved Plans and Documents
4. Development Phasing Plan
5. Site Investigation Strategy
6. Submission of Intrusive Site Investigation Report and Remediation Strategy
7. Unexpected Contamination
8. Archaeological Mitigation
9. Code of Construction Practice
10. Local Environmental Management Plan(s)
11. Tree Protection
12. Removal of Trees or Hedgerows
13. Soil Handling Management Plan
14. Atlas Building Demolition Plan
15. Surface Water Drainage System
16. Biodiversity Net Gain Plan
17. Sustainability and Carbon Management Plan
18. Hard and Soft Landscaping Scheme
19. Bat Monitoring Strategy
20. Location, layout, scale and external appearance – guided busway and its associated structures
21. Location, design and layout – Access
22. Operational Lighting
23. Location, layout, scale and external appearance – Scotland Farm Travel Hub
24. Electric Vehicle Charge Points – Scotland Farm Travel Hub
25. CCTV Scheme for Scotland Farm Travel Hub

26. Soft Landscape Maintenance and Management Plan
27. Implementation and completion of Remediation Strategy works - Verification/Validation Report
28. Provision of Replacement Open Space Land
29. Guided Busway – Traffic Signage and Road Marking Scheme
30. Scotland Farm Travel Hub - Traffic Signage and Internal Wayfinding Scheme
31. Bringing into Use of the Scotland Farm Travel Hub
32. Bringing into Use of the Scotland Farm Travel Hub - Monitoring of cycle parking provision
33. Operational Buses
34. Permitted Construction Hours
35. Implementation

- 3.17 The Request (CD1-14) also includes reference to the drawings and plans submitted as part of the Application at Schedule 2. The Proposed Plans (CD1-16.04) include the red line which delineates the extent of the proposed land to be covered by the Order and land take required to deliver the proposals. In respect of Clare Hall, this lies to the southern boundary and extends along Rifle Range Road (RRR) west to Bin Brook and east to the proposed new junction at Grange Road. Further detail is provided below and in **Figure 1**.
- 3.18 There is no reference to a request for listed building consent, the importance of which is explained in Section 5 of this Report.

Clare Hall in the Context of the Proposed Development

- 3.19 With specific reference to Clare Hall, and having reviewed the Description of Development, Request for Deemed Planning Permission, and the Proposed Drawings, it is understood that the Scheme includes the following along RRR and immediately adjacent to Clare Hall:
- i) Two-way guided busway (6m) and associated drainage and kerb system;
 - ii) Adjacent emergency and maintenance track (also shared cycle and foot way) (3m);
 - iii) New bridge crossing over Bin Brook (with associated landscaping and earthworks to be determined at detailed design stage);
 - iv) Drainage attenuation geocellular tanks underneath the busway;
 - v) Accommodation Works – vehicle turning facility and lay-by with new private means access, opposite the Brian Pippard Building;
 - vi) Hedgerow planting along the northern boundary, in place of existing trees on the southern boundary of Brian Pippard and Clare Hall – the landscape works are noted as being 'indicative';
 - vii) New junction at Grange Road with footway improvements, traffic signals, new tree planting;
- 3.20 In relation to the trees, only the three trees subject to TPO were included in the Arboricultural Report (CD1-11.14.01) which supports the Application. These are those to the west of the Brian

Pippard building. The trees which sit along the southern border of Clare Hall were not included. Furthermore, the Landscape Technical Report (CD1-11.08.1) forming part of the EIA, makes no mention of Clare Hall and instead assesses 'Rifle Range' using viewpoints taken from close to Bin Brook only. The Heritage Report makes reference to the existing trees and places weight on their 'shielding' impact but then does not consider the impact of their removal. This is discussed further below.

- 3.21 The red line covering the area for proposed works as shown in the Proposed Plans (CD1-16.04) abuts the existing Clare Hall buildings including the linear moat-canal detail of the listed building which runs along the southern boundary, collecting rainwater from the roofs (please refer to Ms Lamb's Proof for further detail). The Plan does not include any detail as to how these or the existing interconnecting footways to RRR are to be treated as part of the proposals. Aside from the proposed landscaping (hedgerows) being indicative, the Plans are not clear on the extent of the emergency and maintenance track which also encroaches on the existing tree line and footways which form part of the listed building. The Planning (Listed Building and Conservation Areas) Act 1990 requires listed building consent to be sought for any works that could affect the special architectural or historic interest of a listed building. The term 'listed building' includes:
- i. The building itself;
 - ii. Any object or structure fixed to it; and
 - iii. Any object or structure that has been within the curtilage of the building since 1948.
- 3.22 The footways (as detailed in Ms Lamb's Proof and the ES Addendum received July 2025) form part of the original Erskine designed and constructed scheme and are deemed to be included in the listing. It is acknowledged that curtilage protections under Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 only automatically apply to pre-1948 structures, but paths or features associated with a listed building can still be materially linked through setting, functional association or visual connection. These principles are set out in Historic England Advice Note 10: Listed Buildings and Curtilage.
- 3.23 Ms Lamb's Proof states that the proposed alteration to the footways would impact on the functional character and appearance of Clare Hall and would therefore require listed building consent, which is not included in the Application.

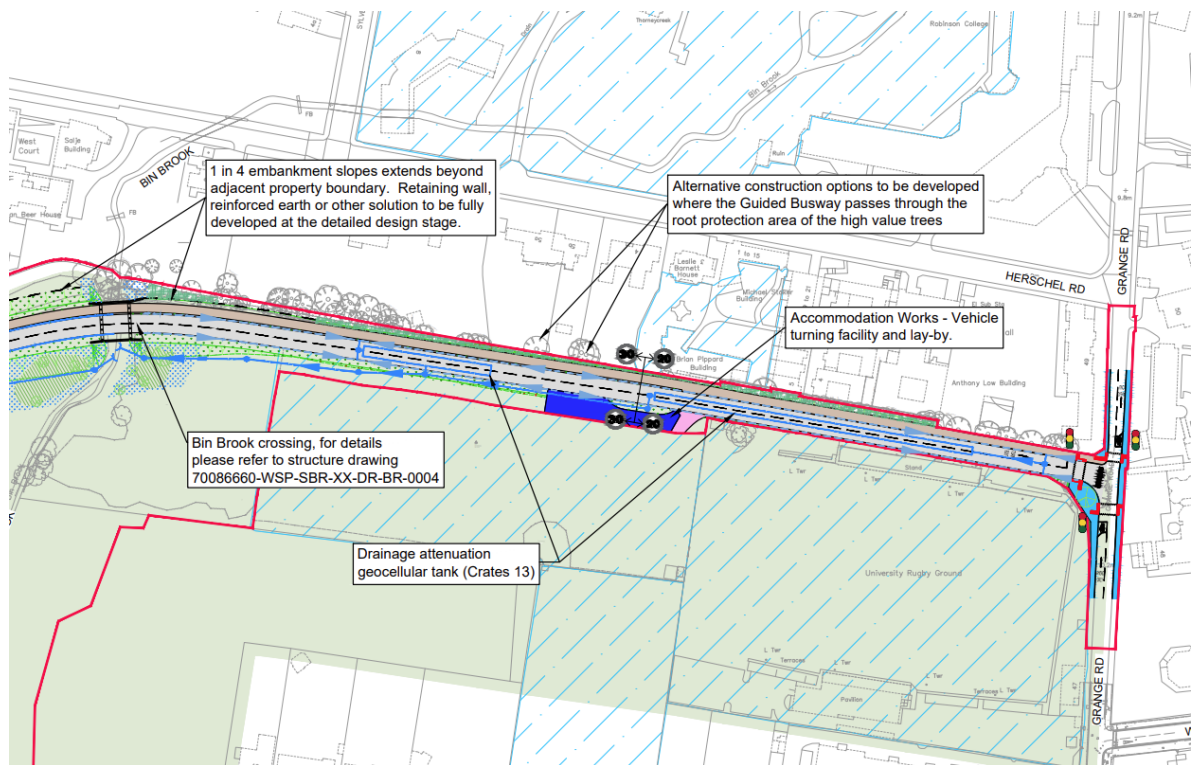


Figure 1: Extract from Proposed Plans Sheet 17 of 17 (ref. 70086660-WSP-HGN-XX-DR-HW-002)

Proposed Mitigation

- 3.24 Of relevance to Clare Hall, the draft conditions set out in CD1-14 cover a series of works for later design and assessment in order to mitigate any impacts. These include tree removal (10 and 11), landscaping (17, 25) and potential noise mitigation (19) which is referenced as:

Location and type of environmental noise barriers (comprised of earth mounds, landscaping or physical acoustic fence / barriers structures or a combination thereof if required) associated with the guided busway system;

- 3.25 As will be discussed in this Proof, it is not considered that sufficient assessment has been undertaken of the potential impacts of the proposals on Clare Hall in terms of flood risk, noise, transport and heritage and therefore the extent of the mitigation which may be required has also not been taken into account. It is understood that planning conditions can be used to secure additional details of mitigation measures required by an EIA, but the Environmental Statement itself should include a description of the mitigation measures proposed and should explain the extent to which significant adverse effects on the environment would be avoided, prevented or reduced by those measures. Without that information it is not possible to know whether the imposition of a planning condition requiring mitigation would be effective. At this stage (as will be set out below), the Applicant has not only insufficiently assessed the impacts on Clare Hall within the EIA, but as a consequence has not proposed any details of mitigation or demonstration of how mitigation measures could deliver an acceptable scheme.

Summary

- 3.26 This Section has summarised the Application and the parameters of the Deemed Planning Permission which is applied for as part of the draft Order. Overall it is concluded that:
- a) Clare Hall will be impacted physically by the construction of the busway and access track along its southern boundary, which will include the removal or alteration of existing pathways forming an important part of the listed building curtilage. The proposals will result in adverse noise and visual impacts to such a degree so as to undermine its function as an important research institution, and would harm the heritage status of Clare Hall;
 - b) These impacts have not been adequately addressed in the Application and the Application has not sufficiently considered mitigation; and
 - c) The Applicant has not sought sufficient powers to implement the proposals in a way which is acceptable in planning terms.

