

Cambridge Waste Water Treatment Plant Relocation Project
Anglian Water Services Limited

Planning Statement

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Abbreviations

| | |
|---|--|
| AAP - Area Action Plan | HGV - Heavy Goods Vehicle |
| AoS - Appraisal of Sustainability | HIF - Housing Infrastructure Fund |
| BMV - Best and Most Versatile | HRA - Habitats Regulations Assessment |
| BNG - Biodiversity Net Gain | LCA - Landscape Character Area |
| BOD - Biological Oxygen Demand | LDS - Local Development Scheme |
| CCC - Cambridgeshire County Council | LERMP - Landscape, Ecological and Recreational Masterplan |
| CEMP - Construction Environmental Management Plans | LNRs - Local Nature Reserves |
| CHP – Combined Heat and Power | LSEs - Likely Significant Effects |
| CIBSE - Chartered Institution of Building Services Engineers | MSA - Mineral Safeguarding Areas |
| CNFE - Cambridge Northern Fringe East (former name for North East Cambridge) | NATA/WebTAG - New Approach to Appraisal / Transport Analysis Guidance Website |
| CoCP - Code of Construction Practice | NEC - North East Cambridge |
| CPIER - Cambridge and Peterborough Independent Economic Review | NECAAP - North East Cambridge Area Action Plan |
| CR - Consultation Report | NEP - National Environment Programme |
| CSOs - Combined Sewer Overflows | NIDP - National Infrastructure Delivery Plan |
| CTMP - Construction Traffic Management Plan | NNR - National Nature Reserve |
| CWS - County Wildlife Site | NPPF - National Planning Policy Framework |
| CWTP – Construction Workers Travel Plan | NPS - National Policy Statement |
| CWWTPR - Cambridge Waste Water Treatment Plant Relocation Project | NPSWW - National Policy Statement for Waste Water |
| DAS - Design and Access Statement | NSIP - Nationally Significant Infrastructure Project |
| DCO - Development Consent Order | OCLP - Outline Community Liaison Plan |
| DEFRA - Department for Environment, Food and Rural Affairs | OMP - Odour Management Plan |
| DWMP - Drainage and Wastewater Management Plan | OWTP - Operational Workers Travel Plan |
| EA - Environment Agency | PA 2008 - Planning Act 2008 |
| EIA - Environmental Impact Assessment | PE - Population Equivalent |
| EqIA - Equality Impact Assessment | PINS - Planning Inspectorate |
| ES - Environmental Statement | PRoW - Public Rights of Way |
| GB - Green Belt | PS - Planning Statement |
| GCLP - Greater Cambridge Local Plan | RBMP - River Basin Management Plan |
| GCN - Great Crested Newts | SA - Sustainability Appraisal |
| GVA - Gross Value Added | SAC - Special Area of Conservation |

Abbreviations

| | |
|---|--|
| SEA - Strategic Environmental Assessment | UWWTD - Urban Waste Water Treatment Directive |
| SMP - Soil Management Plan | WebTAG - Transport Analysis Guidance Website |
| SPAs - Special Protection Areas | WFD - Water Framework Directive |
| SSSI - Site of Special Scientific Interest | WRAs - Water Recycling Areas |
| STC - Sludge Treatment Centre | WRCs – Water Recycling Centre (see WWTP) |
| SuDS - Sustainable Drainage System | WRLTP - Water Recycling Long-Term Plan |
| SWMP - Site Waste Management Plan | WRMP - Water Resources Management Plan |
| TIF - Transport Infrastructure Fund | WWTP - Waste Water Treatment Plant |

Summary

Anglian Water Services Limited ('Anglian Water' or 'the Applicant') is proposing to build, use, operate and maintain a modern, low carbon waste water treatment plant and associated infrastructure for Greater Cambridge on a new site area within the Cambridge Green Belt north of the A14 between Fen Ditton and Horningsea.

The purpose of this Planning Statement (PS) is to analyse the proposals in accordance with the requirements of s104 or, in the alternative, s105 of the Planning Act 2008 (as amended), being informed by the Environmental Impact Assessment process and the information contained in the suite of documents and drawings/plans submitted as part of this Development Consent Order (DCO) application, and in so doing to assist the Secretary of State for Environment, Food and Rural Affairs ('the Secretary of State') to reach a decision on whether to grant consent.

The Planning Statement sets out the context and need for the Proposed Development and what the Proposed Development will deliver. It describes the framework for determination of the DCO application and summarises the effects of the proposed development after mitigation as assessed in the Environmental Statement (ES) and submitted technical documents.

It considers the consistency of the Proposed Development with relevant policy, in particular against the policy contained in the National Policy Statement for Waste Water (March 2012) (NPSWW) and the weighing of potential benefits and potential adverse impacts against the considerations set out in the NPSWW.

