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Our ref: MJXV/079640.00001

7 January 2025

Dear Sirs

Objection on behalf of Clare Hall, University of Cambridge
Objection to the Cambourne to Cambridge Transport and Works Act Order Application made by Cambridgeshire County Council

1 Context

1.1 This Objection is submitted on behalf of Clare Hall, University of Cambridge (**Clare Hall**) in response to Cambridgeshire County Council's (**CCC**) application, 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 (**draft Order**) accompanying this application.

1.2 Whilst the application is made by CCC, reference is made to the Greater Cambridgeshire Partnership (**GCP**) as it is tasked with promoting public transport schemes, including the Scheme provided for in the draft Order. Together, CCC and GCP will be referred to as the **Applicant** in this Objection.

1.3 The object of the draft Order is to authorise works and purchase of land to allow the implementation, operation and maintenance of a guided busway, mostly segregated from local highways between Cambourne and Cambridge (the **Scheme**).

1.4 Clare Hall was founded specifically for researchers and postgraduate students, who are at the centre of the college's community along with visiting scholars, Fellows, and postdoctoral affiliates. The college is in part modelled on the Institute for Advanced Study in Princeton, envisaged as such from its foundation by Clare College in 1966. A critically important part of Clare Hall's vision is its programme for visiting academics – some 24 visiting professors join the college annually, staying at the college from three months to a year. These visiting professors have in the past included 7 Nobel Prize winners, whose time at the college is spent working in the iconically quiet surroundings that Clare Hall has to offer.

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2 Grounds of Objection

2.1 Lack of Engagement by the Applicant

2.1.1 Clare Hall is identified within the Book of Reference as having rights/interests in land which are subject to permanent compulsory acquisition pursuant to the draft Order and has been notified of the proposed Order pursuant to Rule 15 and Schedule 6 of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 (the **Rules**). Accordingly, Clare Hall is a statutory objector. Clare Hall's interests are identified in the Book of Reference as follows:

(a) rights as a tenant/occupier of plot 16-164(a), being 22623 square metres Agricultural land, grassland, playing field, hedgerows, drain and public footpath (39/31) (west of Herschel Road) (Cambridge);

(b) rights as a tenant/occupier of plot 16-164(b), being 2412 square metres Agricultural land, grassland, playing field, hedgerows, drain and public footpath (39/31) (west of Herschel Road) (Cambridge);

(c) rights as a tenant/occupier of plot 16-178, being 20721 square metres Agricultural land, hedgerows, access track, playing field, grassland, woodland, river, bed and banks thereof (Bin Brook) and footbridge over same (west of Grange Road) (Cambridge);

(d) rights as a tenant/occupier of plot 16-179, being 16683 square metres Agricultural land, and river, bed and banks thereof (Bin Brook) (West of Grange Road) (Cambridge);

(e) rights as a tenant/occupier of plot 17-180, being 3167 square metres Agricultural land (West of Grange Road) (Cambridge); and

(f) rights as a tenant/occupier of plot 17-181, being 1966 square metres Playing field, hedgerow and grassland (West of Grange Road) (Cambridge).

2.1.2 Clare Hall considers that freehold land, identified in the Book of Reference, has not been accurately reflected in the Land Registry's records as being within its ownership. Clare Hall is currently looking to have this rectified. This relates to land that abuts the southern boundary of Clare Hall (comprised in plot 16-178), which is shown as being owned by the Master or Keeper and Fellows and Scholars of Jesus College Cambridge. However, Clare Hall contends that this land has been registered erroneously and part of this falls within Clare Hall's freehold.

2.1.3 Whilst there has been a level of consultation with Clare Hall on the proposals, there has been a lack of any engagement by the Applicant to acquire its interests by way of private treaty. The Ministry of Housing Communities & Local Government "Guidance of Compulsory Purchase Process" 2024 (**CPO Guidance**) sets out at Tier 1, section 2, the level of engagement an acquiring authority should undertake before utilising CPO powers. In particular, paragraph 2.2 states that the confirming authority will expect the acquiring authority to demonstrate that they have taken "reasonable steps" to:

(a) understand the impact of the exercise of the compulsory purchase powers on affected parties through "direct engagement with those parties"; and

(b) attempt acquisition of all of the land and rights by agreement.

2.1.4 Contrary to the CPO Guidance, the Applicant, as acquiring authority, has made no attempt to acquire its interests by agreement or understand more fully, the impact the acquisition of the identified interests will have on the day-to-day management and operation of Clare Hall. This is notwithstanding that Clare Hall has sought to make the Applicant fully aware of the impact the proposed routing of the busway along Rifle Range Road will have on the college. Indeed, Appendix K of the Applicant's own Consultation Statement specifically acknowledged that there were existing rights along Rifle Range Road which would need to be maintained and further identified the need to avoid disruption to Clare Hall. However, the Applicant has failed to engage meaningfully with Clare Hall on these issues.

2.2 Access

2.2.1 Rifle Range Road is a key access route for the Clare Hall, it is used for maintenance, delivery, and operational purposes. Rifle Range Road will also provide a route for construction vehicles in realising the college's development proposals for further student accommodation and its aspirations for a concert hall (as further detailed below).

2.2.2 The Scheme proposes 10 buses will run per hour each way (i.e. every 10 minutes) during the hours of 6am to midnight. The drawings and background documents submitted as part of the Scheme do not provide any information as to how those who have rights over Rifle Range Road will continue to be able to exercise those rights. The relatively intense proposed use of Rifle Range Road, for the scheme as proposed, removes any ability for Clare Hall to be able to adequately access its land and buildings via Rifle Range Road, which is currently subject to extremely low levels of vehicle usage. It is important for the future economic and world class reputation of the college that it is able to evolve and grow, providing qualitative facilities to is students and eminent visitors. The compulsory acquisition of Clare Hall's rights will be a significant constraint to the day-to-day management of the college and curtail its future development and improvement.