4 Planning Policy Context

- 4.1 It is acknowledged that where an application is made under the Transport and Works Act, Section 38(6) of the Planning and Compulsory Purchase Act 2004 does not apply. Notwithstanding this, the Development Plan is plainly an important material consideration in determining the application for deemed planning permission, reflecting as it does the considered and sound application of national planning policy to the particular circumstances of this area, its needs and priorities.
- 4.2 As per the approach taken by the Applicant in its Statement of Case (CD23-01), it is therefore appropriate that reference is made to the relevant planning policies of the Development Plan and material considerations, including the National Planning Policy Framework ('NPPF') (2024) (CD8-01), in this Proof.
- 4.3 Those policies considered to be most relevant to my evidence are within the following documents:
- Cambridge Local Plan (2018) (CD6-01); and
 - NPPF (2024) (CD8-01).
- 4.4 It is noted that the current version of the NPPF (2024)(CD8-01) post-dates the submission of the Application so this should be noted in reference to relevant paragraph numbers as there may be occasions where this differs to that referenced in the Application documents. Throughout this Proof I will reference the paragraph numbers set out in the NPPF (2024) (CD8-01).
- 4.5 Relevant paragraphs of the Planning Practice Guidance (PPG) have also been referenced where helpful to provide additional information on the policy context within which the proposals are to be considered.
- 4.6 Further, it is noted that Rule 11(1)(d) of the 2006 TWA Rules provides that an ES shall include: *"A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the applicant, which are relevant to the works and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects."* This is relevant in respect of evidence around the alternative route at Adams Road which is addressed in Mr Haider's Proof and also referenced in Section 5 below.
- 4.7 Below I summarise the key policy requirements relevant and referred to in this Proof. For completeness, the full wording of the policies mentioned are in **Appendix A**.

The Principle of Development

- 4.8 The Local Plan (CD6-01) reflects the NPPF reference to a presumption in favour of sustainable development (**Policy P1**) whereby development proposals and applications which accord with the policies of the Development Plan should be approved without delay, unless material considerations indicate otherwise.

- 4.9 This Proof will set out that the proposals as they currently stand do not accord with relevant policies in the Development Plan, nor with certain paragraphs of the NPPF (CD8-01) which is a material consideration in the determination of planning applications.
- 4.10 Therefore although there is general support from Clare Hall for sustainable transport improvements, there are conflicts with the Development Plan which would incur a degree of harm which when assessed against the reasonable alternative at Adams Road, would make the part of the proposals from Bin Brook to Grange Road unacceptable.
- 4.11 I will discuss these conflicts under the sub-headings as follows – with the key policies considered in each case summarised below:
- Flood Risk;
 - Noise;
 - Transport;
 - Heritage;
 - Design; and
 - Sustainability.

Flood Risk

- 4.12 **Policy 32** of the Local Plan (CD6-01) sets a series of criteria which must be demonstrated for development to be permitted. It also makes explicit reference to development to be assessed for flood risk in accordance with the principles of the NPPF (CD8-01).
- 4.13 The NPPF (CD8-01) sets clear guidance for how sites should be assessed in flood risk terms – **paragraph 170** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). It also outlines the overarching general principle that a sequential based approach should be taken to applications in areas known to be at risk now or in the future from any form of flooding (**paragraph 173**).
- 4.14 The key aim is for the sequential test to steer new development to areas with the lowest risk of flooding from any source. It states explicitly at **paragraph 174** that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas at lower risk of flooding.
- 4.15 **Paragraph 175** provides an exception to this if no built form would be located on an area at risk from flooding. This is not the case here given the proposals at Bin Brook are located in Flood Zone 3 (high risk of flooding) and the alternative at Adams Road is located in Flood Zone 1 (lowest risk of flooding).
- 4.16 Having undertaken the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding, **paragraph 177** states that the exception test may have to be applied. The PPG states at **paragraph 032** that the exception test should; *only be applied if the sequential test has shown that there are no reasonably available, lower-risk sites, suitable for the proposed development, to which the development could be steered.*

- 4.17 **Paragraphs 178 and 179** states that to pass the exception test, it should be demonstrated that:
- a) *the development would provide wider sustainability benefits to the community that outweigh the flood risk; and (our emphasis)*
 - b) *the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.*
- 4.18 Both elements of the exception test should be satisfied for development to be permitted.
- 4.19 In terms of the sequential test, it is noted that an update to the current PPG is awaited following ongoing debate as to its application. There continues to be a mixed approach to when a sequential test is required and the level of detail/ radius it is expected to cover, but it remains the case that the NPPF (CD8-01) and the principle of directing development generally to where flood risk is lower, should be the starting point for development proposals. Even more so when there are viable alternatives which would not lead to development in Flood Zone 3 (as is the case here).

Noise

- 4.20 **Policy 35** of the Local Plan (CD6-01) states that development will be permitted where it is demonstrated that it will not lead to significant adverse effects and impacts, including cumulative effects and construction phase impacts on health and quality of life/ amenity from noise and vibration. In order for development to be permitted it also requires demonstration that any adverse noise impacts can be minimised by appropriate reduction or mitigation measures secured through conditions as appropriate (with prevention through high quality design being preferable to mitigation).
- 4.21 **Policy 35** also recognises that people's health and quality of life needs to be protected from unacceptable noise impacts and that land use planning has a part to play in managing the relationship between noise sensitive development and noise sources. Noise must be carefully considered when new development might create additional noise and when development would be sensitive to existing or future noise.
- 4.22 The requirement for noise generating development (including transport noise) to only be permitted where it can demonstrate that nearby noise sensitive uses (as existing or planned) will not be exposed to noise that will have an unacceptable adverse impact on health and quality of life both internally and externally is also set out in **Policy 35**. As a result, the policy requires a Noise Impact Assessment to support such applications including consideration of construction phase impacts.
- 4.23 The NPPF (CD8-01) reflects this with **paragraph 187** requiring planning decisions to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution.
- 4.24 **Paragraph 198** also states that planning decisions should ensure development is appropriate for its location, taking into account the likely effects (including cumulative) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the

site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum the potential adverse impacts resulting from noise and new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. Planning decisions should also identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.

Transport

- 4.25 **Policy 81** of the Local Plan (CD6-01) states that development will only be permitted where it does not have an unacceptable transport impact. Therefore new development requires; sufficient information (in accordance with latest guidance) to be supplied so that transport impact can be suitably assessed, a travel plan, and reasonable and proportionate mitigation measures where necessary to make the transport impact acceptable.
- 4.26 **Paragraph 115** of the NPPF (CD8-01) requires that in assessing sites for development, sustainable transport modes are prioritised and ensuring that safe and suitable access can be achieved for all users. The design of streets and other transport elements should reflect current national guidance and it should be ensured that any significant impacts from the development on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 4.27 **Paragraph 116** states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Within this context, **paragraph 117** then sets a series of criteria which applications should follow, including giving priority first to pedestrians and cycle movements and second to access to high quality public transport. Development should also allow for access by service and emergency vehicles and be designed to minimise the scope for conflicts between pedestrians, cyclists and vehicles. Development should also respond to local character and design standards.

Heritage

- 4.28 Ensuring the conservation and enhancement of Cambridge's historic environment is a priority set out in **Policy 61** which requires development specifically to preserve or enhance the significance of heritage assets in the City. Proposals should be of a scale, form, height and alignment which will complement that of heritage assets and respect the character, appearance and setting of the locality. To inform this, demonstration of a clear understanding of the significance of the asset and the wider context in which it sits alongside an assessment of the potential impact of the development on both, is required. There should be clear justification for any works that would lead to harm yet be of substantial public benefit, through detailed analysis.
- 4.29 These requirements are reflective of those in the NPPF (CD8-01) which includes protecting the historic environment within its objectives for achieving sustainable development.

- 4.30 **Paragraph 207** requires a statement of significance of any heritage assets affected by a proposal including any contribution made by their setting. The level of detail should be proportionate to the assets' importance to allow assessment of potential impacts.
- 4.31 **Paragraph 212** states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 4.32 **Paragraph 215** requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 4.33 In addition to the policy set out above and as set out in the Clare Hall SoC (CD23-17), any degree of harm to Clare Hall should be given 'great weight' in the determination of any application for planning permission. This reflects the statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the way this duty has been interpreted in the Courts. In **R (Forge Field Society) v. Sevenoaks DC [2015] JPL 22** it was explained that where there is found to be harm to a listed building or its setting, this must be given considerable weight. It gives rise to "a strong presumption against planning permission being granted" (paragraph 47). Furthermore, at paragraph 59 the Court added:
- "If there is a need for development of the kind proposed, which in this case there was, but the development would cause harm to heritage assets, which in this case it would, the possibility of the development being undertaken on an alternative site on which that harm can be avoided altogether will add force to the statutory presumption in favour of preservation. Indeed, the presumption itself implies the need for a suitably rigorous assessment of potential alternatives."* (our emphasis)
- 4.34 It is clear that policy requires a great degree of weight to be afforded to heritage assets, regardless of their grading and the level of impact assessed to be incurred. This weight however should be even greater in planning decisions when considering the importance of the asset in question. Clare Hall is a Grade II* listed asset – which make up only 5.8% of the listed buildings in England and which Historic England define as being '*particularly important buildings of more than special interest*'. Therefore its importance as a heritage asset should not be underrepresented when assessing applications for works which will have an impact of any degree.