The Planning Statement considers the application proposals as a whole against the relevant policy and legal tests. It presents a planning assessment of the proposals in accordance with the requirements of s104 or, in the alternative, s105 of the Planning Act 2008 (as amended) and the 'other considerations' which should inform the decision that the Secretary of State must make as to whether there are 'very special circumstances' sufficient in this instance to justify why the DCO should be granted for development in the Green Belt.

The assessment establishes that, subject to demonstrating 'very special circumstances' for inappropriate development within the Green Belt, the project wholly accords with the NPSWW and therefore consent should be granted in the absence of any other consideration which points to refusal under either s104(4) to (8) or s105 of the Planning Act 2008 (as amended).

For the reasons clearly set out in this Planning Statement, the Green Belt and other harm in this instance would, in the Applicant's opinion, be clearly outweighed by the need for the Proposed Development and the substantial public benefits it will deliver sufficient for the Secretary of State to conclude that the very special circumstances needed to justify a grant of development consent have been demonstrated.

1 Overview of the Proposed Development

1.1 Introduction to the relocation project

- 1.1.1 Anglian Water's Cambridge Waste Water Treatment Plant Relocation project ("the Proposed Development") is funded by Homes England, the Government's housing accelerator which seeks to improve neighbourhoods and grow communities by releasing land for development.
- 1.1.2 The Proposed Development involves the relocation of the existing Cambridge Waste Water Treatment Plant (WWTP) currently operating at Cowley Road, Cambridge, to a new site between Horningsea, Fen Ditton and Stow cum Quy, adjacent to the A14 in Cambridgeshire.
- 1.1.3 The relocation would make the site of the existing WWTP available to form part of the development of a new low-carbon city district, known as North East Cambridge (NEC). The site at Cowley Road is Cambridge's last major brownfield site, and the wider NEC district proposals envisage creating around 8,350 homes and 15,000 jobs over the next 20 years.
- 1.1.4 NEC is a highly sustainable location for housing. In addition to the Homes England funding, the area has benefitted from Transport Infrastructure Fund (TIF) funding for Park & Ride, the completion of Cambridge Guided Bus public transport infrastructure, the delivery of the Cambridge North rail station and the Chisholm Trail walking and cycling route.
- 1.1.5 NEC is one of three key strategic sites which will form "*central building blocks of any future strategy for development*" in the proposed Greater Cambridge Local Plan (GCLP) being jointly prepared by Cambridge City Council and South Cambridgeshire District Council that will be subject to public consultation in Autumn 2023. The NEC Area Action Plan (NECAAP), currently in "Proposed Submission" form, will be the planning policy framework which ultimately guides the development of NEC city district.
- 1.1.6 The importance of the Proposed Development, both regionally and nationally, was recognised by the Secretary of State for Environment, Food and Rural Affairs (DEFRA) in January 2021, who directed that the Proposed Development is nationally significant and is to be treated as a development for which a DCO under the Planning Act 2008 (as amended) (PA 2008) is required.
- 1.1.7 A description of the Proposed Development site is provided at Chapter 2: Project Description of the ES (Application Document Reference 5.2.2). The policy context of the Proposed Development is described in more detail in this PS.

1.2 The relocation site

- 1.2.1 The relocation site was selected following comprehensive study and public consultation. The site selection process and consideration of alternatives is described

in more detail in Chapter 3: Alternatives of the ES (Application Document Reference 5.2.3).

- 1.2.2 The current environmental conditions at the existing Cambridge WWTP site and at the relocation site are described in Chapter 2: Project Description of the ES (Application Document Reference 5.2.2). The site is located to the north-east of Cambridge and 2km to the east of the existing Cambridge WWTP, as shown on the Works Plans (Application Document Reference 4.3.1). It is situated on arable farmland immediately north of the A14 and east of the B1047 Horningsea Road in the Cambridge Green Belt between the villages of Horningsea to the north, Stow cum Quy to the east and Fen Ditton to the south west. Two overhead lines of pylons cross the northern and eastern edges of the main development site and come together with a third line at the north eastern corner of the site. The topography is fairly flat with an approximately 4m fall across the site south west to north east.

1.3 Purpose of the Proposed Development

- 1.3.1 The Proposed Development for which the DCO is being sought will deliver all the functions of the existing Cambridge WWTP at Cowley Road, treating all waste water from the Cambridge catchment and wet sludge from the wider region.
- 1.3.2 In addition, it will have an increased capacity, being intended to treat the waste water from the Waterbeach catchment and anticipated housing growth in the combined Cambridge and Waterbeach catchment area.
- 1.3.3 The infrastructure provided as part of the main works will have a design life to at least 2090, and the supporting infrastructure (i.e. the transfer tunnel, pipelines and outfall) will have a designed capacity sufficient to meet population growth projections plus an allowance for climate change into the 2080s. Furthermore, there is capability for expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s.

