



Department for Transport

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21 December 2022

Dear XXXXX,

Transport and Works Act 1992: Application for the Proposed Network Rail (Cambridge South Infrastructure Enhancements) Order

1. I am directed by the Secretary of State for Transport to say that consideration has been given to the report of the Inspector, Lesley Coffey BA (Hons) BTP MRTPI, who held an inquiry between 1 February and 10 June 2022, into the application made by your client, Network Rail Infrastructure Limited ('NR') for:
 - a) the Network Rail (Cambridge South Infrastructure Enhancements) Order ("the Order"), to be made under sections 1 and 5 of the Transport and Works Act 1992 ("TWA");
 - b) a direction ('the Planning Direction') granting deemed planning permission, subject to conditions, for the works that are the subject of the Order under section 90(2A) of the Town and Country Planning Act 1990; and
 - c) a certificate ('the Open Space Certificate') for the compulsory purchase of Open Space Land under Section 19 of the Acquisition of Land Act 1981.
2. Enclosed with this letter is a copy of the Inspector's Report. All "IR" references in this letter are to the specified paragraph in the Inspector's Report. The names of objectors are accompanied by their reference number in the form "OBJ/xx".
3. The Order as applied for would allow NR to construct and operate: a new Cambridge South Station and related track works; junction improvements at Shepreth Branch Junction; and a new connection between existing lines at Hills Road (to improve the southern access to Cambridge Station). These are collectively referred to as the Cambridge South Infrastructure Enhancements project ('the Scheme'), additional elements of which include the stopping up of two level crossings and their replacement with a new accommodation bridge; a new railway systems compound containing a substation, signalling and telecommunications equipment, within a fenced enclosure; four supporting Distribution Network Operators supplies; the provision of supporting infrastructure; drainage works; hard and soft landscaping; and ancillary infrastructure such as fencing, lighting and electrical connections. The Order would also allow NR to

compulsorily acquire land and to acquire rights, including temporary acquisition of land for construction and temporary use of land for maintenance and access purposes.

4. The Secretary of State for the Department for Levelling Up, Housing and Communities ('DLUHC') will be issuing his decision alongside this decision in respect of the associated Open Space Certificate application.

Summary of Inspector's Recommendations

5. The Inspector recommended that the Order should be made, subject to modifications. The Inspector also recommended that deemed planning permission should be granted subject to conditions as set out in Appendix D to the Inspector's Report.

Summary of Secretary of State's Decision

6. For the reasons given in this letter, **the Secretary of State has decided to make the Order with modifications and to give the Planning Direction, subject to conditions set out in Annex A to this letter.**

7. In a separate letter being issued today, the Secretary of State for Levelling Up, Housing and Communities has decided to grant the Open Space Certificate required to implement the Scheme.

Secretary of State's Consideration

8. The application for the Order and deemed planning permission was made on 18 June 2021. There were 19 objections outstanding to it at the commencement of the Inquiry. 6 of these were withdrawn during the Inquiry, leaving 13 objections at the end of the Inquiry. In addition, 11 other representations were received.

9. Careful consideration has been given to all the arguments put forward by or on behalf of all parties. The Secretary of State's consideration of the Inspector's report is set out in the following paragraphs. Where not stated, the Secretary of State can be taken to agree with the recommendations and conclusions put forward by the Inspector.

Legal and Procedural Matters

10. In making the application NR is required to comply with the publicity requirements of the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006 ("the 2006 Rules"). This includes serving copies of the application and accompanying documents on the persons specified in those Rules and making the documents available for public inspection. As also required by the 2006 Rules, NR must display and publish notices giving information about the application and how to make representations.

11. Due to Covid restrictions during the pandemic, NR applied to the Secretary of State for a waiver direction to disapply certain requirements under Rules 10(2), 13(1), 14(2), 14(5)(e) and 14(10) of the 2006 Rules. NR put measures in place to ensure that documents were available. These measures included providing a website where application documents could be inspected throughout the objection period, including

details of the website on the statutory notices, and providing a telephone number in the statutory notices and on the website so that hard copies of the documents could be requested. The Secretary of State is therefore satisfied that the appropriate procedures under the 2006 Rules were followed. The Secretary of State agrees with the Inspector that the relevant procedural requirements have been met, as set out in the affidavit from NR's solicitors (IR 13.12.2).

12. The Secretary of State issued the following consultation letters: to NR on 17 October, 26 November, 29 November and 7 December 2022; to NR, Cambridge Medipark Limited and CBC Estate Management Company Limited on 30 November 2022; and to all those who submitted a representation on 6 December 2022.

13. In the consultation letter of 26 October 2022, the Secretary of State requested that NR provide updated deposited plans and an updated book of reference, in light of two minor inconsistencies. The Secretary of State has made his decision based on the deposited plans and book of reference submitted in NR's response of 1 November, which rectify these errors.

14. In the consultation letter of 29 November 2022, the Secretary of State asked NR to provide a correction to the Environmental Statement, as detailed at paragraph 65 below. The Secretary of State then issued a consultation letter inviting comments on NR's response on 6 December 2022, which was sent to all those who made a representation on the application. One response was received.

Equality

15. The Secretary of State has complied with the public sector equality duty and has had due regard to the matters set out in section 149(1) of the Equality Act 2010 in accordance with section 149(3) to (5) concerning the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons who share a protected characteristic or persons who do not. The Secretary of State has considered these issues where relevant below.

Aims, objectives and need for the Scheme

16. The Secretary of State notes that no party disputed the need for the station (IR 13.2.9). The Secretary of State agrees with the Inspector that there is a need for the Scheme, that it accords with the aims and objectives set out in its business cases, and that it accords with national and local transport and planning policy in relation to sustainable transport and the rail network (IR 13.2.11). The Secretary of State is therefore content that the strategic case for this application has been satisfied.

17. The Secretary of State agrees with the Inspector that the Scheme would significantly contribute to sustainable transport, support rail connections regionally, encourage modal shift, and support the development of environmentally sustainable transport in Cambridge, thereby contributing to broader environmental benefits such as transport decarbonisation (IR 13.14.34). The Scheme would also reinforce the role of the Cambridge Biomedical Campus, contributing to its further growth and sustainability (IR 13.14.35)

Alternatives

18. In considering alternatives, the station option was compared to busway service enhancement, longer-distance bus or coach services, and expanded park and ride sites (IR 13.3.2). The Inspector concluded that a station would present significant benefits in terms of sustainable transport, highway congestion, integration with other schemes and a reduction in the need to travel into the city centre (IR 13.3.7), although the benefits in terms of international travel would appear to be overstated (IR 13.3.6). No party suggested that any of the alternatives to a station would be preferable (IR 13.3.7).

19. Three locations for the station were considered (IR 13.3.9) and NR's sift process concluded that the northern option adjacent to Addenbrooke's Bridge, carrying the Cambridgeshire Guided Busway, was the preferred station layout. The Inspector had no reason to reach a different conclusion (IR 13.3.12). The Secretary of State notes that this option would maximise the possibility of combining rail with sustainable onward transport (IR 13.4.67) and would provide best access to key destinations as referenced in NR's proof of evidence (NRE 1.2, page 43).

20. Smarter Cambridge Transport (SCT, OBJ/22) proposed an alternative scheme involving rebuilding the busway bridge and locating the station entrance on this bridge (ER 14.12.3), to resolve what it considered to be deficiencies in NR's modelling (IR 14.12.1) and to better integrate with buses (IR 10.4.13). SCT's own modelling predicted a demand of 9 million passengers per year, whereas NR's use of a Department for Transport modelling method calculated 2 million passengers per year (IR 14.12.6). The Inspector considered that there was no substantive basis to indicate that NR's modelling is flawed (IR 14.12.7) and found SCT's modelled passenger numbers implausibly high compared to other stations (IR 14.12.8). Noting that the Scheme had been sensitivity tested for up to 6 million passengers per year (IR 14.12.7), the Inspector concluded that the evidence shows there to be sufficient capacity in the station and associated infrastructure (IR 14.12.8) and the Secretary of State agrees with this. The Inspector also noted that SCT's alternative would make no provision for pick-up or drop-off facilities, meaning any disabled passengers or patients visiting the hospitals and in need of onward transport would not be able to use the station (IR 14.12.12). The Secretary of State therefore considers NR's proposed station more suitable in this respect, noting that SCT's alternative would fail to take steps to meet the needs of persons who share a relevant protected characteristic under the Equality Act 2010. The acceptability of NR's proposed station with regard to integration with buses is discussed below at paragraph 35.

Likely impacts of the Scheme

Closure of level crossings

21. The Order proposes closing Duke's No.2 and Webster's level crossings, both of which are for authorised users only (IR 13.4.3, 13.4.4). The Inspector considers both crossings to have an existing safety risk which would significantly increase with the Scheme if they remained in place (IR 13.4.8). The Inspector also considered that the crossings' closure would involve a longer and less convenient route, but that this would be offset by the convenience of not needing to telephone and wait for permission to cross. Following St John's College's (OBJ/01) concerns (IR 13.4.10), the Inspector also concluded that the proposed accommodation bridge alternative would be suitable for all

vehicles that use the existing crossings (IR 13.4.11), and that the crossings' closure would provide significant safety benefits (IR 13.4.9).

22. NR considered that the two crossings were restricted to agricultural use and as such proposed a replacement right of access to be restricted to agricultural use. St John's College disputes that such a restriction is in place (IR 11.2.4). The Inspector does not consider that the original deed relating to Webster's crossing limits it to agricultural use, nor that the rights enjoyed by St John's College are as narrowly defined as suggested by NR (IR 13.4.15). The Inspector considers it reasonable to assume the rights granted for Duke's No.2 would have been the same (IR 13.4.16). The Secretary of State agrees with these conclusions.

23. The Inspector considers that any absence of an alternative access would be a material consideration in relation to the Order and the deemed planning permission application (IR 13.4.18). The Secretary of State therefore agrees with the Inspector's conclusion that, subject to the provision of the alternative, the closures are acceptable (IR 13.4.9) and would not adversely impact on the existing user of the level crossings or the ability to carry out their business (IR 13.4.19).

Local road networks and pedestrian routes

24. The Secretary of State notes NR's proposed mitigation for the effects of construction traffic in its Construction Traffic Management Plan (IR 13.4.24) and agrees with the Inspector's conclusion that, with the appropriate mitigation measures in place, the effects on the Cambridge Biomedical Campus would be minimised as far as practicable (IR 13.4.25).

25. NR predicts that by 2031 the Scheme would lead to a net daily reduction of 858 vehicular movements on the local road network. The Secretary of State agrees with the Inspector's conclusion that the proposed station would therefore likely have a beneficial effect on traffic on the local road network (IR 13.4.30).

26. The Secretary of State notes parties' concerns that the number of taxi and pick-up/drop-off bays would be insufficient (IR 13.4.33). The Inspector considered that the profile of users of the station means it would have a less pronounced morning and evening peak than many stations (IR 13.4.35) and so NR's predicted taxi capacity of 36 trips per hour would be adequate for the number of predicted passengers (IR 13.4.36).

27. The Inspector considers that, although the number of parking bays would probably be sufficient to accommodate the number of passengers to be dropped off during the morning peak (IR 13.4.37), there may be insufficient spaces to accommodate the evening peak as the number of predicted passengers would cluster around the times trains are due to arrive (IR 13.4.38). The Inspector notes concerns that these vehicles would obstruct Francis Crick Avenue, but considers that high cost of paid parking and enforcement measures in place would deter those intending to use a car to arrive at the station and park on Francis Crick Avenue (IR 13.4.39). The Secretary of State therefore considers that this deterrent effect would likely lessen any pressures from cars at the evening peak.