Design

- 4.35 Although the design of the scheme is not one of the key technical areas being discussed in this Proof or with expert input, there are some important general guiding principles within planning policy which are considered relevant in assessing the scheme.
- 4.36 At the national level, the NPPF (CD8-01) states that good design is a key aspect of sustainable development and that the creation of high quality, beautiful and sustainable places is

fundamental to what the planning and development process should achieve. **Paragraph 135** states that planning decisions should ensure that developments are sympathetic to local character and history and create places which are inclusive and accessible and which promote health and wellbeing with a high standard of amenity for existing and future users. **Paragraph 136** also recognises the contribution to the quality of urban environments from trees and states that existing trees should be retained wherever possible.

- 4.37 The Local Plan (CD6-01) sets parameters for protecting and enhancing the character of Cambridge. **Policy 55** requires development to respond positively to its context, particularly to existing features of historic or local importance on or close to the development site. Appropriate local characteristics should be used to help inform the siting, form and landscape of new development.
- 4.38 **Paragraph 139** states that development which is not well designed should be refused. There is no definition for 'well designed' but this is considered to be multifaceted whereby technical elements such as the way development has been designed having regard to matters such as flood risk, noise, heritage and transport all contribute to assessing whether proposals have been 'well designed'. If there are clear reasons to suggest that a scheme has not been well designed then the NPPF (CD8-01) states that this should be refused.

Sustainability

- 4.39 It is well known and accepted that sustainability and consideration to addressing climate change plays an increasing role in the assessment of development schemes. The NPPF (CD8-01) requires (**paragraph 163**) that the need to mitigate and adapt to climate change is considered in planning applications, taking into account the full range of potential climate change impacts. **Paragraph 164** requires new development to be planned in such a way so as to avoid increased vulnerability to impacts arising from climate change and to help reduce greenhouse gas emissions through its location.
- 4.40 **Policy 28** of the Local Plan (CD6-01) states that all development should take the available opportunity to integrate the principles of sustainable design and construction into the design of proposals.
- 4.41 As per 'design' matters, although this is not an area where specific expert evidence is being provided, these are nevertheless relevant planning matters. Although the scheme is proposing a sustainable transport route (which in principle has clear alignment with the sustainability goals of both national and local policy), that does not obviate the need to assess the sustainability of the specific option that has been selected. In particular, it is important to take account of the existence of an environmentally preferable route which exists at Adams Road which would avoid using undeveloped open countryside as well as the embodied carbon included in the need to 'start from scratch' in building the roadway and associated infrastructure such as the substantial new road bridge in flood zone 3 required to cross Bin Brook.

Green Belt

- 4.42 **Section 13** of the NPPF states that substantial weight should be given to any harm to the Green Belt, including harm to its openness. It states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.
- 4.43 **Policy 4** of the Local Plan refers to the Policies Map which delineates the extent of the Green Belt and states that development will only be approved in line with the Green Belt policy in the NPPF.

Summary

- 4.44 Below is a summary table of the current proposals' compliance (or otherwise) with the policies as abovementioned.

Policy/ NPPF Para.	Requirement	Proposals	Compliance	Evidenced
P1	Presumption in favour of sustainable development	Do not accord with important policies of the Development Plan	N	This Proof
Policy 32	Development to follow the principles of the NPPF for flood risk (see below)	Do not accord with the NPPF provisions for flood risk (see below)	N	This Proof and Proof of Mr Sinclair Section 8
Para 170	Development should be directed away from areas of high flood risk	Located in an area of high flood risk when there's a viable alternative not in a high flood risk area	N	This Proof and Proof of Mr Sinclair Section 8
Para 173	Requires a sequential risk-based approach	As above	N	This Proof and Proof of Mr Sinclair Section 8
Para 174	Development should not be permitted if there are reasonably available sites appropriate for the proposals with a lower risk	As above	N	This Proof and Proof of Mr Sinclair Section 8
Para 175	Requirements of the sequential test	An insufficient sequential test has been carried out and the test has not been passed for the reasons set out above	N	This Proof and Proof of Mr Sinclair Section 8

Para 177	Application of the exception test should the sequential test determine that it is not possible for development to be located in areas at lower risk of flooding	The flood model used has not been agreed by the EA and the Create model suggests greater velocity not considered in the application requiring mitigation which has not been accounted for to demonstrate flood risk will not increase elsewhere	N	This Proof and Proof of Mr Sinclair Section 8
PPG 032	Requires the exception test to only be applied if the sequential test has shown there are no reasonably available lower risk sites where development could be steered	The reasonable available alternative at Adams Road means the sequential test has not been passed.	N	This Proof and Proof of Mr Sinclair Section 8
Para 178	Requirements of the exception test – to be passed must demonstrate: a) sustainability benefits b) development will be safe for its lifetime and won't increase flood risk elsewhere	a) There are sustainability benefits from the proposals but these have to be weighed against the harm and the benefits can be delivered through a less harmful alternative. b) this has not been sufficiently demonstrated	N	This Proof and Proof of Mr Sinclair Section 8
Para 179	Both elements of the exception test should be satisfied for development to be permitted	As above, this has not been sufficiently demonstrated	N	This Proof and Proof of Mr Sinclair Section 8
Policy 35	Noise impacts to be adequately assessed, managed and prevented from impacting adjacent amenity	The assessment is insufficient and the adverse impacts on Clare Hall have not been duly assessed nor any adequate	N	This Proof and Proof of Mr Blacklock Section 5

		mitigation identified or proposed.		
Para 187	Development should not lead to unacceptable levels of noise pollution	As above, this has not been duly assessed for Clare Hall	N	This Proof and Proof of Mr Blacklock
Para 198	Locating new development with taking account of impact on sensitive surroundings and avoid giving rise to adverse noise impacts	As above – there is an alternative location which is likely to be less sensitive to noise impacts caused by the development	N	This Proof
Policy 81	Development should be supported by sufficient information on transport impact	The proposals have not properly considered or addressed how Clare Hall will be able to accommodate their future development proposals, nor how they can continue to safely use the existing maintenance area	N	This Proof and Proof of Mr Haider Sections 7 and 8
Para 115	Prioritise sustainable transport modes	The proposals as a whole do this, but the junction at Grange Road is lacking in this regard	N	This Proof and Proof of Mr Haider Section 8
Para 116	Development should only be refused on highways grounds if impacts are severe	Impacts are not considered to be severe	Y	This Proof and Proof of Mr Haider
Para 117	Design should give first priority to pedestrian and cycle movements, avoid conflicts between road users and respond to local character	The proposed Grange Road junction does not sufficiently prioritise cyclists or pedestrians	N	This Proof and Proof of Mr Haider
Policy 61	Preserve or enhance heritage assets and their setting, be appropriate in scale, alignment to respect	The heritage assessment is lacking in its understanding of Clare Hall as a Grade II* listed building and	N	This Proof and Proof of Ms Lamb Section 7.1

	the character of the locality, demonstrate clear understanding of the asset significance and assessment of impact	world-renowned research institution		
Para 207	Requires a statement of significance proportionate to the asset's importance	The statement of significance for Clare Hall is not proportionate to its importance as a Grade II* listed building	N	This Proof and Proof of Ms Lamb Section 7.1
Para 212	Great weight should be given to asset's conservation, irrespective of harm	Insufficient weight has been given to the conservation of Clare Hall	N	This Proof and Proof of Ms Lamb Section 7.3 and 7.4
Para 215	If less than substantial harm, this is weighed against public benefits	There are public benefits to be weighed against the harm in the planning balance, but they do not outweigh the harm (particularly where it can be avoided using an available and preferable alternative).	N - Assessment below	This Proof
Para 135	Developments should be sympathetic to local character and history	The design doesn't demonstrate sympathy to Clare Hall	N	This Proof and Proof of Ms Lamb Section 7
Para 136	Trees should be retained where possible	The trees adjacent to Clare Hall providing a landscape buffer will be impacted	-	This Proof and Proof of Ms Lamb Section 7
Policy 55	Development should respond positively to its context including historic features of importance	The proposals have not demonstrated how they have taken account of Clare Hall as a feature of historic importance in the context of the proposals	N	This Proof and Proof of Ms Lamb Section 7

Para 139	Development that is not well designed should be refused	The scheme does not demonstrate good design principles	N	This Proof Section 5
Para 163	The need to mitigate and adapt to climate change to be considered	The proposals do not encompass sustainability principles in terms of the use of an undeveloped location when there is a developed location on Adams Road which provides a preferable alternative.	N	This Proof Section 5
Para 164	Avoid increased vulnerability to impacts from climate change and help reduce greenhouse gas emissions through location	A more sustainable location less vulnerable to impacts from climate change is available on Adams Road	N	This Proof Section 5
Policy 28	Integrate principles of sustainable design and construction	As above, there is an alternative which is considered to be more sustainable which should have been preferred.	N	This Proof Section 5

Table 1: Summary of the Application compliance with relevant planning policy

5 Planning Assessment

- 5.1 This section of my Proof sets out my assessment that deemed planning permission should not be approved for the proposals as they currently stand with consideration to the planning policy as set out in Section 5.
- 5.2 As per Clare Hall's Objection Letter (dated 7 January 2025), Clare Hall does not object to the provision of sustainable transport in Cambridge; there is therefore no objection to the proposal for a busway in principle. Clare Hall is objecting to the position/alignment of the preferred route as it progresses along Rifle Range Road (which runs along the southern boundary of the college), when there is a preferable route along Adams Road which can be demonstrated to have less impact on several factors and is therefore considered preferable in planning terms.
- 5.3 I will undertake this assessment under the following headings:
- Flood Risk;
 - Noise;
 - Transport;
 - Heritage;
 - Design;
 - Sustainability;
 - Green Belt;
- 5.4 I will then conclude this assessment with a planning balance exercise.