2.2.3 In the alternative, as the Applicant's own consultation material acknowledges the need to retain existing rights along Rifle Range Road, the draft Order and Book of Reference should be amended to specifically exclude Clare Hall's interests from being subject to any compulsory purchase powers and an undertaking provided that the existing rights will not be extinguished under other statutory processes.

2.3 Flood Risk

2.3.1 The information provided by the Applicant in support of the Scheme is wholly insufficient as it relates to flooding and does not yet demonstrate that the objectives of the National Planning Policy Framework (2024) have been complied with, in respect of Planning and flood risk.

2.3.2 Clare Hall believes that, based on detailed flood modelling and mitigation reporting commissioned by the college, there is significant increased flood risk associated with the Scheme and that these risks have been inadequately assessed as part of the proposed route.

2.3.3 The current Scheme has a material impact on increasing flow rates and water levels, which can cause scour, bank instability, damage to bridges, the mobilisation of debris, and potential negative outcomes on buildings at Clare Hall (increasing risk to life across the site).

2.4 Heritage Impacts

2.4.1 On 6 September 2018, the Secretary of State for Culture, Media and Sport, designated Clare Hall, Herschel Road, Cambridge, Cambridgeshire, CB3 9AL as a Grade II* Listed Building under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990. Grade II* listed buildings are particularly important buildings of more than special interest – a category reserved for less than 5% of all listed buildings in England.

2.4.2 Clare Hall and its grounds are bounded by Herschel Road to the North, Grange Road to the east and Rifle Range Road to the south. It sits within the West Cambridge Conservation Area and is one of only two wholly graduate colleges in Cambridge. The Scholar's Garden immediately to the east of the site is Protected Open Space, as is the University Rugby Club Ground to the south, adjoining Rifle Range Road.

2.4.3 The Applicant has failed to give proper consideration to Clare Hall's heritage listing and the architectural and historical importance of the college – details of which are clearly set out in the Notice of Listing. The Applicant's assessment fails to properly assess impact of the Scheme on the setting of the Listed Building in accordance with S66 of the Planning (Listed Buildings and Conservations Areas) Act 1990 and having regard to paragraph 213 of the National Planning Policy Framework (2024).

2.4.4 The Scheme, as proposed, would directly impact Clare Hall's designation and impact its ability to maintain and conserve its buildings. Given the immediate proximity of the works for the Scheme to the Listed building and within its curtilage, particularly its unusual external drainage structures, no assessment appears to have been undertaken as to whether separate Listed Building Consents would be required for any of the works.

2.4.5 The Applicant has also failed to demonstrate how significant adverse effects of noise and vibrations, resulting from traffic noise, will be mitigated. The Applicant has not considered the nature of activities undertaken at Clare Hall, which is the only dedicated research college at Cambridge University, housing dozens of professors, post-graduates, visiting Fellows and other academics - all of whom require peace and quiet to undertake their work. The relative tranquillity is one of the distinguishing features of Clare Hall and is of vital importance to the college's existence, setting, and its heritage designation. Many of the windows overlooking Rifle Range Road are only single glazed.

2.5 Transport

2.5.1 Clare Hall has consistently raised to the Applicant its concerns that there has been an insufficient review of alternative options in determining the preferred route for the Scheme.

2.5.2 The Applicant's preferred (off-route) option was selected due to its alignment with the high-level objectives to create segregated route and provide a route with the highest journey time reliability. However, the on-road options were considered to be the most cost-effective – and yet they were discounted.

2.5.3 Clare Hall believes that, from a review of the feasibility studies and various transport reports, the Applicant has provided insufficient information explaining the main reasons for the option chosen (i.e. the off-road route via Rifle Range Road) and the significant effects of the proposed works on the environment in choosing the said option.

2.5.4 Clare Hall believes that the decision to use Rifle Range Road, as opposed to Adams Road, has been made in spite of greater "operational challenges", environmental impacts, and cost implications associated with the preferred alignment of this section of the Scheme. Converting Adams Road, an existing and well-established highway, into an accommodating route for the Scheme would involve a relatively short construction programme and reduce disruption to the surrounding area when compared with the chosen route.

2.5.5 Work commissioned by Clare Hall has confirmed that the original option of an on-road route via Adams Road presents a less environmentally damaging (by utilising existing highway), cheaper, and less operationally difficult route for the Scheme to follow in its final phase.

2.6 Future Plans for Clare Hall

2.6.1 Clare Hall has produced plans for the future development of the college, aimed at cementing the college as an attractive location for study and confirming its world-renowned status. These plans for growth include, but are not limited to, the development of an auditorium for lectures and events, which up until this point have been hosted in the auditoriums of other Cambridge colleges on request, and further student accommodation.

2.6.2 Not only will the development of these projects require access from the southern boundary of the college, along Rifle Range Road, in order to undertake works, but the success of the proposals will also depend on unimpeded access from Rifle Range Road in order to deliver instruments and props, to maintain the properties, and for emergency escape and access.

3 Conclusion

3.1 It is important to note that Clare Hall is not objecting to the Scheme in its entirety and supports the provision of sustainable transport developments in the City of Cambridge. Clare Hall is objecting to the position/alignment of a small section of the preferred route as it progresses along Rifle Range Road, as opposed to a less costly and environmentally impactful alternative route along Adams Road.

3.2 Clare Hall reserves the right to raise further details of objection as and when information comes to light.

4 Correspondence Address

4.1 Any correspondence in relation to this Objection should be addressed to:

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Yours faithfully

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