28. Cambridge University Hospitals (OBJ/06) withdrew their objection following an undertaking from NR to enter into a binding legal agreement to give effect to its detailed commitments and assurances (IR 13.4.42). The Inspector concluded that subject to NR entering into a binding legal agreement and consulting Cambridge University Hospitals, any adverse impact on blue light routes could be adequately mitigated (IR 13.4.43). In a letter of 30 November 2022, the Secretary of State consulted both parties. In response, both parties stated that the agreement has been largely agreed and that outstanding matters relate to the plans and documents to be appended to it. Relying on the above, the Secretary of State considers any outstanding issues regarding an adverse impact on blue light routes to have been adequately resolved.

29. One objector raised concerns that the Scheme would encourage use of the station by those living in villages to the south of Cambridge and that this would increase motorised traffic including at Park and Ride sites (IR 11.18.3). The Secretary of State agrees with the Inspector that there is no evidence that the proposed station would encourage greater use of Park and Ride sites (IR 14.10.4). The predicted reduction in local traffic is considered above.

30. CBC Estate Management Company Limited (OBJ/10) and Cambridge Medipark Limited (OBJ/11) consider that NR should be required to accept the burden of increased maintenance costs to the privately owned roads over which additional traffic would be generated (IR 11.10.23). The Secretary of State notes the Inspector's view that NR agrees in principle with the requirement for a maintenance contribution and has engaged constructively on this (IR 14.5.5). The Secretary of State consulted the three parties in a letter of 30 November 2022, and all confirmed that it has been agreed in principle and it is intended to be signed prior to the Christmas break. On that basis, the Secretary of State considers that the issue is resolved.

31. A number of parties raised concerns that the proposed alignment of the western access path running through Hobson's Park would prevent a strip of the park being used recreationally and would introduce an additional crossing point of this path for those moving northwards (IR 13.4.48). The Inspector also considered that this alignment would have a detrimental impact on users of Hobson's Park (IR 13.4.51). The Secretary of State notes that NR considered routing this path next to the busway (IR 13.4.49); the Inspector concluded that additional cycleway in that location would be hazardous to pedestrians (IR 13.4.50). The Inspector considered that the proposed alignment follows a natural desire line which would likely be used even if the path's alignment was amended (IR 13.4.50). In light of the above, the Inspector finds the proposed alignment acceptable (IR 13.4.51) and the Secretary of State agrees with this.

32. The station and track widening would result in the track under the busway, which provides a link between the open spaces to the north and south, being removed and replaced with a new pedestrian link over the busway (IR 13.4.52). The Inspector concludes that the proposed link would not be as convenient or tranquil as the existing arrangements (IR 13.4.54) and this would be a significant and detrimental change in the pedestrian environment, especially for those with young children (IR 13.4.55), but that the retention of the existing link is not compatible with the delivery of the Scheme (IR 13.4.54) and that the proposed link would be safe for all (IR 13.4.53).

Cyclists

33. The Inspector considered NR's forecasts for cycle access to the station (IR 13.4.57-13.4.61) and considered that it would seem probable that there is an over-provision of cycle spaces (IR 13.4.65). The Secretary of State notes that condition 22 to the deemed planning permission would provide for the phased installation of cycle parking (IR 13.4.65) and considers that, should the number of cycle spaces prove to be over-provision, condition 22 would prevent land from being moved from Hobson's Park unnecessarily (IR 13.5.35). Overall, the Secretary of State agrees with the Inspector's conclusion that the Scheme would be accessible to cyclists and can make sufficient provision for cycle parking (IR 13.4.65).

34. St John's College (OBJ/1) raised concerns about the new compound next to the Shepreth Branch Junction's interface with the neighbouring cycleway (IR 11.2.7). NR explained that the proposed interface would be similar to the existing interface between the User Worked Crossing and the cycleway, including line of sight and traffic marshalling during limited periods of operation (IR 11.2.14). The Secretary of State notes St John's College's concerns but is satisfied that the situation would be similar to at present.

Public transport

35. The Secretary of State notes concerns about the adequacy of bus interchange facilities and distance between the station and bus stops (IR 13.4.69), the closest of which are 250m to the east (IR 13.6.11). The Inspector notes that the Bus Back Better strategy encourages stations to be a 'hub' for bus services, but considers that the station site provides insufficient space for a 'hub' as an integral part of the station (IR 13.4.72). The local planning and highway authorities are satisfied with the bus interchange facilities (IR 13.4.70), with existing bus stops being a short walk away (IR 13.4.73). The Secretary of State further notes that the station's location is constrained and that the Transport Assessment found that the Scheme's additional demand for bus services could be accommodated by existing bus services (IR 13.6.12). The Secretary of State therefore agrees with the Inspector that the proposal would provide convenient and suitable links to bus services (IR 13.4.75). The integration of the Scheme with the proposed Cambridge South East Transport scheme is discussed below at paragraph 89.

Construction effects

36. NR concluded that neither existing nor new cabling is expected to give rise to any unacceptable adverse impacts (IR 13.4.78) and that no significant adverse effects of cranes were identified in the Environmental Statement (IR 13.4.79). The Secretary of State therefore agrees that, subject to the protective provisions within the Order, construction and operation impacts relating to cabling and cranes would be unlikely to have a significant impact on local businesses, organisations or residents (IR 13.4.80).

37. St Mary's School (OBJ/19) raised concerns about NR's proposed use of the access road to the school's playing fields during construction (IR 14.9.1). The Secretary of State agrees with the Inspector that there is potential for conflicting vehicle movements while the playing fields are in use but that arrangements for avoiding conflicts will be detailed in the Construction Traffic Management Plan and Construction Logistics Plan (IR 14.9.4). NR has committed to making good any damage to the road surface (IR 11.17.5,

14.9.5). Noting also the provisions at article 25(4) and (5) of the Order, the Secretary of State is content with this approach.

Noise, dust and vibration

38. The Environmental Statement predicted significant construction noise effects at The Belvedere, a residential property. With mitigation, this would increase the night-time noise level from 58 to 68 dBA (IR 13.4.84). The Inspector concludes that night-time disruption to residents of The Belvedere is likely to be significant, with the potential for a significant adverse effect on living conditions and potentially health (IR 13.4.85). The Inspector considers the mitigation and monitoring for noise impacts at IR 13.4.87-13.4.89, including Best Practicable Means and consent under section 61 of the Control of Pollution Act 1974. The Inspector concludes that it is essential to take all practicable steps to minimise the predicted adverse effects on these residents, and that these measures would assist with this (IR 13.4.95).

39. During the daytime, major impacts are predicted at AstraZeneca (AZ, OBJ/3) Academy House, the Medical Research Council (MRC, OBJ/9), the AZ Biomedical Campus, and the Anne McLaren Building. With the exception of the latter, these impacts are expected to reduce to a moderate level after mitigation. At night-time, even with mitigation, the impacts would be major (IR 13.4.90).

40. The University of Cambridge (OBJ/8) and MRC raised concerns about the impact of operational noise on scientific equipment and laboratory animals; additional assessments revealed no significant effects on these (IR 13.4.93). NR signed a statement of common ground with the University of Cambridge agreeing various matters relating to noise (IR 13.4.94) and agreements with other parties including AZ and the MRC as to how adverse effects would be mitigated (IR 13.4.95).

41. The Inspector notes the various dust mitigation and management measures secured in the Code of Construction Practice (CoCP, IR 13.4.97-13.4.98, 7.105), and therefore the Secretary of State agrees with the Inspector that the Scheme is unlikely to cause any adverse dust effects (IR 13.4.98).

42. Significant vibration effects were predicted at the Anne McLaren Building and MRC Laboratory of Molecular Biology, both of which are sensitive to vibration (IR 13.4.101, 13.4.103). Both parties have withdrawn their objections following legal agreements with NR to ensure their vibration requirements are met (IR 13.4.104). One property near the works at Shepreth Branch Junction would also experience a significant adverse effect from vibration (IR 13.4.105) caused by piling for overhead line foundations (IR 13.4.106). The Inspector concludes that NR's proposed measures would not be sufficient to mitigate the adverse impact, though the CoCP would help minimise the effects (IR 13.4.107).

43. The Secretary of State agrees with the Inspector's conclusion that the Scheme would be unlikely to have adverse effects on the ability of businesses, the MRC, Cambridge University Hospitals, the Cambridge Biomedical Campus or the University of Cambridge to carry out their business or undertaking. However, there would be adverse noise effects on The Belvedere and potential adverse vibration effects on residential properties, which would persist especially at The Belvedere despite the measures in the CoCP (IR 13.4.108).

Drainage

44. The station development would use a drainage system discharging into Hobson's Brook. This would be entirely separate and self-contained (IR 13.4.109, 13.4.110) from the existing drainage network for the Cambridge Biomedical Campus, which also discharges ultimately into Hobson's Brook via the North Ditch (IR 13.4.109), which the Scheme would partially culvert (IR 13.4.126). Hobson's Brook is the responsibility of Cambridge City Council and the Hobson's Conduit Trust ('HCT') (IR 7.109).

45. At the end of the inquiry, CBC Estate Management Company Limited (OBJ/10) and Cambridge Medipark Limited (OBJ/11) were concerned that changes to existing drainage arrangements for the Cambridge Biomedical Campus would breach their contractual arrangements with the HCT (IR 13.4.122). The Scheme's drainage proposals would limit discharge to 2l/s/ha ultimately into Hobson's Brook (IR 7.111, 7.116), which is the discharge rate set by HCT covenants (IR 13.4.128). The Secretary of State notes NR's commitments in heads of terms to ensure that CBC Estate Management Company Limited and Cambridge Medipark Limited are not put in a worse position in relation to drainage flows currently utilised, to ensure that the works will not put them in breach of any contractual drainage flows they are required to comply with, and to engage with them on the final drainage design details (IR 13.4.123). Therefore, the Secretary of State agrees with the Inspector's conclusion that the discharge rates agreed with HCT would not be exceeded, given the aforementioned commitments along with the measures outlined in IR 13.4.132.

46. CBC Estate Management Company Limited and Cambridge Medipark Limited were concerned that the Scheme could influence the behaviour of groundwater including in and around the Cambridge Biomedical Campus (IR 13.4.131). The Inspector notes that there is no substantive evidence to indicate that the Scheme would cause flooding elsewhere on the Biomedical Campus and that the parties occupying the land closest to the proposed works are satisfied that their assets would not be at risk of flooding and that impacts on existing drainage networks would be adequately mitigated (IR 13.4.132). The Secretary of State agrees with the Inspector's conclusion that that the measures outlined in IR 13.4.132 would, among other things, not increase flood risk elsewhere, including on the Cambridge Biomedical Campus.

47. Small areas of the Scheme are located in flood zones 2 and 3 (IR 7.258), and thus the Sequential Test is engaged. NR contended that no reasonably available sites delivered all of the objectives of the project within a lower flood risk zone (IR 7.259, NR16 Appendix 18.2). The Secretary of State notes that, of the two other options considered, only one (the Central option) would clearly have a lower impact on flood zones 2 and 3, and this had significant disbenefits compared with the other options (NRE 1.2). The Exception Test is therefore engaged. This requires the Scheme to provide wider sustainability benefits to the community that outweigh flood risk and to be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall (IR 7.260). The Secretary of State agrees with the Inspector that the Scheme would make significant contributions to the economic and environmental wellbeing of the area (IR 14.15.20) and that the Scheme would not increase flood risk elsewhere (IR 13.4.132). The Scheme therefore satisfies the Exception Test.