Flood Risk

- 5.5 As set out in Section 5, the starting point and overarching principle for development in relation to flood risk is that development should be directed to locations at lower risk of flooding. This sequential approach is required by both the NPPF (CD8-01) and the Local Plan (CD6-01). Policy also requires that the sequential test must be undertaken and only if or when it determines that there are no reasonable available alternative sites, then the exception test is applied. The Application is considered non-compliant in both these regards; having not undertaken the sequential test sufficiently and also undertaking the exception test when it has not concluded that there is not a reasonable alternative at lower flood risk which could accommodate the development. There is such an alternative at Adams Road.
- 5.6 The area around Bin Brook is within Flood Zones 2 and 3. Adams Road is in Flood Zone 1 and is a reasonable alternative which the Application itself acknowledges in stating that (on the Applicant's case) the options between Adams Road and RRR are 'finely balanced' (CD1-21.01). It would then usually be expected that a comprehensive sequential test is undertaken to examine closely whether the Adams Road option can accommodate the development in an area at lower risk of flooding.
- 5.7 As set out in the Clare Hall's SoC (CD23-17), it was found that there is no clear narrative to address this important policy requirement within the Application documents. There are cross

references between several documents which appear to be in conflict in how they address the required sequential approach. For example:

- d) The Planning Statement (CD1-15) and FRA (CD1-11-13-02) both state that the proposals cannot avoid areas of flooding so an exception test is required. There is no detail in these documents as to the alternatives considered in the sequential test which is required prior to the exception test. Instead, reference is made to Chapter 4 of the ES (CD1-09).
- e) Chapter 4 of the ES (CD1-09) refers to the Outline Business Case ('OBC') which details the various options considered prior to submission. The 2019 OBC Non-Technical Summary (CD1-20-06) proposed the route along Adams Road as it was preferable from a Geen Belt, noise and flood risk perspective. The 2024 OBC (CD1-21-01) then states the route was changed due to the CAM falling away and the preference for RRR as a segregated route.
- f) Mr Haider has set out in his evidence that if the Adams Road route were used, the route would only be unsegregated for a further 5% (from 44% to 49%) which is considered to be marginal and should therefore be afforded reduced weight in the sequential test.
- g) Indeed, the 2024 OBC (CD1-21-01) concludes that both options are 'finely balanced' but as the RRR route is more segregated, it better aligns with scheme objectives. Mr Haider's evidence identifies the significant flaws in this assessment.

- 5.8 The information provided does not therefore meet the requirements of demonstrating why the development cannot be provided on Adams Road in an area of lower flood risk and therefore the sequential test cannot be said to have been passed.
- 5.9 The Applicant has provided an ES Addendum (July 2025) (CD1-10.07) which has sought to address this by pointing out that in March 2024 the flood mapping was updated and now shows some fluvial risk to the junction of Adams Road and Grange Road. This is a change to the position at the time of the original Application but does not change the outcome of the sequential assessment. In sequential terms the existence of some fluvial risk is not sufficient to demonstrate that building a new roadway and substantial bridge in Flood Zone 3 is sequentially preferable to routing busses along the existing Adams Road. This is because all of Adams Road would remain as flood zone 1 with only the junction being partly in flood zones 2 and 3 (see **Figure 2** below) and the much larger area around Bin Brook would remain in flood zones 2 and 3.

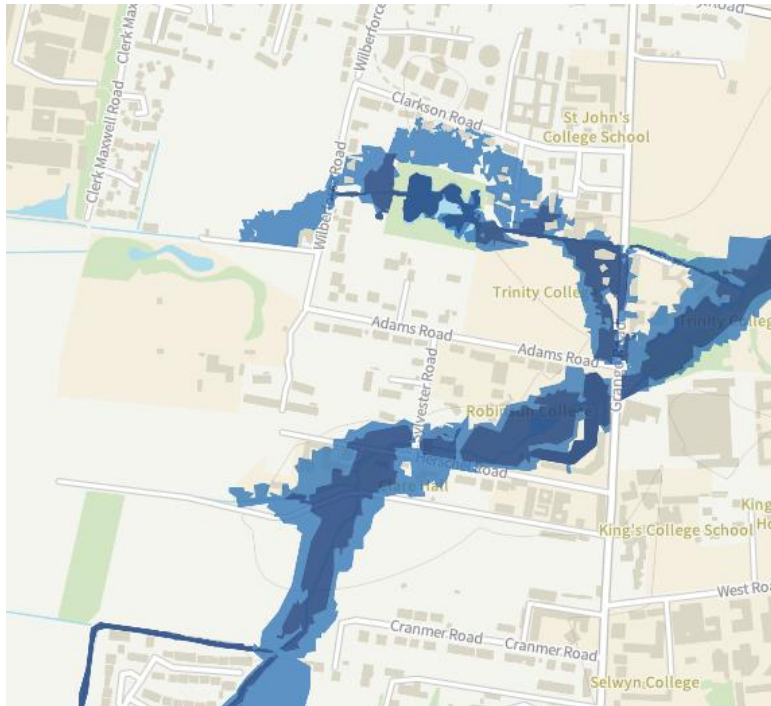


Figure 2: Extract of Flood Map (Environmental Agency Mapping, 2025)

- 5.10 The Addendum also seeks to provide further clarity on why the Adams Road option was discounted which although not strictly related to the sequential test in the Addendum, is relevant here. Para. 5.1.11-13 states that the Options Appraisal Report (Part 3) (2018) (CD1-20.09) included scoring Adams Road higher than RRR but when this was reported to the Executive Board the decision was taken that there was no requirement to publish a further appraisal because the July 2021 Executive Board was being asked simply to confirm the position as agreed in December 2018. This does not clearly explain why the scoring which resulted in Adams Road being scored higher than RRR, was overlooked.
- 5.11 The above leads me to conclude that the sequential test has not been passed which is contrary to Policy 32 of the Local Plan (CD6-01) and the NPPF (2024). Furthermore, paragraph 032 of the PPG requires that the exception test should only be applied if the sequential test has shown that there are no reasonably available, lower-risk sites, suitable for the proposed development, to which the development could be steered (our emphasis). In this regard, the proposals are not compliant for the following reasons:
- a) Adams Road is a reasonably available site – as demonstrated by the fact it was previously preferred by the Applicant and the rationale behind the choice to depart from this initial preference is not clear, despite the latest Options Appraisal Report scoring it higher than the current proposed route;
 - b) The Adams Road route has been demonstrably shown (in Mr Haider's Proof) to be suitable for the proposed development and is in a lower flood risk location than the current proposals;

- c) The proposed development should therefore be 'steered' to this location by a decision to refuse deemed planning permission for this scheme in line with national and development plan policy. That would represent the intended operation and effect of the sequential test.
- 5.12 Notwithstanding my position that the sequential test has not been passed, the Applicant accepts that it must also pass the exception test.
- 5.13 In accordance with para. 178 of the NPPF, part b), the Applicant must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.14 The Proof provided by Mr Sinclair sets out how and why part b) of the exception test has also not been met. This is for the following reasons:
 - a) The modelling used by the Applicant for Bin Brook is out of date and therefore does not reflect current conditions and fails to capture wide floodplain and catchment impact necessary to provide a robust assessment;
 - b) The Environment Agency ('EA') (as a key statutory consultee on this matter) has a retained objection for the proposals;
 - c) Create Consulting Engineers (CCE) has undertaken their own independent hydraulic modelling with the most recently approved version of the Bin Brook model which demonstrates that there are increased flood levels and flood extent which extend beyond the purchase order boundary of the proposed busway. It also shows increases in in-channel velocities and flood risk downstream of the new proposed bridge structure which present a clear erosion risk to Clare Hall land. There is also a net loss of floodplain storage use to land raising in flood zone 3b.
 - d) With these conclusions take into account, Mr Sinclair concludes that the proposals do not accord with the sequential nor exception test and furthermore that the mitigation he identifies as being necessary to meet policy requirements for flood risk management would fall outside of the purchase order boundary.
- 5.15 In this way, Mr Sinclair similarly concludes that the current proposals do not comply with local and national flood risk policy and guidance.
- 5.16 Mr Sinclair sets out the potential solution options when taking into account the increased level of impact resulting from the CCE model, however these solutions include either additional flood storage or busway route realignment, neither of which have been proposed as part of the development for which deemed planning permission is sought nor considered in the EIA undertaken in support of the proposals, specifically in terms of landscape and visual impacts as well as the extent of works covered by the red line in the Application.
- 5.17 In flood risk terms therefore the Application is not compliant with planning policy in respect of; evidencing a sequential test has been undertaken and alternatives in areas at lower flood risk have been properly discounted, demonstration through robust assessment that the proposals would not lead to any additional flood risk elsewhere (and therefore satisfying the

exception test) and demonstrating that there would be no net loss of flood plain storage in flood zone 3b. Furthermore the mitigation required to address the higher impacts found by CCE would require works outside of the parameters of the current Application (notably the red line and purchase order boundary).

- 5.18 In planning terms the Application is therefore contrary to policy in relation to flood risk.

Noise

- 5.19 Both the NPPF and the Local Plan (CD6-01) require that development should not to lead to significant adverse effects and impacts on the health and quality of life/ amenity from noise and vibration. Any adverse noise impacts should be mitigated and reduced as appropriate. Local Plan Policy 35 also states a preference for high quality acoustic design as opposed to mitigation. Local Plan Policy 35 also specifically acknowledges the importance of assessing noise impact in areas which are particularly sensitive to noise changes. Clare Hall is such a location.
- 5.20 Clare Hall is a particularly sensitive receptor to noise because of its very specific and unique use. As set out in Professor Short's and Ms Lamb's proof as well as the Clare Hall SoC (CD23-17), the quiet environs at Clare Hall are essential to its function as a research college.
- 5.21 Both the Local Plan (CD6-01) and the NPPF require a robust noise impact assessment to support proposals and demonstrate how noise impact has been assessed and any mitigation proposed. It is not considered that the Noise Assessment undertaken by the Applicant is sufficient to conclude that these policy requirements have been met. As set out in the Clare Hall SoC (CD23-17), this is due to the following reasons:
- a) The clarity of the sensitive receptors upon which the noise assessment is based – there is no definitive list of what was considered to be sensitive receptors, instead these are mapped on figures. Figure 'Plate TR1-5-3 Sensitive receptors with significant construction noise effects – near Bin Brook Bridge' suggests that the sensitive receptors identified and considered in the assessment are only those closest to the planned construction of the new bridge at Bin Brook, there is no acknowledgement in the assessment that Clare Hall represents a sensitive receptor noting its valued function as a research college which includes permanent residential accommodation and regularly hosts visiting academics, precisely due to its tranquil location.
 - b) Paragraph 5.4.71 is therefore in error by stating that '*the closest sensitive receptors are approximately 8m from the C2C in this area.*' Clare Hall is shown on the proposed plans to be on the immediate boundary of the proposed busway, which has not been taken into account.
 - c) The noise receptor 'ML5' is that closest to Clare Hall, but is placed some 200m away at the rear of 9 Herschel Road and omits the residential dwellings and Clare Hall as an important place of research and therefore very sensitive to surrounding noise changes.
 - d) The limited detail of the assessment undertaken for the part of the proposals immediately adjacent to Clare Hall – noting that paragraph 5.4.76 acknowledges that there is

potentially 'significant adverse effects' during the night time period for RRR (referenced as the 'offline' section of the proposals). The assessment suggests that this impact cannot be fully assessed until a more detailed timetable is known. Therefore it cannot be said that a comprehensive noise assessment has been undertaken as is required by Policy 35.

5.22 In both not having undertaken a robust noise survey, nor subsequently having considered likely impacts and their severity on Clare Hall as a sensitive receptor, the proposals cannot be said to comply with policy requirements.

5.23 In addition, Mr Blacklock sets out in his evidence the additional survey work which has been undertaken on behalf of Clare Hall to assess likely noise impacts, which concludes:

- a) The receptors at Clare Hall would be subjected to higher sound levels internally than WSP have accounted for during construction and operation of the proposed busway;
- b) The noise impact assessment undertaken by WSP has not considered the existing dwellings on RRR, nor the buildings which make up Clare Hall (which include teaching and learning spaces, and family accommodation) as 'sensitive receptors';
- c) The assessment of construction noise impact has not included that for the new bridge at Bin Brook which is considered to be substantially different than that for construction of the busway, and therefore needing assessment of its own;
- d) The Applicant's assessment has not accounted for additional construction works considered to be necessary for which additional plant would be required that the Applicant has not accounted for – this includes a generator likely required to power the 'Accommodation Work's proposed in front of the Brian Pippard building. Mr Blacklock has estimated that with the additional plant equipment required for the full extent of proposed works on RRR, the noise levels would exceed the level considered to constitute a 'major impact' as defined by the Applicant. Mr Blacklock states that these levels (even if for a short construction period) would be intolerable for residents in the adjacent dwellings and researchers using Clare Hall. It would make Clare Hall unusable for study during these periods. This applies to both internal and external spaces;
- e) Given a lack of detail on the project programme in the Application, Mr Blacklock considers that construction works would result in a 'Significant Adverse Impact' from noise;
- f) The assumed noise level associated with vibration rollers by the Applicant is considered to be absolute best case with it being more likely that contractors would use rollers with greater amplitude in order to compact more efficiently. Mr Blacklock has estimated a higher vibration rate than that stated by the Applicant which would result in levels likely to be intolerable for the Brian Pippard Building and Clare Hall;
- g) Given the lack of detail on the project programme in the Applicant, Mr Blacklock considers that construction works would result in a 'Significant Adverse Impact' from vibration. And even if for a shorter prior than 10 days, vibration levels would be so high so as to be intolerable, making Clare Hall and associated residences unusable;

h) The operational noise of the proposed busway would result in a 'significant adverse impact' for the residents and users of Clare Hall. Mr Blacklock is also of the view that the proposals will change the acoustic character of the area surrounding Clare Hall as they are currently situated in a fundamentally semi-rural environment with open fields to the south. The predicted noise levels within the bedrooms overlooking RRR would exceed the accepted standard for both day and night times. The predicted noise levels would exceed the recommended noise level for office, study rooms and meeting rooms in Clare Hall for day time. The recommended noise levels for external amenity spaces would also be exceeded;

5.24 Mr Blacklock also states that there are no proposals for mitigation in relation to these impacts in the Application. It is his view that without dramatically altering the building structure of Clare Hall, it is not possible to provide adequate mitigation for the operation phase of the proposed busway. This is a notable concern with respect to the listed nature of Clare Hall and adds further weight to the fact that listed building consent has not been included in the Application.

5.25 The Applicant has provided an ES Addendum (July 2025) (CD1-10.07) which suggests that planning conditions could be applied which would restrict the usage of the 'noisier' buses at night time and therefore mitigate the night time impact acknowledged in the noise impact assessment. However, as noted above, there are several reasons why the NIA is not considered to have properly assessed the potential noise and vibration impacts on Clare Hall and surrounding buildings, either through the construction or operational phases. The opinion of Mr Blacklock is that the impacts are so significant so as to warrant a full scheme of mitigation which has not been considered in the Application. Furthermore, it is Mr Blacklock's opinion that it would not be possible to deliver such mitigation without significantly altering the Grade II* listed building which the Applicant has not applied to do.

5.26 The proposals have therefore not assessed the noise impact on Clare Hall sufficiently, nor have they proposed any adequate or meaningful scheme of mitigation which could reliably be delivered with additional further adverse impact. The proposals are therefore contrary to relevant policies of the NPPF and the Local Plan (CD6-01).

Transport

5.27 The key areas where the Application is considered to be deficient in transport terms are as follows:

- i. The proposed design of the busway along RRR does not meet technical design standards;
- ii. The proposed junction between RRR and Grange Road is substandard in its design and would impact Clare Hall function due to blocking of existing facilities management area;
- iii. The busway inhibiting future development at Clare Hall;

5.28 The significance of these issues is heightened by the fact that there is a viable alternative to using RRR and therefore avoiding the harms by the busway using Adams Road to the north. The Proof by Mr Haider has demonstrated the flaws in the optioneering process undertaken to select RRR as the preferred route.

- 5.29 In respect of issue i), Mr Haider details in his Proof that the proposed width of the shared emergency track to be used as the cycleway is not to standard based on the anticipated number of cyclists. Nor does the land take allow for any futureproofing should increased use require widening to make the cycleway to standard.
- 5.30 Issue ii) is also covered in detail by Mr Haider's Proof which details the several issues with the junction which were identified in the Applicant's own Road Safety Audit (RSA). Importantly one of the issues is that vehicle tracking could lead to vehicles colliding with pedestrians and cyclists. The recommendation for the RSA is for the design to make additional space for the bus to turn left into RRR from Grange Road. The Applicant response to this is noted by Mr Haider as something that would be addressed at 'subsequent design stages'. This is not adequate in addressing what could be a fundamental design flaw with dangerous consequences. It is also noted that Mr Haider's view that in order to meet the recommendation fully (and thereby confirm the safety of the junction), additional land would be required which currently falls outside of the red line and therefore the limits of the currently proposed Order.
- 5.31 Further concerns in the RSA are detailed in Mr Haider's Proof relating to the Applicant accepting that junction will require substandard visibility due to land constraints. The proposed design also does not include measures to divert cyclists on to the Grange Road carriageway and therefore the shared pedestrian/ footway along RRR leads directly on to the existing footways of Grange Road. Furthermore there is a recommendation from the RSA to widen the carriageway on Grange Road to avoid vehicles blocking back through the RRR junction leading to pedestrian safety issues. The Applicant again states this will be dealt with at detailed design stages. This further demonstrates the poor design associated with the use of RRR for the busway. To adequately address all these issues, in Mr Haider's opinion would require additional land which again falls outside of that which is applied for in the draft Order and therefore outside of the parameters of the Request for Deemed Planning Permission.
- 5.32 The second part of issue ii) is also addressed by Mr Haider with reference to the RSA. The existing access on the north corner of RRR/ Grange Road is used by Clare Hall for a workshop for maintenance purposes and greenhouses which are in regular use. the area is also used for critical deliveries necessary for the function of the College. The access also leads to a waste skip which regularly requires access for skip lorries. The skip is located here purposely adjacent to the workshop. There are concerns expressed by the RSA and further by Mr Haider in respect of conflicts occurring in users of this access and the buses, as well as visibility being poor leading to further highway safety concern. Similarly to the above, the Applicant has not put forward a solution to resolve another fundamental highway safety concern which should no solution be found, would put the function of Clare Hall at risk.
- 5.33 Mr Haider concludes that the Applicant has not put forward any design solution to address the concerns of the RSA and in fact acknowledges that there are land constraints which would make this difficult to achieve. Mr Haider's view is therefore that there is no certainty that a safe and to standard junction design can be achieved at RRR/ Grange Road which is contrary to paragraph 117 of the NPPF and Local Plan Policy 81.

- 5.34 In respect of issue iii), Mr Haider's Proof details that the Applicant has not objected to use of RRR for construction access to meet any future development aspirations of Clare Hall, but has also stated that this should not interfere with the operation of the busway. Mr Haider's view is that there is no further information on what is considered as 'interference', nor have there been any further assurance to Clare Hall as to how this could be accommodated. Mr Haider then refers to the Proof of Alan Short to highlight the consequences and impacts of this on Clare Hall – I refer to the same.
- 5.35 Clare Hall is a very important land use which delivers substantial public interest benefit. Professor Short has set out the importance of being able to provide additional accommodation and an auditorium both for the future success of Clare Hall and the University more generally. If the proposals would prevent or impair such a development, this would constitute a substantial planning harm which would attract significant weight in the planning balance.
- 5.36 This is considered to be the case here and Mr Haider sets out in detail the alternative option for the busway at Adams Road in his Proof and the two options which have been prepared by Pulsar. Mr Haider's Proof also includes an RSA of these options on Adams Road which raises no significant safety concerns, demonstrating that a busway along Adams Road is both technically feasible (with multiple design options) and which would be acceptable in highway safety terms – the same cannot be said for the current proposed route along RRR.
- 5.37 In this way and with specific reference to relevant planning policy, the alternative at Adams Road is demonstrated to be able to comply with both the NPPF and Local Plan policies in respect of highways safety as well as achieving industry standards of design – the same cannot be said for the route along RRR. This should attract significant weight in the planning balance.
- 5.38 The inability of the Applicant to demonstrate that the current proposals along RRR and with the junction at Grange Road can meet both of these (planning policy relating to highways safety and industry design standards) weighs against the proposals in the planning balance.