Electro-Magnetic Interference

48. NR considered that the Scheme could give rise to electro-magnetic interference (IR 13.4.133). NR committed to mitigating any potential for increased electromagnetic interference, and detailed how such mitigation would be identified and agreed. Following this, the University of Cambridge, in its statement of common ground with NR, confirmed that no further grounds of objection remain in relation to electro-magnetic interference (IR 13.4.136).

Biodiversity

49. The Environmental Statement predicted the temporary loss of about 0.26ha of mature trees (IR 13.4.146), the impact of which it concluded would be small-scale, medium-term and significant at a local level. The Environmental Statement anticipated that the newly planted woodland would take over 32 years to become sufficiently established to offset the losses (IR 13.4.148). Subsequent evidence submitted to the inquiry suggested that the area of tree loss would be significantly reduced. This followed the appointment of a contractor, a more detailed assessment, and revised access arrangements (IR 13.4.146). The Inspector recognises that some tree loss is unavoidable, but that NR has reviewed its methodology to minimise tree loss. The Secretary of State agrees with the Inspector that, given the nature of the woodland to be lost, it is likely to take significantly more than 32 years to mitigate this loss and so the Scheme's effects on this area of woodland would be significant at a local level (IR 13.4.150).

50. The Environmental Statement also predicted the loss of 0.45ha of broadleaved plantation woodland. The Inspector considers that the reduction in the size of a construction compound and the intention to retain some of the trees within this compound, this figure would also likely be considerably reduced (IR 13.4.151). The Inspector concludes that, given the recent planting of this woodland, this loss should be mitigated within a reasonably short timeframe. The Inspector agrees with the Environmental Statement's conclusion that the effect would be significant at a local level but slightly beneficial in the long term once new planting has established (IR 13.4.153). The Secretary of State has no reason to disagree.

51. During construction, there would be a significant loss of habitat and disturbance to birds. The planning conditions secure the provision of Exchange Land prior to the disturbance of existing habitats, with the public being excluded while these become established (IR 13.4.158). Cambridge City Council and Cambridgeshire County Council were concerned that without suitable mitigation, construction disturbance could lead to the permanent displacement of corn bunting, a Species of Principal Importance (IR 13.4.160) with significant territories within the Order land (IR 7.134). In response, NR identified areas in the exchange land where habitat and song posts would be provided for corn buntings (IR 13.4.162), while mitigation signage and fenced exclusion zones (where appropriate) would be provided post-development. Subject to this mitigation being secured in the planning conditions, Cambridge City Council withdrew its objection in this respect (IR 13.4.162). The Secretary of State therefore agrees with the Inspector that, with the mitigation secured, the Scheme's impact on breeding and overwintering birds would be minimal (IR 13.4.163).

52. Surveys indicated a range of bat species in the site (IR 13.4.165), and the Environmental Statement considered that significant effects to bats could arise from various factors (IR 13.4.168). Noting the Inspector's consideration of the mitigation for bats secured by the planning conditions (IR 13.4.169) and the Environmental Statement's conclusion that, with mitigation, there would be no significant effects on bats (albeit that the Inspector considers the reasoning for this conclusion unclear) (IR 13.4.168), the Secretary of State agrees with the Inspector's conclusion that the effects on bats would be minimised, although some harm would remain (IR 13.4.170).

53. The Secretary of State agrees with the Inspector's conclusions regarding brown hare, water vole, grassland and hedgerows at IR 13.4.171-13.4.174 and considers that the mitigation and compensation outlined means no significant effects would arise to these.

54. The Scheme intends to deliver a 10% biodiversity net gain ('BNG'), although there would be an overall loss of biodiversity on-site. This would not be offset through enhancements to Hobson's Park as it is already managed in good condition for biodiversity (IR 13.4.175), and both local planning authorities agree that it is appropriate to seek offsite biodiversity net gain for the remaining habitat units (IR 13.4.176). Cambridgeshire County Council confirmed the allocation of BNG units at a site under its care, albeit that this was subject to council member approval and contractual agreement (IR 13.4.177). Cambridge City Council did not consider that this provided sufficient assurance or comfort that the off-site BNG had been secured, and proposed modifications to the planning conditions to secure this (IR 13.4.178). The Secretary of State agrees with the Inspector that the suggested condition would enable NR to secure the necessary BNG units (IR 13.4.179).

55. The Secretary of State agrees with the Inspector that, subject to the mitigation in the Environmental Statement and the delivery of 10% BNG, the Scheme would not give rise to significant harm to biodiversity overall (IR 13.14.13).

Air quality

56. The Scheme would cause a small increase in nitrogen dioxide and particulate matter emissions during construction but, given that the modelled concentrations are significantly below objective values and this increase is temporary, the Secretary of State agrees with the Inspector that no mitigation is required (IR 13.14.17). Given the reduction of air quality effects once operational, the Secretary of State agrees with the Inspector that the Scheme would not have an adverse effect on air quality (IR 13.14.18).

Green Belt

57. Part of the Scheme would come within the Green Belt (IR 2.4). Paragraph 150 of the NPPF states that local transport infrastructure demonstrating a requirement for a Green Belt location is not inappropriate development, provided it preserves the Green Belt's openness and does not conflict with its purposes. The Secretary of State agrees with the Inspector's conclusion that, due to the location of the Biomedical Campus and the existing railway line, a Green Belt location is justified (IR 13.14.5).

58. The Inspector concludes that the building, cycle storage, engineering works and railway systems compound would significantly reduce the openness of the Green Belt and fail to safeguard the countryside from encroachment, contrary to paragraph 138 of the National Planning Policy Framework ('NPPF'). The Inspector therefore concludes that the Scheme would constitute inappropriate development (IR 13.14.37), and the Secretary of State agrees with this.

59. Under paragraph 147 of the NPPF, inappropriate development should not be approved except in very special circumstances. The Secretary of State agrees with the Inspector that the station's very considerable public benefits and the geographical need for the station outweigh its harms to combine to provide very special circumstances to justify the harm to the Green Belt (IR 13.14.39).

Heritage

60. The construction of the haul road would run within White Hill Farm Scheduled Ancient Monument and would cause a direct physical impact on the monument and associated shallow archaeological remains (IR 13.9.6), and NR intends to seek Scheduled Monument Consent to carry out works in the area (IR 13.9.3).

61. The haul road will involve severe truncation and removal of remains (IR 13.9.8) and mitigation is proposed for this and secured in the planning conditions (IR 13.9.7). The Scheme's impacts on the Scheduled Ancient Monument and non-designated remains are assessed as moderate adverse after mitigation (IR 13.9.8). The railway systems compound would also be located nearby (IR 13.9.9) but, as the Monument's setting does not significantly contribute to its appearance, the Inspector concludes that any harm would be minimal. The Inspector considers that the landscaping secured in the planning conditions would mitigate the potential harm to the Monument's setting (IR 13.9.10).

62. As such, the Secretary of State recognises that there would be moderate adverse harm to some remains (IR 13.9.8), but agrees with the Inspector and Historic England (REP-07) that the Scheme would likely cause less than substantial harm to the significance of the monument overall (IR 13.9.11).

63. The Secretary of State notes that paragraph 200 of the NPPF requires a "clear and convincing justification" for any harm to, or loss of, the significance of a designated heritage asset (IR 13.9.4, 13.14.27). The Applicant, in its proof of evidence on heritage matters (NRE7.2), considered that the justification for the partial loss of the Monument is derived from the need for the Scheme and the fact that the shallow nature of the remains precludes preservation in situ. Noting that all parties agree there is a need for the station (IR 13.3.7) and that no party challenged the Applicant's justification outlined above, the Secretary of State considers the Applicant's justification for the harm to the Monument to be clear and convincing, therefore meeting the test at paragraph 200.

Climate

64. The Inspector considers that some environmental impacts, by their very nature, do not engage cumulative effects (IR 13.8.15). NR contended during the inquiry that climate is such an impact with regard to a specified list of committed and proposed development (IR 7.195, 7.198). However, paragraph 10.5.31 of the Environmental Statement states

that the effects of all greenhouse gas emissions from all areas of the UK are essentially cumulative. For this reason, the Scheme's emissions were compared against the national carbon budgets. Paragraph 10.5.30 of the Environmental Statement set out this comparison and concluded that the overall residual effect was not significant. In this respect, the Secretary of State agrees with NR's view in the Environmental Statement.

65. The Secretary of State notes that Table 10-16 of the Environmental Statement considers the construction carbon emissions of 57,251tCO_{2e} to represent 0.0000293% of the fourth carbon budget (1.95 billion tCO_{2e}). The Secretary of State on 29 November 2022 consulted NR, who responded that this was an error and that the correct percentage of the fourth carbon budget was 0.00293%. NR considered that the correction of the error does not give rise to any materially different or new likely significant environmental effects to those assessed as part of the original Environmental Statement, and that the overall residual climate effect remains not significant. In a letter of 6 December 2022, the Secretary of State consulted on this issue with all those who had made a representation on the application. One response was received, in which the respondent stated that they had no reason to disagree with NR's position.

66. Noting the correction to the ES with regard to the revised figure of 0.00293%, the Secretary of State is satisfied that the Environmental Statement together with the additional assessments and agreements provide sufficient information to enable an assessment of the likely cumulative effects (IR 13.8.18), including in relation to cumulative climate effects.

67. In its response to the Secretary of State's consultation of 29 November, NR noted that the Institute of Environmental Management and Assessment's 2022 guidance that the crux of significance is whether a project "contributes to reducing GHG emissions relative to a comparable baseline consistent with a trajectory towards net zero by 2050". NR considers that the Scheme is in essence compliant with this, as it will supply low-carbon transport infrastructure which will help efforts to reduced transport-related greenhouse gas emissions.

68. The Secretary of State considers that, while the Scheme will result in an increase in carbon emissions during the fourth carbon budget period, the subsequent falls in carbon emissions during operation mean that the Scheme would be consistent with a trajectory towards net zero by 2050. The Secretary of State therefore agrees with NR's conclusion that the Scheme's effects on climate would not be significant. No party disagreed with this assessment, either in the inquiry or in response to the Secretary of State's consultation.

69. Noting the revised figure of the Scheme's contribution to the fourth carbon budget, and that no party during consultation disputed this, the Secretary of State considers that there is no evidence to suggest the Scheme would have a material impact on the Government's ability to meet its carbon reduction targets. The Secretary of State is satisfied that that the Scheme will not lead to a breach of any international obligations that result from the Paris Agreement or Government's own policies and legislation relating to net zero.

Impacts on Hobson's Park and Nine Wells Local Nature Reserve

Nine Wells Local Nature Reserve

70. The impact on Nine Wells Local Nature Reserve ('LNR') was scoped out of the biodiversity assessment due to its distance and the absence of hydrological impact pathways. Natural England supported this approach (IR 13.5.3). The Trumpington Residents' Association (OBJ/7) withdrew its objection in this regard given confirmation of the distance of the proposed temporary compound from the LNR (IR 13.5.4). The Secretary of State therefore agrees with the Inspector's conclusion that the Scheme would not harm biodiversity at the Nine Wells LNR (IR 13.5.5).