Heritage

- 5.39 It is clear in national and local planning policy that in planning decisions, great weight should be afforded to protecting historic buildings and heritage assets. The weight to be afforded to their significance should also be proportionate to their importance. Clare Hall is a Grade II* listed building – as stated above these buildings make up only 5.8% of the listed buildings in England and Historic England define these buildings as '*particularly important buildings of more than special interest.*' (our emphasis). It is therefore clear that protecting Clare Hall and its historic significance should be afforded significant weight in planning decisions.
- 5.40 As has been set out by Ms Lamb, the significance of Clare Hall is embedded not just in the building design, but its layout and its use as a world renowned residential research facility which was purposely designed to aid quiet study in a way that is unique and different from traditional Cambridge colleges. Ms Lamb and Professor Short provide the comprehensive history of the intentions of Erskine in the layout of Clare Hall which was designed to respond to the rural and tranquil setting. Ms Lamb identifies that key spaces including the main meeting room, study rooms and bedrooms were deliberately placed by Erskine along the southern

boundary to benefit from the tranquil outlook onto RRR, considered to be ideal for rest and concentrated study. The importance of the views out to RRR as part of the original design is also shown by the deliberate height of the window sill in the meeting room which is low so you can see out whilst seated at the conference table – further emphasising the detail of the intended design at Clare Hall.

- 5.41 The stepping of the topography from Herschel Road down to RRR is also an intentional design aspect to make the most of the views and landscape setting adjacent to RRR.
- 5.42 The permeability of Clare Hall is a distinct feature of the intended design. The two principal pedestrian routes through are the Family Walk and the Scholars Walk which extend over small bridges which cross the external water moat/ channel to the south. Ms Lamb states that the three paths were designed and constructed to connect with RRR and residents frequently use these points as exit and entrance which further evidences Erskine's intention to reinforce the permeability of the Site.
- 5.43 Clare Hall is an example of how the historic significance of a heritage asset can manifest in different ways and in this case, its use and how Clare Hall is enjoyed by its users and visitors, is critical to its status as a Grade II* listed building.
- 5.44 As set out in the Clare Hall SoC (CD23-17) and as agreed by Ms Lamb, the statement of significance provided in the Applicant's Heritage Report (CD1-11-07-2) is not reflective of the requirements of para. 207 of the NPPF where it states that the level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. The Heritage Report does not set out the specific details of Clare Hall which contribute to its significance, including the specifics of the quiet setting and layout which were specifically designed by the original architect to aid the research and study which the building is used for. In not providing this information, the Applicant has not demonstrated an adequate understanding of the potential impact of the proposal on the significance of Clare Hall and this is further highlighted by the lack of in-person assessment undertaken.
- 5.45 It is this impact which the Applicant has not given sufficient consideration to in terms of heritage. The impact of noise from a technical perspective has been addressed above and by Mr Blacklock but this specific impact on the historic significance of Clare Hall is not referenced in the Heritage Report (CD1-11-07-2). The Heritage Report fails to acknowledge the part of the listing which states that the layout of the buildings is specifically designed to 'keep noise levels down'. In not doing so, the noise impacts of the proposals have not been fully considered and the extent of 'less than substantial harm' underestimated.
- 5.46 The introduction of the busway would undermine not just the function of the internal spaces at Clare Hall, but also those of the external amenity spaces, including the study courtyard and courtyard house garden – all of which Ms Lamb states form an integral part of the intentional design of Clare Hall as a whole.
- 5.47 In addition to not considering the impact on the deliberate rural and tranquil setting of Clare Hall, the Applicant has also not considered the current enjoyment and contribution to the function of Clare Hall from the views and outlook provided to RRR, nor to the specific

contribution and design intent of the landscape buffer which exists along the southern boundary. The soft green edge was designed by Erskine to provide a degree of privacy and acts as a buffer to RRR and its loss or substantial erosion as a result of the proposals would harm the intentional design relationship between the buildings and their setting.

- 5.48 The proposed hedging or landscaping (if implemented) would be directly in front of windows serving study rooms which Ms Lamb states would have a detrimental impact on the interior quality and use of these spaces. Furthermore, Ms Lamb acknowledges the correction made by the Applicant in the ES Addendum provided in July 2025 in relation to the fact that all windows facing south at Clare Hall are clear and are not obscured. The alteration to the views out of these windows with their purposeful connection to the landscape setting of RRR and beyond would therefore undermine the quiet and contemplative function of the rooms that they serve. With the scheme in place the occupants of these rooms would instead have close-up views of regularly passing buses, with each movement accompanied by disturbing noise. The Applicant has simply failed to take proper account of this impact and its significant consequences.
- 5.49 In specific reference to the pathways to the south, the Applicant provided an ES Addendum in July 2025 which argues that the pathways are not part of the listing, are surface treatments and therefore their removal or alteration would not require listed building consent. Ms Lamb does not agree with this conclusion and clarifies that the pathways were designed as part of Erskine's original 1969 design for Clare Hall and were constructed simultaneously, serving as a direct continuation of the Family and Scholar's Walks which are integral to the overall layout and function of the college. The materiality is similar to the surrounding paved routes and Ms Lamb considers them to be deeply integrated into the architectural and historical significance of Clare Hall and its setting.
- 5.50 It is acknowledged by Ms Lamb that with reference to Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990, curtilage protections only automatically apply to pre-1948 structures, but paths or features associated with a listed building can still be materially linked through setting, functional association or visual connection. These principles are set out in Historic England Advice Note 10: Listed Buildings and Curtilage. Ms Lamb's evidence states that the rainwater spouts, moat/channel and pathways connecting to RRR are part of the original design and constructed scheme by Erskine and are therefore deemed to form part of the listing. Therefore any alteration would require listed building consent which the Applicant has not included in the Application.
- 5.51 With reference to para. 215 of the NPPF, Section 9 of the Planning Statement (CD1-15) sets out the Planning Balance and Conclusion. This includes the needs case for the Scheme and the associated public benefits (with reference to paragraph 8 of the NPPF). The wider benefits for the scheme in its entirety are not disputed in the Proof of Evidence, but in assessing the proposals against paragraph 215 specifically, paragraph 9.5.4 states: *This consideration should be seen in the context that the Scheme is not causing direct impacts to the assets or any features of special architectural or historic interest which they possess, only their setting.*
- 5.52 This statement is inaccurate given that the Application confirms that the proposal would impact Clare Hall in respect of noise (which is related to the historic significance of the

building's use and purpose), as well as remove the pathways connecting Clare Hall and RRR (ES Addendum July 2025 CD1-10.07). Therefore the balancing exercise itself has not been undertaken accurately as this degree of harm has not been factored into weighing up against the benefits of the proposals in this location. When done so correctly, it is my view that for this part of the proposals, the harm to the function and unique historic and architectural significance of Clare Hall would outweigh the benefit of using RRR for the busway.

- 5.53 Furthermore, in relation to the existence of an alternative route alignment which would not have these impacts, it is important to note the case of *R (Forge Field Society) v. Sevenoaks DC* [2015] JPL 22, whereby it was clearly stated that '*the possibility of the development being undertaken on an alternative site on which that harm can be avoided altogether will add force to the statutory presumption in favour of preservation. Indeed, the presumption itself implies the need for a suitably rigorous assessment of potential alternatives.*' As has been demonstrated through this Proof and those provided by others, there is a clear alternative whereby the impacts on the Grade II* listed building could be avoided. This adds even more weight to the fact that the Adams Road route has not been sufficiently discounted as a preferable route in planning terms.
- 5.54 Section 9 of the Planning Statement (CD1-15) asserts that the impact on heritage assets also needs to be considered in the context of the alternatives which it states have been 'robustly assessed'. However, this is not the case in respect of this specific section of the proposals, where previously the route was proposed to traverse Adams Road, which does not contain any listed buildings and thereby this 'harm' would not be incurred. In fact, it is noted in the Options Appraisal Report Part 1 (CD1-20.07) in Section 8.7.5.1 relating to visual impact:
- For area 5 the Adams road option would result in localised hardening of landscape, especially near the boundary of the West Cambridge Conservation area adjacent to Cambridge University Sports Ground. There would also be the removal of on street parking which would change the character of the road scene itself and could be positive if it improves visibility of buildings along the road. For the former Rifle Range track option the introduction of new transport infrastructure in a rural/urban setting on the city fringe with loss of trees would alter setting and character negatively. There would also be the impact of a new junction on Grange road which would result in increased visual impact in the West Cambridge Conservation area and in the vicinity of the listed building opposite the exit onto Grange Road.*
- 5.55 This assessment (even though it notably fails to adequately reflect the harm to the heritage significance of the Grade II* Clare Hall) recognises that the RRR route would give rise to negative impacts on character (including the listed building) whereas the alternative on Adams Road could in fact result in 'positive' improvements visually.
- 5.56 In this way the proposals have not given due weight to the reasonably available alternative at Adams Road which would not incur the harm on this Grade II* listed building which is by definition '*particularly important*' and '*of more than special interest*' (our emphasis).
- 5.57 My assessment of the heritage balance as required by paragraph 212 of the NPPF is provided below in Section 7.

Design

- 5.58 Both national and local policy require good design. The failings in the Application relating to flood risk, noise, heritage and transport all culminate in the conclusion that the Application cannot be considered to demonstrate principles of good design. The proposals have not demonstrated how they are sympathetic to their surroundings at Clare Hall nor the open countryside which lies to the south. Good design also requires choosing the right location for development, and in this case there is an available alternative which would not incur such a degree of harm.
- 5.59 As set out in Section 4, the NPPF states that good design is a key aspect of sustainable development – which sits at the heart of the NPPF itself. Development should lead to high quality places which are sympathetic specifically to the location's history and character – the evidence provided in this Proof and my others demonstrates that this cannot be said for the Application as it currently stands and insofar as it relates to the use of RRR and specifically, impacts on Clare Hall.
- 5.60 The NPPF also includes specific reference to this design quality including high standards of amenity for existing and future users – the noise impacts discussed above will result in a failure to align with this standard. Furthermore, the NPPF references the importance of trees in our urban environments stating that trees should be retained wherever possible. The proposals to remove those which currently make an important contribution to the character of RRR and the landscape buffer to Clare Hall are not in accordance with this principle – especially when there is an alternative at Adams Road which would not result in the loss of trees which have an important contribution to local character.
- 5.61 The principle set out in Local Plan Policy 55 also encompasses development which responds well to its context in its aspiration to protect and enhance the character of Cambridge, particularly noting features of historic or local importance. This Proof and the evidence provided by others demonstrates that the Application does not accord with these aspirations having not adequately taken into account the adverse impact on Clare Hall as a clear important historic feature – its importance being national given its Grade II* listed status.
- 5.62 The NPPF states that development which is not well designed should be refused and it is my view that for the reasons set out above, the proposals cannot be considered to be 'well designed' and should therefore be refused.

Sustainability

- 5.63 The proposals to bring the route along RRR as opposed to Adams Road by their nature are a less sustainable option. The route along RRR will involve the use of previously undeveloped greenfield land, whereas Adams Road is an existing road with existing infrastructure which would naturally reduce the level of construction required to support the new busway.

Green Belt

- 5.64 The RRR proposals require use of land located in the Green Belt wherein there is a presumption against inappropriate development. The Planning Statement (CD1-15) confirms that the proposals would constitute inappropriate development due to the fact that the proposals will not preserve the openness of the Green Belt and would conflict with certain purposes of including land within it. There is therefore a requirement for a very special circumstances case to be made in support of the proposals. This is set out both within the Planning Statement (CD1-15) and the Green Belt Assessment (CD1-18).
- 5.65 The very special circumstances are summarised across the following main areas:
- i. Compelling need for the Scheme;
 - ii. Lack of alternative options that would not harm the Green Belt;
 - iii. The economic, social and environmental benefits of the scheme to the local and wider communities; and
 - iv. Accessibility to the Green Belt and the new/existing green infrastructure that will be provided by the Scheme.
- 5.66 As has been set out in the above and in Section 6 of this Proof, as well as that provided by Mr Haider, point ii) is called into question. The evidence demonstrates that there is in fact an alternative option available via Adams Road which would not require use of Green Belt land and thereby not lead to the same level of harm as that incurred by the proposals to use RRR given use of Adams Road would not constitute inappropriate development.
- 5.67 This is therefore another element of harm which weighs against the proposals to use RRR when there is an alternative which would not incur such harm – this is discussed further below in Sections 7 and 8.

6 Alternatives

- 6.1 This Proof alongside the other Proofs (particularly that by Mr Haider) has demonstrated that there is a clear, viable and preferable alternative to the use of RRR which is relevant to Clare Hall's objection to the proposals. The requirement to examine this alternative further is relevant for the following reasons:
- i. The policy requirement to undertake the sequential test and demonstrate that there are no reasonable alternatives which would lead to development in areas at lower risk of flooding;
 - ii. The RSA associated with the current proposals along RRR and the junction with Grange Road highlights several highway safety concerns (and therefore policy conflicts), the solutions for which the Applicant has not demonstrated within the confines of the redline and land take associated with the Draft Order;
 - iii. The Case Law which identifies the relevance of an assessment of alternatives in a heritage context should there exist alternatives where heritage harm would not be incurred;
 - iv. Linked to the above, the significance of the heritage asset to which heritage harm would be incurred which is a rare Grade II* listed building and a world-renowned research institute; and
 - v. The use of Green Belt land via RRR is inappropriate development which is contrary to the requirements of the NPPF.
- 6.2 In reviewing the alternative at Adams Road it is concluded that it:
- a) Is sequentially preferable in flood risk terms as is required by both local and national policy;
 - b) Would not incur harm to a Grade II* listed building and world class academic institution;
 - c) Would be able to accommodate safe and secure transport design;
 - d) Would likely lead to acceptable operational noise impacts (noting the distance from the busway to existing properties);
 - e) Would better demonstrate compliance with both national and local policies on design and sustainability being better aligned with local context and reducing the need to develop greenfield land; and
 - f) Would require less use of Green Belt land.
- 6.3 Furthermore, the evidence provided by Mr Haider confirms that there are several options for the design of a busway along Adams Road which would not incur significant safety concerns (as shown in the RSA), which cannot be said for the proposals along RRR as they currently stand.
- 6.4 In Section 4, this Proof summarises the degree of non-compliance with relevant planning policies. For the Adams Road alternative, the position would be as follows:
- i. There would be compliance with the sequential test (NPPF Paras. 174, 175, 177, Local Plan Policy 32, and PPG Para. 032) in avoiding areas of Flood Zone 2 and 3 to a much greater extent than currently proposed;
 - ii. On passing the sequential test, the relevant policy on the exception test (NPPF paras. 178, 179) would not apply;

- iii. It could be more easily demonstrated that the level of noise impact had been reduced as far as possible given that Adams Road is an existing road with existing traffic (NPPF paras. 187, 198 and Local Plan Policy 35)
 - iv. The degree of heritage harm would be reduced and not include harm to a Grade II* listed building, noting that potential heritage benefits could be achieved with reduced street parking in the Conservation Area;
 - v. A safe and secure busway route could be accommodated without impacting the existing and future function and operations of Clare Hall and therefore no conflict with the NPPF para. 117 and Local Plan Policy 81;
 - vi. The proposals would be able to better demonstrate compliance with good design and sustainability policies (NPPF paras. 135, 136, 139, 163, 164 and Local Plan Policies 55 and 28); and
 - vii. The proposals would require less use of Green Belt and therefore lead to less harm through inappropriate development in the Green Belt.
- 6.5 It is acknowledged that if the current Application was refused in favour of the Adams Road route, there would be some delay in achieving the public benefits to the local community, but importantly the same or substantially the same public benefits could be achieved without the need for the same degree of harm which has been detailed in this Proof.
- 6.6 In the case of refusal and seeking an application which includes the use of Adams Road as opposed to RRR, it is reasonable to assume that the Applicant could make use of the vast majority of the work undertaken to date (noting that the change would only be to where the route deviates from the previous Adams Road option. However, it is accepted that time would be required for further design work on the Adams Road route, as well as consultation and submission of an alternative application. It is considered that a reasonable timeframe to reach a decision on an alternative application would be between 18 and 20 months.
- 6.7 It is acknowledged that that would therefore mean some delay to the public benefits of the scheme being realised, however this is not considered to outweigh the harm which would be caused by progressing with the proposals as they currently stand – for the reasons that have been set out in this Proof. In my view the alternative at Adams Road constitutes a better option in planning terms and one which does not incur the same degree of harm as the current proposals – which is a key consideration in weighing up the proposals in the planning balance.

7 Planning Balance

- 7.1 The planning balance exercise refers to an assessment of the impacts of any planning application and a weighing up of those which are considered either as 'harm' or as 'benefit'.
- 7.2 In heritage cases (such as this), there is also a requirement under paragraph 212 of the NPPF to weigh any less than substantial harm (on heritage assets) against the public benefits associated with proposed development.
- 7.3 This Proof has highlighted that there are several issues and areas of non-compliance with relevant planning policy in the current Application with specific reference to the impacts on Clare Hall and the section of the proposed busway which runs along RRR to Grange Road. These are summarised as follows:
- There is insufficient evidence to pass the sequential test. This is in the context of the Adams Road route previously having been preferred which is in an area at lower risk of flooding than that at RRR. The sequential test has therefore not been satisfied.
 - The Proof provided by Mr Sinclair confirms that the proposals would result in flood risk being increased elsewhere as a result of the proposals, therefore the exception test has not been satisfied.
 - The Proof provided by Mr Blacklock confirms that the noise impacts to Clare Hall have not been sufficiently considered, including additional 'significant adverse effects' from construction, vibration and operational impacts. Further the specific impact from increased noise disturbance on the unique function of Clare Hall has not adequately been taken into account.
 - The Proof provided by Mr Haider confirms that there are several highway safety concerns with the junction of RRR and Grange Road. Additionally, there are safety and futureproofing concerns with the proposals for cyclists along RRR and there has been no solution demonstrated for the accepted conflict with Clare Hall being able to continue access to their existing skip and workshop area, as well as their use of RRR associated with future development aspirations.
 - The Application does not demonstrate how these flood risk, noise and transport impacts could be adequately mitigated within the confines of the red line and limits of the land included within the Draft Order.
 - The Application has failed to demonstrate how Clare Hall could retain use of RRR as a construction/ operations route to meet its own future development needs.
 - The consolidation of the above leads me to consider that the proposals for this section do not constitute good design, nor do they reflect policy aspirations for sustainability.
 - The Proofs provided by Ms Lamb and Professor Short confirm that the unique character and function of Clare Hall in terms of layout, setting and relationship to its surroundings has not been satisfactorily considered and therefore the adverse impacts on the rare Grade II* listed building and world-renowned research institute have not been accurately assessed.
 - The Application does not include a request for listed building consent which would be required for the proposed works to remove the footways which connect Clare Hall to RRR and which formed part of the original design by the architect. In the same way, Mr Blacklock considers that it would not be possible to secure mitigation to Clare Hall for the

projected noise impacts without alteration to the building itself. This would also require listed building consent which is not included within the parameters of the Application.