71. Noting that there exists no visual relationship between the grade II listed Nine Wells Monument and the elements outside the Nine Wells LNR and that it will not be possible to see the Scheme nor any of its compounds from the Monument (IR 13.5.6-13.5.7), the Secretary of State agrees with the Inspector's conclusion that the Scheme would not harm the Monument's setting or significance (IR 13.5.8).

Hobson's Park

72. Hobson's Park lies to the west of the railway and Cambridge South station site and is part of the Green Belt (IR 13.5.9), with multiple parties recognising that the Scheme's construction and operation will adversely affect the park, including some land take within the park, as referenced at IR 13.5.19.

Construction effects

73. Hobson's Park would be impacted during construction by land take for a construction compound. Following reductions to the size of the proposed compound (IR 13.5.18), NR and the Trumpington Residents' Association (OBJ/7) dispute the amount of the Park which would be unavailable (IR 13.5.19). The Inspector considered the Trumpington Residents' Association's assessment more reliable but that the impact is likely to be greater than suggested by a percentage figure as not all of Hobson's Park has been made available to the public (IR 13.5.20). The Inspector considers that there is little scope to locate the construction compound on the other side of the railway due to the existing land use there. The Secretary of State therefore agrees with the Inspector's conclusion that, while the temporary loss of part of the park would be regrettable, it is necessary to provide a compound in this location and there is scope for further reduction in its area through the planning conditions (IR 13.5.23).

74. The Inspector considers that, as most of the remaining useable areas of the park would be affected by the presence of the construction compound and haul road, construction would impact on the valued tranquil environment of the park (IR 13.5.25). The Inspector considers that, subject to the early provision of the crossing of the busway, the proposed Active Recreation Area ('ARA') would help mitigate this loss of open space, albeit that it would differ in character from the area of the park to be used for construction. The purpose of the ARA is to mitigate the recreational impacts of housing elsewhere (IR 13.5.26). The Exchange Land could not be used as mitigation during construction as it will provide mitigation for corn bunting and skylarks (IR 13.5.27). The Inspector considers that the reduction in land acquisition within the park must be balanced against this non-

availability of the Exchange Land for use as anticipated in the Environmental Statement (IR 13.5.31).

75. Regarding visual amenity during construction, the Environmental Statement considers that there would be a non-significant moderate to minor adverse effect on the park as a moderate sensitivity receptor. The Environmental Statement considers the park to have a small level of tranquility (IR 13.5.29). The Inspector considers that this assessment fails to have regard to the role of the park within the landscape and its importance to the local community, and that the level of tranquility greatly exceeds 'small'. The Inspector concludes that construction activities would undermine this role, limit the availability of the park for recreation, and intrude on users visually and through noise and other disturbance (IR 13.5.30).

76. The Inspector concludes that temporary land acquisition within the park would have significant adverse effects in terms of biodiversity, tranquility and recreational use, and adverse effects on landscape and visual amenity. Following this, the Inspector considers there would be a significant detrimental effect on Hobson's Park, adversely impacting local residents and those visiting and working at the Biomedical Campus – albeit that the effect would be temporary and partially reversible (IR 13.5.31).

Permanent effects

77. There would be a permanent loss of land within Hobson's Park of 20,439m² (IR 13.5.32), with 20,840m² of Exchange Land proposed to be provided to the south (IR 13.5.33).

78. In response to objections to the land take required for cycle parking (IR 13.5.34), the Inspector considers that condition 22 would allow for a phased delivery of cycle parking, ensuring land for cycle parking is not removed from the park unnecessarily (IR 13.5.35). This is further considered above at paragraph 33.

79. The Inspector also concludes that the Scheme would affect routes through the park. As discussed above at paragraph 31, the new route to the station would effectively reduce the area available for recreation and introduce a potential conflict with park users (IR 13.5.36), though the Inspector finds the proposed alignment acceptable (IR 13.4.51). NR agreed with Trumpington Residents' Association that no cycling signs will be installed at points of entry into the park other than the main cycling routes (IR 13.5.38); the Secretary of State considers that this will mitigate conflicts between users to some degree. The track under the busway, which provides a link between the open spaces to the north and south, would be removed and replaced with a new pedestrian link over the busway (IR 13.4.52), but the landscape and planting for this new link would further reduce the useable area for recreation (IR 13.5.37).

80. The two-storey station building, cycle parking and emergency footbridge would extend into the park and remove areas of newly established landscaping (IR 13.5.39). Cambridge Past, Present and Future (OBJ/14) raised concerns about the design of the station including its glass frontage and artificial lighting, and considered that the station would have a permanent negative effect on Hobson's Park (IR 10.3.4-10.3.5). The Inspector notes that there are practical and functional constraints on the station design, and that the external appearance and precise materials are a matter of detailed design.

Noting that the Design Principles seek to integrate the station with the park and that these are secured through the planning conditions (IR 13.5.40), the Secretary of State agrees with the Inspector's conclusion that the Design Principles and planning conditions should deliver an appropriate detailed design (IR 13.5.41).

81. A number of parties raised concerns over the location of the proposed railway systems compound within Hobson's Park, in particular that it would be unduly prominent and would block views (IR 13.5.43). Noting the technical and functional requirements for the railway systems compound, the Inspector considered that it may need to remain in the proposed location. The Inspector considered that this may intrude on, and further detract from, views, but that adverse effects on views could be minimised by careful design and limited height of the buildings as well as landscaping (IR 13.5.44). The Secretary of State notes that the provision of the railway systems compound may not be required if some infrastructure is upgraded before construction but, as this is not certain, he has made his decision on the assumption the compound would be built.

82. The Inspector further notes that the Scheme would remove many trees previously planted to mitigate previous development, which the Inspector considers are starting to make a significant contribution to the quality and integration of the landscape (IR 13.5.45-13.5.46).

Conclusion

83. The Inspector's view is that the Environmental Statement significantly underestimates the visual harm and harm to the character to Hobson's Park (IR 13.5.48). The Inspector concludes that there would be a significant adverse effect on Hobson's Park, considering the station's visual impact, the railway systems compound, cycle parking, tree removal and the emergency footbridge, and that the removal of trees would add to the harm to the park's character and appearance. The Inspector further concludes that the landscaping in Hobson's Park and the Exchange Land would contribute towards mitigating this impact but would not represent an enhancement (IR 13.5.46, 13.5.52). The Inspector does not consider that the Exchange Land would be beneficial when considered against the proposals as a whole (IR 13.5.48).

84. Cambridge Past, Present and Future (OBJ/14) suggested that the station building should provide community benefit as compensation for the impacts on the park, for example by allowing toilet access (IR 10.3.15-10.3.16). NR claimed that train operators prefer to locate these facilities behind the fare gates (IR 13.5.49), though the Inspector considers that such facilities are available at many stations before passing through the pay line. The Inspector concludes that the provision of public facilities within the station would help to compensate for the temporary and permanent harm (IR 13.5.50).

85. Taking all the above into account, the Secretary of State agrees with the Inspector's conclusion that the Scheme would cause significant harm to Hobson's Park during construction and operation (IR 13.5.52).

86. The Inspector concludes that it is appropriate to grant a certificate for the compulsory purchase of open space land on the basis that the Exchange Land is equally advantageous with the access arrangements secured in the Order (IR 13.13.14). The conclusion of the Secretary of State for Levelling Up, Housing and Communities on the

adequacy of the Exchange Land in fulfilling the tests in the Acquisition of Land Act 1981 is in a separate letter issued on today's date.

Interaction with other developments

87. The Inspector noted that no party submitted any evidence to suggest that the Scheme would in any way impede the delivery of East West Rail. Indeed NR suggested that the two services could dovetail and that the level crossing closures would also benefit East West Rail (IR 13.6.3). The Secretary of State is therefore content that the Scheme would interact positively with the proposed East West Rail, should it be built.

88. The Cambridge South East Transport ('CSET') scheme includes a segregated public transport route from the A11 to the Biomedical Campus (IR 5.6). It would run on public transport lanes on Francis Crick Avenue and would connect to the busway. A new walking, cycling and horse-riding path would be built alongside this route (IR 5.7).

89. The Secretary of State notes that there have been a number of modifications to the Scheme to accommodate CSET (IR 13.6.5), that the CSET proposals would be beneficial to pedestrians and cyclists using the station (IR 13.6.6), and that CSET would provide an improved bus interchange with Cambridge South station (IR 13.6.10). Both schemes propose to use an area of land east of the railway, but the Inspector considers that the Cambridge South Scheme would likely be finished before the area is required for CSET. The Secretary of State agrees with the Inspector that providing a bus interchange facility within the station would be desirable but not achievable due to the physical constraints of the site (IR 13.6.13). The Secretary of State therefore agrees with the Inspector that the Scheme would be unlikely to hinder the CSET project (IR 13.6.8), and indeed that it has taken all reasonable steps to accommodate the CSET project (IR 13.6.13).

90. CBC Estate Management Company Limited (OBJ/10) and Cambridge Medipark Limited (OBJ/11) considered that the proximity of the main construction compound may affect its ability to bring forward its multi-storey car park for phase 2 of the Biomedical Campus (IR 13.6.15). The Secretary of State agrees with the Inspector's conclusion that the Scheme should not hinder the delivery of the multi-storey car park or phase 2 of the Biomedical Campus, subject to a suitable Land and Works Agreement with NR (13.6.17). This is considered further at paragraph 115.

91. Cambridge Past, Present and Future (OBJ/14) considered that combining the Scheme's compensatory land with that of East West Rail and CSET would benefit habitats and the public (IR 14.6.3). The Secretary of State agrees with the Inspector's conclusion that there is no certainty if or when those other projects will come forward and so this suggestion cannot be progressed (IR 14.6.4).

Statutory undertakers and utility providers

92. Noting that both objections from statutory undertakers have been withdrawn, the Secretary of State agrees with the Inspector that the Order would not have any material or unacceptable impact upon statutory undertakers, statutory utilities and other utility providers and their ability to carry out their undertakings effectively, safely and in compliance with any statutory or contractual obligations (IR 13.7.3).

Environmental Statement

93. Of the five parties who objected to the adequacy of the Environmental Statement (IR 13.8.5), only those from CBC Estate Management Company Limited (OBJ/10) and Cambridge Medipark Limited (OBJ/11) are outstanding. These concern drainage mitigation, the adequacy of the Transport Assessment and the effects cumulatively with CSET on the Biomedical Campus (IR 13.8.6) and have been addressed above at paragraphs 30, 45, 46, and 90.

94. The Secretary of State agrees with the Inspector's conclusions at IR 13.8.8-13.8.15 that the ES together with the additional information submitted to the inquiry is sufficient for the likely significant effects to be assessed in relation to noise and vibration, drainage, trees, biodiversity, and control and storage of spoil during construction. The Secretary of State accepts that the Inspector's conclusion in this respect is based on the position that, although the number of trees to be removed has been greatly reduced, the precise impact on trees and the number likely to be removed and/or damaged remains unclear (IR 13.8.12) and so the assessment in the Environmental Statement is a worst-case scenario (IR 13.8.11).

95. The Secretary of State agrees that the Site Waste Management Plan, secured by planning condition, and the measures outlined in IR 13.8.14, would adequately mitigate the effects in respect of the control and storage of spoil during construction (IR 13.8.14).

Compulsory Purchase

96. The Order would authorise the compulsory acquisition of land and of rights over land, including temporary acquisition of land (IR 3.10). The Secretary of State therefore must be satisfied that the following tests contained in the Department for Levelling Up, Housing and Communities 'Guidance on Compulsory purchase process and the Crichel Down rules' will be satisfied:

- (a) whether there is a compelling case in the public interest to justify conferring on NR powers to compulsorily acquire and use land for the purposes of the scheme.
- (b) whether the purposes for which the compulsory purchase powers are sought are sufficient to justify interfering with the human rights of those with an interest in the land affected (having regard to the Human Rights Act);
- (c) whether there are likely to be any impediments to NR exercising the powers contained within the Order, including the availability of funding;
- (d) whether all the land and rights over land which NR has applied for is necessary to implement the scheme.

97. The Secretary of State agrees with the Inspector that the Scheme would make a significant contribution to the economic, social and environmental wellbeing of the area and that test (a) is met (IR 14.15.4).

98. Noting that no residential properties will be acquired, no business will need to be relocated, and that concerns raised by many parties have been addressed by NR, the Secretary of State agrees with the Inspector that any interference with rights under Article 1 of the First Protocol of the Human Rights Act 1998 is proportionate (IR 14.15.8), that in light of the significant public benefits the Order would not constitute an unlawful

interference with individual property rights, and that any residual interference with human rights would be necessary to achieve the Scheme (IR 14.15.21) and so test (b) is met.

99. The Secretary of State agrees with the Inspector that the planning conditions are reasonable and capable of being discharged (IR 14.15.9). The Secretary of State further notes that the Scheme was confirmed in the March 2020 Government budget and that the Scheme's funding was confirmed to be met from the Department for Transport's Rail Enhancements Budget (IR 14.15.10). The Secretary of State therefore agrees with the Inspector that test (c) is met (IR 14.15.11).

100. The Secretary of State agrees with the Inspector that the permanent land take is required to deliver the necessary infrastructure, given that a) the permanent land take aside from the station and the railway systems compound is confined to a narrow strip adjacent to the railway and this land is necessary to construct and maintain the Scheme and b) NR has committed to reducing the extent of the railway systems compound if the land sought to be acquired is not needed (IR 14.15.14). The Secretary of State further notes that NR has reduced the extent of temporary land take in Hobson's Park (IR 14.15.15). The Secretary of State therefore agrees with the Inspector that test (d) is met (IR 14.15.16).

101. The Secretary of State acknowledges that compulsory purchase is intended as a last resort (IR 14.15.18) and notes that NR has entered negotiations with a number of parties. The Secretary of State agrees with the Inspector that compulsory purchase is required as it would be unrealistic to expect NR to acquire all interests in land by private treaty within a timely fashion (IR 14.15.19).

Deemed Planning Permission

102. The Secretary of State agrees with the Inspector that the harm to Hobson's Park (see paragraph 85 above) would be contrary to policy 67 of the Cambridge Local Plan (IR 13.14.11) and the Scheme's adverse construction noise effects (see paragraphs 38 to 43 above) would be contrary to policy 35 of the Cambridge Local Plan (IR 13.14.22). The Secretary of State also considers that the construction vibration effects at a residential property in the South Cambridgeshire district would be contrary to policy SC/10 of the South Cambridgeshire Local Plan, in which noise is defined to include vibration.

103. The Secretary of State's agrees with the Inspector that regarding biodiversity and trees (see paragraphs 49 to 55 above), air quality (paragraph 56 above) sustainable transport (paragraphs 24 to 35 above), drainage (paragraphs 44 to 47 above), and design (paragraph 65 above), the Scheme would comply with the Cambridge Local Plan (IR 13.14.13, 13.14.15, 13.14.18, 13.14.23, 13.14.26, 13.14.33). The Secretary of State has considered the compliance with Green Belt policy at paragraphs 57 to 59 above.

104. The Secretary of State agrees with the Inspector that there would be clear justification for the less than substantial harm to White Hill Farm Scheduled Ancient Monument (see paragraphs 60 to 63 above) and so considers that the Scheme would comply with policy 61 of the Cambridge Local Plan (IR 13.14.27). Given that the approach of presenting a clear and convincing justification for heritage harm aligns with the NPPF, the Secretary of State considers that the Scheme complies with policy NH/14 of the local plan for South Cambridgeshire, in which most of the Monument is located.

105. The Secretary of State agrees with the Inspector's conclusion that the harms to Hobson's Park and to the Scheduled Ancient Monument would be outweighed by the Scheme's very considerable public benefits (IR 13.14.40). The Secretary of State agrees with the Inspector that, having regard to all material considerations and the development plan as a whole, deemed planning permission should be granted subject to conditions (IR 13.14.41).

106. The Secretary of State notes that a small portion of the Scheme would fall within South Cambridgeshire district. South Cambridgeshire District Council (SCDC) initially considered that the Scheme would conflict with its policies HQ/1, NH/2 and NH/4 due to its impact on biodiversity and trees (IR 9.2). SCDC stated that its objections could be overcome through the submission of acceptable details of proposed mitigation (INQ-25). On the basis of the proposed mitigation measures summarised in INQ-25, SCDC withdrew its objection (IR 9.1). The Secretary of State therefore considers that the conflict with policies HQ/1, NH/2 and NH/4 has been overcome.

107. Apart from the above, and noting the consideration given to the matter by both NR (NRE 9.2) and SCDC (INQ-25), the Secretary of State considers that any differences between the South Cambridgeshire Local Plan, the Cambridge Local Plan and the NPPF do not give rise to any conflict with the South Cambridgeshire Local Plan.

Conditions to be attached to the Deemed Planning Permission

108. The Secretary of State notes the Inspector's consideration of the proposed conditions to be attached to the deemed planning permission at IR 13.11. He considers that these would be necessary, relevant, precise, enforceable and reasonable. The Secretary of State agrees to the proposed amendments to the conditions as set out in IR Appendix D.

109. The Secretary of State has made a number of amendments to the Inspector's suggested planning conditions. These modifications are:

- Deleting paragraph (g) of condition 29, for the reason mentioned at IR 13.11.24;
- Updating the reference to the Guidance Notes for the Reduction of Obtrusive Light to refer to the 2021 version of this guidance;
- Removing the numbering within condition 38, for consistency with other conditions.

110. The Secretary of State agrees with the Inspector's reasoning (IR 13.11.30-13.11.31) for not recommending including the conditions proposed by Trumpington Residents' Association (OBJ/7) and Cambridge Past, Present and Future (OBJ/14) in the Order.

Proposed Modifications to the Order

111. Where not already stated in this letter or otherwise stated below, the Secretary of State agrees to the proposed modifications to the Order as set out in IR 4.

112. The Inspector noted that there is an inconsistency in the plans submitted for the deemed planning application in respect of the extended cycle parking area, with plan 000051 showing the extended area although this is not reflected on other plans. The

Inspector suggested that the Secretary of State may wish to seek amendments to these other plans as, although they are for illustrative purposes only, plan 000051 refers to plan 000081 (IR 4.20). In a consultation letter of 17 October 2022, the Secretary of State requested updated planning direction drawings showing the extended cycle parking area. NR, in its response of 21 October, noted that only plan 000051 was submitted for approval and the other plans were simply indicative or illustrative of how the future station may look. On this basis, the Secretary of State is satisfied that no update to the other plans was in fact necessary.

113. The Secretary of State is making a number of other minor textual amendments to the Order in the interests of clarity, consistency and precision.

114. Further to the textual amendments the Secretary of State also makes the following modifications. He considers that none of these changes materially alter the effect of the Order. These modifications are:

- Article 4 has been amended to remove provisions that are not in force.
- Provisions have been amended which refer to compensation and disputes about compensation that are to be considered under Part 1 of the Land Compensation Act 1961 ('the 1961 Act'). Disputes to be considered under Part 1 of the 1961 Act are disputes concerning compulsory purchase and the compensation provisions contained within this order are intended to have a wider application. Article 21 has been amended to remove the provision relating to the 1961 Act to keep the TWA and Development Consent Order processes aligned and to increase transparency when reading the relevant provisions.
- Article 25 has been amended to narrow the power authorising the construction of permanent works. The requirement of a wider power was not properly explained in the explanatory memorandum and does not appear to have been considered in the Inspector's report.
- Article 36 has been amended to include a definition for "the relevant Trustees of the Pemberton Trust" and a consequential amendment to provide clarity.
- Schedules 2-9 have been updated following a request for further information by the Secretary of State to correct local authorities and identified discrepancies.

Secretary of State's overall conclusion and decision

115. The Inspector concluded that the Order should be made subject to modifications (IR 15.2). The Inspector recommended that the Secretary of State may wish to ensure that the necessary agreement between parties in relation to phase 2 of the Biomedical Campus is in place before approving the Order (IR 15.1). In a letter of 30 November 2022, the Secretary of State consulted NR, CBC Estate Management Company Limited (CBCEMCL) and Cambridge Medipark Limited ('CML') on this matter. All parties responded that the agreement had not been finalised. However, all parties remained committed to an agreement and considered that it could be finalised imminently. NR said that their outstanding issues were now agreed, while CBCEMCL and CML considered that their remaining points have been resolved in principle. In the absence of a final agreement, the Inspector has considered CBCEMCL/CML's outstanding points of objection (IR 1.18), and the Secretary of State has done the same in this letter. In conclusion, should an agreement not be able to be completed, the Secretary of State does not consider that any of the outstanding points of objection mean the Order cannot be made.

116. The Secretary of State has had regard to all matters set out above and has therefore determined in accordance with section 13(1) of the TWA to make the Order under sections 1 and 5 of the TWA, subject to a number of minor drafting amendments which do not make any substantial change in the proposal such as would require notification to the affected persons under section 13(4) of the TWA.

117. For similar reasons, the Secretary of State has also decided that deemed planning permission should be granted for the development that would be authorised by the Order, subject to the conditions set out in Annex A to this decision letter.

Notice under section 14 of the TWA

118. This letter constitutes the Secretary of State's notice of his determination to make the Order with modifications, for the purposes of section 14(1)(a) and section 14(2) of the TWA. Your clients are required to publish notices of the determination in accordance with section 14(4) of the TWA.

Challenges to the Decision

119. The circumstances in which the Secretary of State's decision may be challenged are set out in the note at Annex B to this letter.

Distribution

120. Copies of this letter are being sent to those who appeared at the inquiry and to all statutory objectors whose objections were referred to the inquiry under section 11(3) of the TWA but who did not appear.

Yours sincerely,

Natasha Kopala

Schedule 1

Interpretation

In the following conditions—

- a) “the Order” means The Network Rail (Cambridge South Infrastructure Enhancements) Order 2022;
- b) “the development” means the development authorised by the Order and this Direction under deemed planning permission.
- c) “the Code of Construction Practice (Part B)” means the code of construction practice to be submitted to and approved by the local planning authority under condition 10(b) (Code of Construction Practice);
- d) “the Environmental Statement” means the Environmental Statement that accompanied the application for the Order;
- e) “the Flood Risk Assessment” means the flood risk assessment prepared by Arcadis dated May 2021, as submitted in the Environmental Statement;
- f) “the local planning authority” means Cambridge City Council or South Cambridgeshire District Council, as the context requires;
- g) “the planning drawings” means the drawings listed at Schedule 2 of these conditions.
- h) “parameter plans” means the parameter plans listed at Schedule 2 of these conditions.
- i) “Specified Phase” as defined under condition 5 means any phase of the development for which the approved Phasing Plan specifies that the relevant condition will not apply
- j) “Competent person” has the same meaning as defined in the Guidance ‘Land affected by contamination’ ref. Paragraph: 006 Reference ID: 33-006-20190722 and NPPF Annex 2 (Glossary), ‘A person with a recognised relevant qualification, sufficient experience in dealing with the type of pollution or land instability and membership of a relevant organisation’.
- k) “the Cambridge South station building” means the station buildings, platforms and canopies, and ancillary structures, as shown on the Proposed Site Plan (drawing reference 158454-ARC-ZZ-ZZ-DRG-LEP-000041/P02) listed in Part 1 of Schedule 2 to the request for deemed planning permission.
- l) “the Exchange Land” means the land to the south of Addenbrooke’s Road provided as replacement open space annotated as such on the Indicative Landscape Plan (drawing reference 158454-ARC-00-ZZ-DRG-EEN-000076/P03) or such alternative area of Exchange Land as shall be agreed by the local planning authority as being of equivalent size and suitability for the purpose of the intended use of the Exchange Land.