- The Application includes inappropriate development in the Green Belt along RRR. Part of the justification for this is the lack of alternative options which would not harm the Green Belt. The evidence provided in this Proof and by Mr Haider demonstrates that there is an alternative along Adams Road which would not harm the Green Belt through inappropriate development. The very special circumstances case is therefore called into question.

- 7.4 In turning to the benefits of the Scheme, although there is clear benefit from the proposed busway as a whole, for the part of the route which stretches over Bin Brook, down RRR and to Grange Road, there exists a genuine alternative capable of delivering the same or essentially the same benefits where it has been demonstrated that this harm would not be incurred.
- 7.5 This Proof has been prepared in respect of the proposals as they affect Clare Hall. The evidence set out in this Proof does not test the reliability of the Applicant's assessment of adverse impacts on other parts of the proposed busway route. This is noted as a limitation in my striking of the planning balance for the Application as a whole.
- 7.6 Having said that, I have set out above that the adverse impacts identified on this part of the route, together with other adverse impacts elsewhere (which will be best assessed by the Inspector), are such as to justify refusal in circumstances where the impacts in this section can be avoided by using the alternative. The adverse effect of the associated delay due to a refusal, is outweighed by avoiding this harm.

APPENDIX A: Relevant Planning Policy (Full Wording)

Cambridge Local Plan (2018)

The Cambridge City Local Plan was adopted in 2018 and sets out the vision, policies and proposals for the future development and land use in Cambridge to 2031. It is the main consideration in the determination of planning applications within the City boundary.

The policies considered most relevant to this Proof are set out below.

Policy P1 The presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the National Planning Policy Framework (NPPF, 2012). It will always work proactively with applicants to jointly find solutions, so that proposals can be approved wherever possible, and to secure development that improves the economic success and quality of life and place in Cambridge.

Planning applications that accord with the policies in this local plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or the relevant policies are out of date at the time of making the decision, then the Council will grant planning permission unless material considerations indicate otherwise, taking into account whether:

- a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF, 2012) as a whole; or*
- b) specific policies in that framework indicate that development should be restricted.*

Policy 28 Carbon reduction, community energy networks, sustainable design and construction, and water use

All development should take the available opportunities to integrate the principles of sustainable design and construction into the design of proposals. Promoters of major development, including redevelopment of existing floor space, should prepare a Sustainability Statement as part of the Design and Access Statement submitted with their planning application, outlining their approach to the following issues:

- a. adaptation to climate change*
- b. carbon reduction*
- c. water management*
- d. site waste management*
- e. use of materials*

In order to ensure that the growth of Cambridge supports the achievement of national carbon reduction targets, and does not exacerbate Cambridge's severe water stress, all new development will be required to meet the following minimum standards of sustainable construction, carbon

reduction and water efficiency, unless it can be demonstrated that such provision is not technically or economically viable.

Policy 32 Flood risk

Potential flood risk from the development

Development will be permitted providing it is demonstrated that:

- a) the peak rate of run-off over the lifetime of the development, allowing for climate change, is no greater for the developed site than it was for the undeveloped site;
- b) the post-development volume of run-off, allowing for climate change over the development lifetime, is no greater than it would have been for the undeveloped site. If this cannot be achieved then the limiting discharge is 2 litre/s/ha for all events up to the 100-year return period event;
- c) the development is designed so that the flooding of property in and adjacent to the development would not occur for a 1 in 100 year event, plus an allowance for climate change and in the event of local drainage system failure;
- d) the discharge locations have the capacity to receive all foul and surface water flows from the development, including discharge by infiltration, into water bodies and into sewers;
- e) there is a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime; and
- f) the destination of the discharge obeys the following priority order:
 - firstly, to ground via infiltration;
 - then, to a water body;
 - then, to a surface water sewer.

Discharge to a foul water or combined sewer is unacceptable.

Potential flood risk to the development

Development will be permitted if an assessment of the flood risk is undertaken following the principles of the National Planning Policy Framework (2012) and additionally:

For an undeveloped site:

- a) if it is not located within the Environment Agency's flood zone 3b, unless it is a water-compatible development and does not increase flood risk elsewhere by either displacement of flood water or interruption of flood flow routes and employs flood resilient and resistant construction, including appropriate boundary treatment and has a safe means of evacuation; and
- b) if it is not located within the Environment Agency's flood zone 3a, unless it is a water compatible development or minor development when the principles in a) above apply; and
- c) if it is located within the Environment Agency's flood zone 2 or a surface water wet spot and employs flood resilient and resistant construction as appropriate; and

floor levels are 300mm above the 1-in-100-years flood level, plus an allowance for climate change where appropriate and/or 300mm above adjacent highway levels where appropriate.

For a previously developed site:

Opportunities should be taken to reduce the existing flood risk by the positioning of any development so that it does not increase flood risk elsewhere by either displacement of flood water or interruption of flood flow routes, and it employs flood resilient and resistant construction including appropriate boundary treatment and has a safe means of evacuation.

Policy 35 Protection of human health and quality of life from noise and vibration

Development will be permitted where it is demonstrated that:

- a) it will not lead to significant adverse effects and impacts, including cumulative effects and construction phase impacts wherever applicable, on health and quality of life/amenity from noise and vibration; and*
- b) adverse noise effects/impacts can be minimised by appropriate reduction and/or mitigation measures secured through the use of conditions or planning obligations, as appropriate (prevention through high quality acoustic design is preferable to mitigation).*

People's health and quality of life needs be protected from unacceptable noise impacts by effectively and appropriately managing the relationship between noise sensitive development and noise sources through land use planning. Noise must be carefully considered when new development might create additional noise and when development would be sensitive to existing or future noise.

Residential and other noise sensitive development will be permitted where it can be demonstrated that future users of the development will not be exposed internally and externally to unacceptable levels of noise pollution/disturbance from existing or planned uses. This would include proposed noise sensitive development that may experience adverse impacts as a result of exposure to noise from existing or planned/future (i) transport sources (air, road, rail and mixed sources) or (ii) industrial, trade or business / commercial sources.

Noise generating development including industrial, trade or business/commercial uses with associated transport noise sources will be permitted where it can be demonstrated that any nearby noise sensitive uses (as existing or planned) will not be exposed to noise that will have an unacceptable adverse impact on health and quality of life both internally and externally.

A Noise Impact Assessment will be required to support applications for noise sensitive and noise generating development as detailed above including consideration of any noise impacts during the construction phase wherever applicable, when noise sensitive uses are likely to be exposed to significant or unacceptable noise exposure and impacts.

Policy 55 Responding to context

Development will be supported where it is demonstrated that it responds positively to its context and has drawn inspiration from the key characteristics of its surroundings to help create distinctive and high quality places. Development will: a. identify and respond positively to existing features of natural,

historic or local importance on and close to the proposed development site; b. be well connected to, and integrated with, the immediate locality and wider city; and c. use appropriate local characteristics to help inform the use, siting, massing, scale, form, materials and landscape design of new development.

Policy 61 Conservation and enhancement of Cambridge's historic environment

To ensure the conservation and enhancement of Cambridge's historic environment, proposals should:

- a. preserve or enhance the significance of the heritage assets of the city, their setting and the wider townscape, including views into, within and out of conservation areas;
- b. retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area;
- c. be of an appropriate scale, form, height, massing, alignment and detailed design which will contribute to local distinctiveness, complement the built form and scale of heritage assets and respect the character, appearance and setting of the locality;
- d. demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context; and
- e. provide clear justification for any works that would lead to harm or substantial harm to a heritage asset yet be of substantial public benefit, through detailed analysis of the asset and the proposal.

Policy 81 Mitigating the transport impact of development

Developments will only be permitted where they do not have an unacceptable transport impact. Therefore, new development will require:

- a) sufficient information to be supplied with all development proposals that the transport impact can be suitably assessed. This should take the form of transport assessments for schemes above the thresholds set in the latest Cambridgeshire County Council guidance;
- b) a travel plan to accompany all major development proposals; and
- c) reasonable and proportionate financial contributions/mitigation measures where necessary to make the transport impact of the development acceptable. This could include investment in infrastructure, services or behavioural change measures to encourage the use of sustainable modes of transport. Such measures should be provided to meet the first or early occupation of a site in order to influence travel behaviour from the outset.

NPPF (2024)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. The National Planning Policy Framework must be taken into account in preparing the Development Plan, and is a material consideration in planning decisions.

The paragraphs considered most relevant to this Proof are set out below.

Paragraph 7

The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future

generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.

Paragraph 8

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

Paragraph 11

Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷ ; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 115

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) *sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) *safe and suitable access to the site can be achieved for all users;*
- c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

Paragraph 116

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Paragraph 117

Within this context, applications for development should:

- a) *give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) *address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) *create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) *allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) *be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

Paragraph 135

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 136

Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵², that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

Paragraph 139

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

Paragraph 163

The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.

Paragraph 164

New development should be planned for in ways that:

a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through incorporating green infrastructure and sustainable drainage systems; and

b) help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings in plans should reflect the Government's policy for national technical standards.

Paragraph 173

A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding, by following the steps set out below.

Paragraph 174

Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test.

Paragraph 175

The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

Paragraph 177

Having applied the sequential test, if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

Paragraph 178 and 179

The application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:

- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the exception test should be satisfied for development to be allocated or permitted.

Paragraph 187

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

Paragraph 198

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

- c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*

Paragraph 207

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 212

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 215

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.