1. Time for commencement

The development hereby permitted must commence before the expiration of 5 years from the date on which the Order comes into force.

Reason: to ensure that the development is commenced within a reasonable period of time.

2. Accordance with Drawings

The development hereby approved must be carried out in accordance with the approved planning drawings listed at Schedule 2 Part 1 of these Conditions.

Reason: to ensure compliance with the approved plans and for the avoidance of doubt.

3. Accordance with Design Principles

The development hereby approved must be carried out in accordance with the Cambridge South Design Principles (NR-15-1 dated March 2022).

Reason: to ensure that the development is of a satisfactory design and has an acceptable relationship with its setting.

4. S106 Agreement

No development to construct the Cambridge South station building above the ground floor slab level shall commence until Network Rail enters into the Cambridge South Infrastructure Enhancements Section 106 Agreement that is in substantially the same form as Document NR-25.

Reason: to secure the necessary mitigation, in the context of exceptional circumstances arising because the Applicant intends to deliver mitigation but does not presently have an interest in the land required for it.

5. Phasing Plan

No development shall commence (including demolition and enabling works) until a Phasing Plan for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The Phasing Plan must include (but not limited to) the following elements:

- (i) Enabling works e.g. haul roads, site compounds, archaeology and site
- (ii) investigations including the provision of appropriate of all site compounds;
- (iii) Cambridge South station building;
- (iv) Alterations to Webster's Footbridge;
- (v) Accommodation bridge over Hobson's Brook;
- (vi) Railway Systems Compound;
- (vii) Landscaping; and
- (viii) Any other building/structure or alteration to an existing building/structure for which details of scale and external appearance were not provided as part of the request for the planning direction.

The Phasing Plan shall identify:

- a) each phase of development and any such Specified Phase of development to which planning conditions 6, 7, 8, 10, 11, 12, 14, 15, 16, 26, 28, 29, 34 and 35 will not apply.
- b) the location of site compounds including indicative duration of works for each area including where and when areas of public open space are proposed to be used temporarily for construction works and for other associated purpose for the delivery of the development will be closed to and unavailable public use.
- c) A construction programme providing the sequence and timing of the proposed development.

The development shall only be carried out in accordance with the approved Phasing Plan, unless otherwise agreed in writing by the local planning authority.

Reason: to ensure that the impacts of the proposed works are mitigated in a timely manner, to assist with the determination of discharge of conditions, and to identify when access to public open space land will be interrupted.

6. Submission of preliminary contamination assessment

Prior to the commencement of development (other than a Specified Phase) a site wide investigation strategy setting out the location and details of the site investigations to be carried out to effectively determine the nature and extent of any contamination, including soil, gas and/or water to inform the remediation strategy shall be submitted to and approved in writing by the local planning authority.

The site wide investigation strategy will be prepared by a Competent Person based on the information identified in the desk study undertaken to support Chapter 12 of the Environmental Statement (doc NR16).

The site investigations shall only be undertaken in accordance with the site investigation strategy approved in writing by the local planning authority.

Reason: to avoid any potential harm to human health or the environment as a consequence of the proposed development.

7. Submission of site investigation report and remediation strategy

Prior to undertaking any excavations with the exception of works agreed under conditions 6 (site investigations) and 11 (Archaeology) or a Specified Phase the following shall be prepared by a Competent Person and submitted to and approved in writing by the local planning authority:

- (a) A site investigation report detailing the findings of the site investigations carried out under condition 6 to determine the nature and extent of any contamination, including the results of the soil, gas and/or water analysis and subsequent risk assessment to any receptors.
- (b) A proposed remediation strategy detailing the works required to address unacceptable risks from the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

The strategy shall include a schedule of the proposed remedial works setting out a timetable for all remedial measures that will be implemented.

The works shall only be undertaken in accordance with the remediation strategy approved in writing by the relevant local planning authority.

Reason: to avoid any potential harm to human health or the environment as a consequence of the proposed development.

8. Implementation and completion of remediation strategy works

Prior to the first operational or public use of the land under any phase of the development (other than a Specified Phase) the following shall be prepared by a Competent Person and submitted to and approved in writing by the local planning authority:

- (a) a completion report demonstrating that the approved remediation scheme as required by condition 7 has been undertaken and that the land has been remediated to a standard appropriate for the end use of the development; and
- (b) details of any post-remedial sampling and analysis (as defined in the approved Material Management Plan submitted under the Code of Construction Practice Part B) shall be included in the completion report along with all information concerning materials brought onto, used in and removed from the development.

The information provided must demonstrate that the site has met the required clean-up criteria set out in the approved remediation strategy.

Reason: to avoid any potential harm to human health or the environment as a consequence of the proposed development.

9. Unexpected contamination

If unexpected contamination is encountered whilst undertaking any part of the development which has not previously been identified, works shall immediately cease in the contaminated area until the local planning authority has been notified in writing and a dedicated remediation strategy for that area including details of any further site investigations required to address unexpected contamination the has been approved in writing by the local planning authority following steps (a) and (b) of condition 7 above.

The approved dedicated remediation strategy shall then be fully implemented under condition 7 and prior to any further development of the area concerned.

Reason: to avoid any potential harm to human health or the environment as a consequence of the proposed development.

10. Code of Construction Practice

The development must be carried out in accordance with the provisions of the Code of Construction Practice (Part A) contained in the Environmental Statement (Volume 3: Appendix 2.4) unless amended through the CoCP Part B.

Other than in relation to a Specified Phase no development shall commence until a Code of Construction Practice (Part B) has been submitted to and approved in writing by the local planning authority for that phase of work.

The Code of Construction Practice (Part B) will include the following documents other than in relation to a Specified Phase:

1. Flood Emergency Response Plan
2. Emergency and Incident Response Plan
3. Dust management Plan
4. Construction Logistics Plan
5. Construction Travel Plan
6. Construction Traffic Management Plan
7. Site Waste Management Plan
8. Materials Management Plan (Includes storage of excavated material)
9. Lighting Management Plan
10. Pollution Control Plan
11. Carbon Efficiency Plan

12. Noise and Vibration Management Plan
13. Details of any temporary structure, plant or machinery greater than 15 metres in height above existing ground level.

The development shall only be carried out in accordance with the details approved in writing by the local planning authority.

Reason: to limit and mitigate the effects of the proposed development on the environment during construction, to protect local and residential amenity and to safeguard Cambridge Airport.

11. Archaeological mitigation, investigation and evaluation

No development other than a Specified Phase shall commence until the implementation of a programme of archaeological investigations has been undertaken on the relevant site in accordance with a site wide written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full including any post development requirements, e.g. archiving and submission of final reports.

Reason: to protect and/or record any archaeological assets that may be on the site.

12. Construction Ecological Method Statement (EMS)

No development other than a Specified Phase shall commence until an Ecological Method Statement (EMS) for that phase addressing protection, enhancement, mitigation and compensation during construction has been submitted and approved in writing by the local planning authority. The EMS shall include but not limited to the following:

- (a) Review of site potential and constraints, based on species surveys and operational limitations of the site.
- (b) Detailed design(s) and/or working method(s) to achieve stated objectives, including:
 - i. Risk assessment of potentially damaging construction activities.
 - ii. Identification of "biodiversity protection zones".
 - iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - iv. The location and timings of sensitive works to avoid harm to biodiversity.
 - v. The times during construction when specialist ecologists need to be present on site to oversee works.
 - vi. Responsible persons and lines of communication.
 - vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or a similarly competent person.
 - viii. Use of protective fences, exclusion barriers and warning signs if applicable.
- (c) Extent and location/area of proposed works on appropriate scale maps and plans.
- (d) Details of monitoring and remedial measures, including timetable for submission to local planning authority.
- (e) Details of the mitigation for breeding birds, including within the Exchange Land, which must be made available in a condition suitable for breeding birds before the commencement of any breeding season in which there will be disturbance of existing habitats.

The strategy shall also set out (where the results from monitoring show that conservation aims and objectives of the EMS are not being met) contingencies and/or that remedial action will be identified, agreed and implemented so that the development continues to protect, enhance, mitigate and compensate for the construction works as originally approved. The development shall only be carried out in accordance with the EMS approved in writing by the local planning authority.

Reason: to ensure that the proposed development adequately safeguards, mitigates and enhances the natural environment.

13. Biodiversity Net Gain

Network Rail shall achieve a no less than 10% Biodiversity Net Gain (BNG) based on the DEFRA metric V2 calculations demonstrated through document NRE-REB-06-01 containing Biodiversity Metric 2.0 calculations based on drawing Retained Enhanced and Created Habitat within Site Boundary dated January 2022. Updated Biodiversity Net Gain calculations based on the DEFRA metric V3 calculations will be submitted in accordance with Condition 29 to demonstrate the permitted development will achieve 10% Biodiversity Net Gain and confirm the units for different habitat types onsite and offsite.

Prior to, or concurrently with, the last submission of details as required by condition 29, an Offsite Biodiversity Scheme to meet any onsite shortfall shall be submitted to and approved in writing by the local planning authority. The scheme shall include:

- (i) details of the location site;
- (ii) Biodiversity Net Gain units;
- (iii) details of the contract to secure its delivery, monitoring and reporting to the local planning authority for a minimum 30 year period which will evidence the scheme's implementation and that its objectives are being met together with provisions to review, amend and implement any proposals to change the scheme.

The development shall be carried out in accordance with the approved details.

Reason: to comply with local and national planning policies that seek to safeguard and enhance biodiversity.

14. Construction Surface Water Drainage Strategy

No development shall commence (except for approved site investigations, works to trees, demolition or works under any Specified Phase) until details of measures to manage additional surface water run-off from the site during the construction works (or any phase(s) thereof) have been submitted to and approved in writing by the local planning authority.

The approved measures shall be brought into operation before any works (or phase(s) thereof) commence and shall thereafter be maintained in accordance with the details approved in writing by the local planning authority.

Reason: to manage surface water drainage and protect groundwater and biodiversity within the vicinity of the site.

15. Operational Surface Water Drainage Strategy

No development shall commence except for approved site investigations, works to trees, demolition or works under any Specified Phase until a site wide Surface Water Drainage Strategy (SWDS), based on sustainable drainage principles and principles within section 6 of the Flood Risk Assessment, has been submitted to and approved in writing by the local planning authority. The SWDS shall include where appropriate:

- (a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events.
- (b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance.
- (c) Site Investigation and test results to confirm infiltration rates.
- (d) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.
- (e) Details of the maintenance/adoption of the surface water drainage system.
- (f) Measures taken to prevent pollution of the receiving groundwater and/or surface water.
- (g) Implementation programme.

The SWDS shall be implemented in accordance with the details approved in writing by the local planning authority and shall be completed and operational prior to the use of the respective phase of the development or in accordance with the implementation programme agreed in writing with the local planning authority.

Reason: to manage surface water drainage and protect groundwater and biodiversity within the vicinity of the site.

16. Operational Surface Water Drainage Scheme

No development (or phase thereof) except for written approved site investigations, works to trees, demolition or works under any Specified Phase shall commence until a Surface Water Drainage Scheme (SWDSc) (for that phase), based on the approved operational Surface Water Drainage Strategy, has been submitted to and approved in writing by the local planning authority. The SWDSc shall include where appropriate:

- (a) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers.
- (b) Details of the proposed attenuation and flow control measures.
- (c) Details of the measures taken to prevent pollution of the receiving groundwater and/or surface water.
- (d) Full details of culvert extension appropriately sized to convey the existing channel modelled flow.
- (e) Full details for the long term maintenance/adoption of the surface water drainage system. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

The SWDSc shall be implemented in accordance with the details approved in writing by the local planning authority and shall be completed and operational prior to the use of the development (or respective phase thereof) or in accordance with the implementation programme approved in writing with the local planning authority.

Reason: to manage surface water drainage and protect groundwater and biodiversity within the vicinity of the site.

17. Detailed design approval: Cambridge South Station

No development relating to the construction of Cambridge South Station building shall commence until full details of the scale, massing and external appearance, including details of floor and roof plans, elevations, and long sections of the development have been submitted to and approved in writing by the local planning authority.

Details submitted must be in accordance with the approved parameter plans and shall be submitted with a Design Compliance Statement demonstrating compliance with the relevant approved Cambridge South Design Principles (NR-15-1 dated March 2022). The submitted scale details must include plans at a minimum scale of 1:250, and elevations at a minimum scale of 1:100.

The development shall only be carried out in accordance with the approved details.

Reason: to ensure that the proposed development is satisfactory in terms of its appearance having regard to its prominent location and its intrusion into Hobson's Park and the Green Belt, to enable control to be exercised over these aspects of the development, and to ensure high quality development responding appropriately to its context.

18. External Materials

Prior to commencement of construction of all external surfaces approved under conditions 17, 22 and 26 the following shall be submitted to and approved in writing by the local planning authority:

- a) details of all the materials for the external surfaces of buildings to be used in the construction of the development
- b) a sample panel for relevant materials (including external brickwork) to include details of fixings, finishes and junctions between materials shall be submitted to and approved in writing by the local planning authority. The approved sample panel is to be retained on site for the duration of the works for comparative purposes.

Development shall only be carried out in accordance with the approved details.

Reason: to ensure that the proposed development is satisfactory in terms of its appearance having regard to its prominent location and its intrusion into Hobson's Park and the Green Belt, and in accordance with Cambridge Local Plan policies 55 and 57.

19. Roof Top Plant: Cambridge South Station

No roof mounted plant/equipment shall be installed until details of the plant/equipment have been submitted to and approved in writing by the local planning authority. The details shall include the type, dimensions, materials, location, and means of fixing. The

development shall only be carried out and maintained thereafter in accordance with the approved details.

Reason: to ensure that the proposed development is satisfactory in terms of its appearance having regard to its prominent location and its intrusion into Hobson's Park and the Green Belt, and in accordance with Cambridge Local Plan policies 55 and 57.

20. Public Art: Cambridge South Station

Concurrently with the first submission of details of the Cambridge South station building (pursuant to condition 17 or 18) or the hard and soft landscaping scheme (pursuant to condition 29) (whichever is first to come forward) a Public Art Delivery Plan (PADP) shall be submitted to and approved in writing by the local planning authority. The PADP must include the following:

- (a) Details of the public art and artist commission;
- (b) Details of how the public art will be delivered, including a timetable for delivery;
- (c) Details of the location of the proposed public art on the application site;
- (d) The proposed consultation to be undertaken;
- (e) Details of how the public art will be maintained;
- (f) How the public art would be decommissioned if not permanent;
- (g) How the public art would be replaced in the event that it is destroyed.
- (h) Details of the proposed budget; and
- (i) Address ownership proposals post delivery

The public art shall be fully implemented and maintained in accordance with the approved PADP.

Reason: to contribute to a high-quality public realm and to comply with Cambridge Local Plan Policy 56.

21. Waste: Cambridge South Station

Concurrently with the submission of details in compliance with condition 17, a scheme for the on-site storage facilities for commercial waste, including waste for recycling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out before the use of the station is commenced and shall be retained thereafter.

Reason: in the interest of sustainability, to ensure that the need for refuse and recycling is successfully integrated into the development.

22. Cycle Parking: Cambridge South Station

Concurrently with the submission of details in compliance with condition 17, details of the cycle parking for station staff and public use and ongoing management and maintenance shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. The details shall include:

- (i) the number of cycle parking spaces and where relevant the details of phased installation;
- (ii) the location;
- (iii) the type of stands;
- (iv) the means of enclosure; and
- (v) a Cycle Parking Management Plan.

The Cambridge South station building shall not be brought into operational use until the cycle parking has been installed in accordance with the approved details, and shall thereafter be maintained in accordance with the approved Cycle Parking Management Plan.

Reason: Given the potential harm to Hobson's Park and the Green Belt arising from the proposed cycle parking, to ensure that no more cycle spaces than necessary are installed within Hobson's Park, and to ensure appropriate provision of cycle parking and related secure storage, in accordance with Cambridge Local Plan Policy 82.

23. BREEAM Pre-Assessment: Station Building

No development relating to the Cambridge South station building shall commence until a BREEAM preassessment prepared by an accredited BREEAM Assessor has been submitted to and approved by the local planning authority indicating that the building is capable of achieving the applicable 'excellent' rating as a minimum with maximum credits achieved for Wat 01.

Reason: to ensure that the proposed Station is energy efficient and in the interests of environmental sustainability, in accordance with Cambridge Local Plan Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD (2020).

24. BREEAM Design Stage Certification

Within six months of the commencement of construction above the ground floor slab level of Cambridge South station building, a BRE issued Design Stage Certificate shall be submitted to and approved in writing by the local planning authority demonstrating that BREEAM 'excellent' as a minimum will be met, with maximum credits for Wat 01 (water consumption). Where the Design Stage certificate shows a shortfall in credits for BREEAM 'excellent', a statement shall also be submitted identifying how the shortfall will be addressed. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the development.

Reason: to ensure that the proposed Station is energy efficient and in the interests of environmental sustainability, in accordance with Cambridge Local Plan Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD (2020).

25. BREEAM Post Construction Certification

Within six months of Cambridge South station building being brought into operational use, a BRE issued post Construction Certificate shall be submitted to and approved in writing by the local planning authority indicating that the approved BREEAM rating has been met. If such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: to ensure that the proposed Station is energy efficient and in the interests of environmental sustainability, in accordance with Cambridge Local Plan Policy 28 and the Greater Cambridge Sustainable Design and Construction SPD (2020).

26. Detailed design approval: Other elements of the proposed development

No development relating to the following elements shall commence until full details

of the scale and external appearance of the development concerned has been submitted to and approved in writing by the local planning authority:

- (a) Alterations to Webster's Footbridge.
- (b) the Accommodation bridge over Hobson's Brook.
- (c) Railway Systems Compound Buildings and Structures.
- (d) Exchange Land footbridge over Hobson's Brook
- (e) Any other building/structure or alteration to an existing building/structure for which details of scale and external appearance were not provided.

Design details must be in accordance with the approved parameter plans. The submitted scale details must include plans at a minimum scale of 1:250, and elevations at a minimum scale of 1:100 and details of external appearance shall include samples of materials to be used externally.

Reason: to enable reasonable and proper control to be exercised over these aspects of the development.

27. Lighting Scheme

No permanent artificial lighting shall be installed until a detailed artificial lighting scheme including a plan showing lux levels has been submitted to and approved in writing by the local planning authority. The lighting scheme shall meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals (ILP) 'Guidance Notes for the Reduction of Obtrusive Light - GN01/21' (2021) or as superseded.

The development shall be carried out and thereafter maintained in accordance with the approved details.

Reason: in the interests of residential amenity and to safeguard biodiversity, in accordance with Cambridge Local Plan policy 34.

28. Soil Management Plan

No development except for approved works to trees or any Specified Phase shall commence until a Soils Management Plan has been submitted to and approved in writing by the local planning authority detailing protection of ground to be reinstated to open space, sustainable drainage or general landscape, methodology of soil stripping, storage, handling, haul routes, formation level decompaction measures, soil re-spreading and decompaction as well as soil/spoil disposal (if necessary).

Development must be carried out in accordance with the approved details and in accordance with the recognised 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' produced by DEFRA and Protecting and Enhancing Soils Policy Position Statement produced by Chartered Institute of Water and Environmental Management (CIWEM).

Reason: in the interest of sustainability and to ensure that the groundworks are acceptable, in accordance with Cambridge Local Plan policies 55, 57 and 59.

29. Hard and Soft Landscape

No development other than a Specified Phase shall commence until details of a hard and soft landscape scheme have been submitted to and approved in writing by the local planning authority. This scheme must be in accordance with the approved Parameter Plans and shall be submitted with a Design Compliance Statement demonstrating compliance with the relevant Cambridge South Design Principles (NR-15-1 dated March 2022). Details of the scheme must include:

- (a) proposed finished levels or contours including proposed grading and mounding of land areas including sections through the areas to show the proposed make-up of the mounding, the levels and contours to be formed and showing the relationship of proposed mounding to existing vegetation and surrounding landform;
- (b) details of post formation soil decompaction;
- (c) car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; tree pits, including those in planters, wayfinding structures, hard paving and soft landscaped areas, minor artefacts and structures (e.g. Street furniture, location of artwork, refuse or other storage units, signs, lighting, CCTV installations and water features); proposed (underground elements need to be coordinated with the landscape plans prior to being installed) and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines indicating lines, manholes, supports);
- (d) planting plans with written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- (e) boundary treatments indicating the type, positions, design, and materials of boundary treatments to be erected;
- (f) a landscape and ecology management plan for proposed landscaped areas and green biodiverse roof, including long term design objectives, management responsibilities and maintenance schedules/programme for all landscape areas;
- (g) a Biodiversity Net Gain (BNG) report (including DEFRA metric V2 calculations) demonstrating BNG best practice and how the scheme contributes to the minimum 10% BNG for the development as a whole,
- (h) a wayfinding strategy; and
- (i) an implementation programme.

The development shall only be carried out and maintained in accordance with the approved details.

If within a period of five years from the date of the planting, or replacement planting, any tree or plant (except through an Act of God or vandalism) is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place as soon as is reasonably practicable, unless the local planning authority gives its written consent to any variation.

Reason: in accordance with Cambridge Local Plan policies 55, 57 and 59, to help the Cambridge South Infrastructure Enhancements Project to integrate with the surrounding area, mitigate areas of existing planting to be removed and to safeguard the visual amenity of Hobson's Park and the Green Belt.

30. Plant/machinery/equipment (station building)

No operational plant, machinery or equipment both internal and external shall be installed on the site until a noise assessment demonstrating that the collective rating level (in accordance with BS4142:2014+A1:2019 – "Methods for rating and assessing industrial

and commercial sound” or as superseded) from all plant, equipment and vents etc associated with the development (or phase thereof) is less than or equal to the existing background sound level at the receptors reported in Chapter 5 of the Environmental Statement.

Development shall be carried out and maintained only in accordance with the approved details.

Reason: to safeguard residential amenity, in accordance with Cambridge Local Plan policy 35.

31. Platform Announcement Sound System

No station and platform Public Address/Voice Alarm (PAVA) system shall be installed until a detailed design in accordance with BS 5839-8:2013 – Code of practice for the design, installation, commissioning and maintenance of voice alarm systems or as superseded has been submitted to and approved in writing by the local planning authority.

The scheme shall include details regarding hours of operation, number and location of loudspeakers, proposed mitigation, sound power of loudspeakers and permissible noise levels with consideration of its use e.g. announcement or alarm, noise mitigation / limiting measures as appropriate, noise levels assessed against the existing background sound level at the receptors reported in Chapter 5 of the Environmental Statement and a programme of maintenance.

Any public address/voice alarm sound system installed on the site associated with the approved use of the development shall only be used for operational, health and safety, security and emergency announcements.

The scheme shall be carried out as approved and retained as such.

Reason: to safeguard residential amenity, in accordance with Cambridge Local Plan policy 35.

32. Electric Vehicle Charge Points

No electrical services shall be installed within Cambridge South station building until an electric vehicle charge point scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include as a minimum:

- (a) Four electric vehicle charge points with a minimum power rating output of 7kW.
- (b) Passive provision comprising the necessary infrastructure including ducting and capacity in the station network and ability to connect to the local electricity distribution network to facilitate and enable the future installation and activation of additional active electric vehicle charge points as required
- (c) The electric vehicle infrastructure shall be designed to allow for future installed in accordance with BS EN 61851 or as superseded. The electric vehicle charge point scheme as approved shall be fully installed prior to the first operational use of the station and maintained and retained thereafter.

Reason: to encourage and support more sustainable means of transport, and in accordance with Policies 82 and 36 of the Cambridge Local Plan and with Cambridge City Council’s adopted Air Quality Action Plan (2018).

33. Excavated Material

No excavated material or other material shall be placed within public open space, including Hobson's Park other than in accordance with the approved landscaping details or any approved details for temporary storage contained within the approved Soil Management Plan.

Reason: to safeguard the amenity of Hobson's Park and biodiversity during construction, and in accordance with Cambridge Local Plan Policies 55, 57, 59, 69 and 70.

34. Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP)

No development other than a Specified Phase shall commence until a phased tree protection methodology in the form of an Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) in accordance with BS5837 2012 has been submitted to and approved in writing by the local planning authority.

The AMS and TPP will consider all relevant phases of construction in relation to the potential impact on trees including the following:

- (i) required tree works including a tree removal and retention plan;
- (ii) the specification and position of protection barriers and ground protection and all measures to be taken for the protection of any trees from damage during the course of any relevant activity related to the development;
- (iii) ground works including the installation of services and SUDS;
- (iv) management including supervision, access, site briefings attended by the site manager and retained arboricultural consultant and storage of materials;
- (v) landscaping;
- (vi) detailed tree survey; and
- (vii) a phasing plan for the removal of tree protection measures.

Reason: to safeguard the trees on and around the site, in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan Policy 71.

35. Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) implementation

The approved tree protection methodology in the AMS and TPP will be implemented throughout the development and the agreed means of protection shall be retained on site until all relevant equipment, and surplus materials have been removed from the site as set out in the phasing plan for the removal of tree protection measures. Nothing shall be stored or placed in any area protected in accordance with approved tree protection plans and the ground levels within those areas shall not be altered, nor shall any excavation be made. If any tree shown to be retained is damaged, remedial works as may be specified in writing by the local planning authority will be carried out.

Reason: to safeguard the trees on and around the site, in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan Policy 71.

36. Construction Replacement tree planting

If any tree shown to be retained on the tree removal and retention plan within the approved AMS and TPP is removed, uprooted, destroyed or dies as a result of the development hereby permitted within five years of project completion, another tree shall

be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be approved in writing by the local planning authority. Any replacement tree that is lost within five years shall likewise be replaced.

Reason: to safeguard the trees on and around the site, in accordance with section 197 of the Town and Country Planning Act 1990 and Cambridge Local Plan Policy 71.

37. Pedestrian link across the Cambridge Guided Busway

The new pedestrian crossing over the Cambridge Guided Busway between Hobson's Park and the Active Recreation Area shall be completed and available for public use before and for the duration of public use of the Active Recreation Area, unless the existing connection beneath the Cambridge Guided Busway is available for public use.

Reason: to ensure adequate access for pedestrians and cyclists between the Cambridgeshire Guided Busway between Hobson's Park and the Active Recreation Area.

38. Footpaths & Cycleways

The development shall not prevent access to Hobson's Park (save for the approved site compounds) at any time from Addenbrooke's Road and the Trumpington residential area.

National Cycle Network Route 11 in the vicinity of Shepreth Branch Junction shall not be closed to use until details of the proposed closure, including times of the closure and management of pedestrians and cyclists to facilitate an alternative means of access during the any proposed closure have been submitted to and approved in writing by the local planning authority. The closure shall be managed in accordance with the approved details.

Reason: to ensure adequate access for pedestrians and cyclists.

39. Footbridge across Hobson's Brook to the proposed Exchange Land

The 'potential future footbridge' shown on drawing ref. 158454-ARC-ZZ-ZZ-DRG-LEP-000054/P02 across Hobson's Brook shall be provided and shall be completed prior to when the Exchange Land is available for public recreational use.

The footbridge shall be made available and maintained for public use whilst the Exchange Land remains public open space except for periods of maintenance to the footbridge.

Reason: to ensure adequate access for pedestrians and cyclists and to provide safe access between Hobson's Park and the Exchange Land so as to provide accessible replacement open space.

**Schedule 2
List of Deemed Planning Drawings**

Part 1: Drawings for Approval

Title / Location	Drawing Description	Drawing Number	Revision
Cambridge South Station area	Deemed Planning Drawings – Proposed Plan – Sheet 1 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000051	P02
	Deemed Planning Drawings – Proposed Plan – Sheet 2 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000052	P02
	Deemed Planning Drawings – Proposed Plan – Sheet 3 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000053	P02
	Deemed Planning Drawings – Proposed Plan – Sheet 4 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000054	P02
Shepreth Branch Junction	Deemed Planning Drawings – Proposed Plan – Sheet 5 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000055	P02
Cambridge South Station	Deemed Planning Drawings – Proposed Site Sections – Sheet 1 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000061	P01
	Deemed Planning Drawings – Proposed Site Sections – Sheet 2 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000062	P01
	Deemed Planning Drawings – Proposed Site Sections – Sheet 3 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000063	P01
	Deemed Planning Drawings – Proposed Site Sections – Sheet 4 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000064	P02
	Deemed Planning Drawings – Proposed Elevations	158454-ARC-ZZ-ZZ-DRG-LEP-000071	P02
Cambridge South Station Parameter Plans	Deemed Planning Drawings – Parameter Plans – Access and Movement	158454-ARC-ZZ-ZZ-DRG-LEP-000100	P02
	Deemed Planning Drawings – Parameter Plans – Land Use and Landscape	158454-ARC-ZZ-ZZ-DRG-LEP-000101	P02
	Deemed Planning Drawings – Parameter Plans – Heights	158454-ARC-ZZ-ZZ-DRG-LEP-000102	P02

Part 2: Drawings issued for information only

Title / Location	Drawing Description	Drawing Number	Revision
Location Plan	Deemed Planning Drawings – Location Plan	158454-ARC-ZZ-ZZ-DRG-LEP-000001	P01
Route Drawing Sheet 1: Cambridge South Station area	Deemed Planning Drawings – Existing Site Plan – Sheet 1 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000002	P02
Route Drawing Sheet 2: Shepreth Junction	Deemed Planning Drawings – Existing Site Plan – Sheet 2 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000003	P02
Route Drawing Sheet 1: Cambridge South Station area	Deemed Planning Drawings – Proposed Site Plan – Sheet 1 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000041	P02

Route Drawing Sheet 2: Shepreth Junction	Deemed Planning Drawings – Proposed Site Plan – Sheet 2 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000042	P02
Cambridge South Station area	Deemed Planning Drawings – Existing Plan – Sheet 1 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000011	P01
	Deemed Planning Drawings – Existing Plan – Sheet 2 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000012	P01
	Deemed Planning Drawings – Existing Plan – Sheet 3 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000013	P01
	Deemed Planning Drawings – Existing Plan – Sheet 4 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000014	P01
Shepreth Branch Junction	Deemed Planning Drawings – Existing Plan – Sheet 5 of 5	158454-ARC-ZZ-ZZ-DRG-LEP-000015	P01
Cambridge South Station area	Deemed Planning Drawings – Existing Site Sections – Sheet 1 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000021	P01
	Deemed Planning Drawings – Existing Site Sections – Sheet 2 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000022	P01
	Deemed Planning Drawings – Existing Site Sections – Sheet 3 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000023	P01
	Deemed Planning Drawings – Existing Site Sections – Sheet 4 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000024	P01
	Deemed Planning Drawings – Existing Site Elevations	158454-ARC-ZZ-ZZ-DRG-LEP-000031	P01
	Deemed Planning Drawings – Illustrative Station Layout Plan – Platform Level	158454-ARC-ZZ-ZZ-DRG-LEP-000081	P02
	Deemed Planning Drawings – Illustrative Station Layout Plan – Bridge Level	158454-ARC-ZZ-ZZ-DRG-LEP-000082	P02
	Deemed Planning Drawings – Illustrative Station Layout Plan – Roof Level	158454-ARC-ZZ-ZZ-DRG-LEP-000083	P02
	Deemed Planning Drawings – Illustrative Station Elevations – Sheet 1 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000084	P01
	Deemed Planning Drawings – Illustrative Station Elevations – Sheet 2 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000085	P01
	Deemed Planning Drawings – Illustrative Station Elevations – Sheet 3 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000086	P02
	Deemed Planning Drawings – Illustrative Station Elevations – Sheet 4 of 4	158454-ARC-ZZ-ZZ-DRG-LEP-000087	P02
	Deemed Planning Drawings – Illustrative Station Sections – Sheet 1 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000088	P01
	Deemed Planning Drawings – Illustrative Station Sections – Sheet 2 of 2	158454-ARC-ZZ-ZZ-DRG-LEP-000089	P01
Cambridge South Station – North of Addenbrookes Bridge	Indicative Landscape Plan – Sheet 1 of 4	158454-ARC-ZZ-ZZ-DRG-EEN-000075	P03

Cambridge South Station	Indicative Landscape Plan – Sheet 2 of 4	158454-ARC-ZZ-ZZ-DRG-EEN-000076	P03
Cambridge South Station – South of Nine Wells Bridge	Indicative Landscape Plan – Sheet 3 of 4	158454-ARC-ZZ-ZZ-DRG-EEN-000077	P03
Shepreth Junction	Indicative Landscape Plan – Sheet 4 of 4	158454-ARC-ZZ-ZZ-DRG-EEN-000078	P03

ANNEX B

RIGHT TO CHALLENGE ORDERS MADE UNDER THE TWA

Any person who is aggrieved by the making of the Order may challenge its validity, or the validity of any provision in it, because—

- it is not within the powers of the TWA; or
- any requirement imposed by or under the TWA has not been complied with.

Any such challenge may be made, by application to the High Court, within the period of 42 days beginning with the day on which notice of this determination is published in the London Gazette as required by section 14(1)(b) of the TWA. This notice is expected to be published within 3 working days of the date of this decision letter.

A person who thinks they may have grounds for challenging the decision to make the Order is advised to seek legal advice before taking action.