1.4 Outline description of the Proposed Development

- 1.4.1 The DCO application is seeking approval for the following main elements of the Proposed Development:
- an integrated waste water and sludge treatment plant.
 - a shaft to intercept waste water at the existing Cambridge WWTP on Cowley Road and a tunnel/ pipeline to transfer it to the proposed WWTP and terminal pumping station. Temporary intermediate shafts to launch and recover the micro-tunnel boring machine.
 - a gravity pipeline transferring treated waste water from the proposed WWTP to a discharge point on the River Cam and a pipeline for storm water overflows.

- a twin pipeline transferring waste water from Waterbeach to the existing Cambridge WWTP, with the option of a connection direct in to the proposed WWTP when the existing works is decommissioned.
- on-site buildings, including - a Gateway Building with incorporated Discovery Centre, substation building, workshop, vehicle parking including electrical vehicle charging points, fencing and lighting.
- environmental mitigation and enhancements including substantial biodiversity net gain, improved habitats for wildlife, extensive landscaping, a landscaped earth bank enclosing the proposed WWTP, climate resilient drainage system and improved recreational access and connectivity.
- renewable energy generation via anaerobic digestion which is part of the sludge treatment process that produces biogas designed to be able to feed directly into the local gas network to heat homes, or as an alternative potential future option burnt in combined heat and power engines.
- renewable energy generation via solar photovoltaic and associated battery energy storage system.
- other ancillary development such as internal site access, utilities, including gas, electricity and communications and connection to the site drainage system.
- a new vehicle access from Horningsea Road including for Heavy Goods Vehicles (HGV's) bringing sludge onto the site for treatment and other site traffic.
- Temporary construction works including compounds, temporary highway controls, accesses and signage, fencing and gates, security and safety measures, lighting, welfare facilities, communication control and telemetry infrastructure.
- Decommissioning works to the existing Cambridge WWTP to cease its existing operational function and to facilitate the surrender of its operational permits including removal of pumps, isolation of plant, electrical connections and pipework, filling and capping of pipework, cleaning of tanks, pipes, screens and other structures, plant and machinery, works to decommission the potable water supply and works to restrict access to walkways, plant and machinery.

1.4.2 Additional elements, together with more information on the above features are provided in Chapter 2: Project Description of the ES (Application Document Reference 5.2.2). Principles of Good Design have been used to inform the development of the project, which has been guided by the National Infrastructure Commission's Design Principles, advice from the Design Council and review by the Cambridgeshire Quality Panel, as described in the Design and Access Statement (DAS) (Application Document Reference 7.6). The DAS describes the design principles and objectives that have been applied to the development of the proposals and which are proposed to be reserved by the DCO requirements, such as the design and external appearance of plant and buildings, materials and landscape planting. The DAS and the Consultation Report (Application Document Reference 6.1) also

describe the engagement process which has been undertaken and how the Proposed Development has responded to that feedback.

- 1.4.3 Construction activities, likely to take 3-4 years, will include the creation of a shaft to intercept waste water at the existing Cambridge WWTP and temporary intermediate shafts between the existing Cambridge WWTP and the proposed WWTP to launch and recover a micro-tunnel boring machine. The sequence and location of construction activities are also detailed in Chapter 2: Project Description of the ES (Application Document Reference 5.2.2).
- 1.4.4 Towards the end of the construction period, commissioning of the Proposed Development will commence, lasting for between 6 months to 1 year.
- 1.4.5 The Proposed Development will also involve the decommissioning of the existing Cambridge WWTP at Cowley Road. This is secured by the DCO and the Outline Decommissioning Plan (Appendix 2.3, Application Document Reference 5.4.2.3) and involves activities necessary to take the existing plant out of operational use and to surrender its current operational permits.
- 1.4.6 Following decommissioning, the site of the existing plant will be made available in accordance with agreements already in place with Homes England and with the master developer appointed to deliver the redevelopment of NEC.
- 1.4.7 Consent is not sought under the DCO for the subsequent demolition or redevelopment of the Cowley Road site, which, as described in Chapter 2: Project Description of the ES (Application Document Reference 5.2.2) will be consented under a separate and future planning permission, by master developers, U+I and TOWN, appointed under the agreements described above.
- 1.4.8 The relationship between the Proposed Development, the scope of the proposed DCO and the future demolition and redevelopment of the site at Cowley Road is set out in figure 1.1 [below].

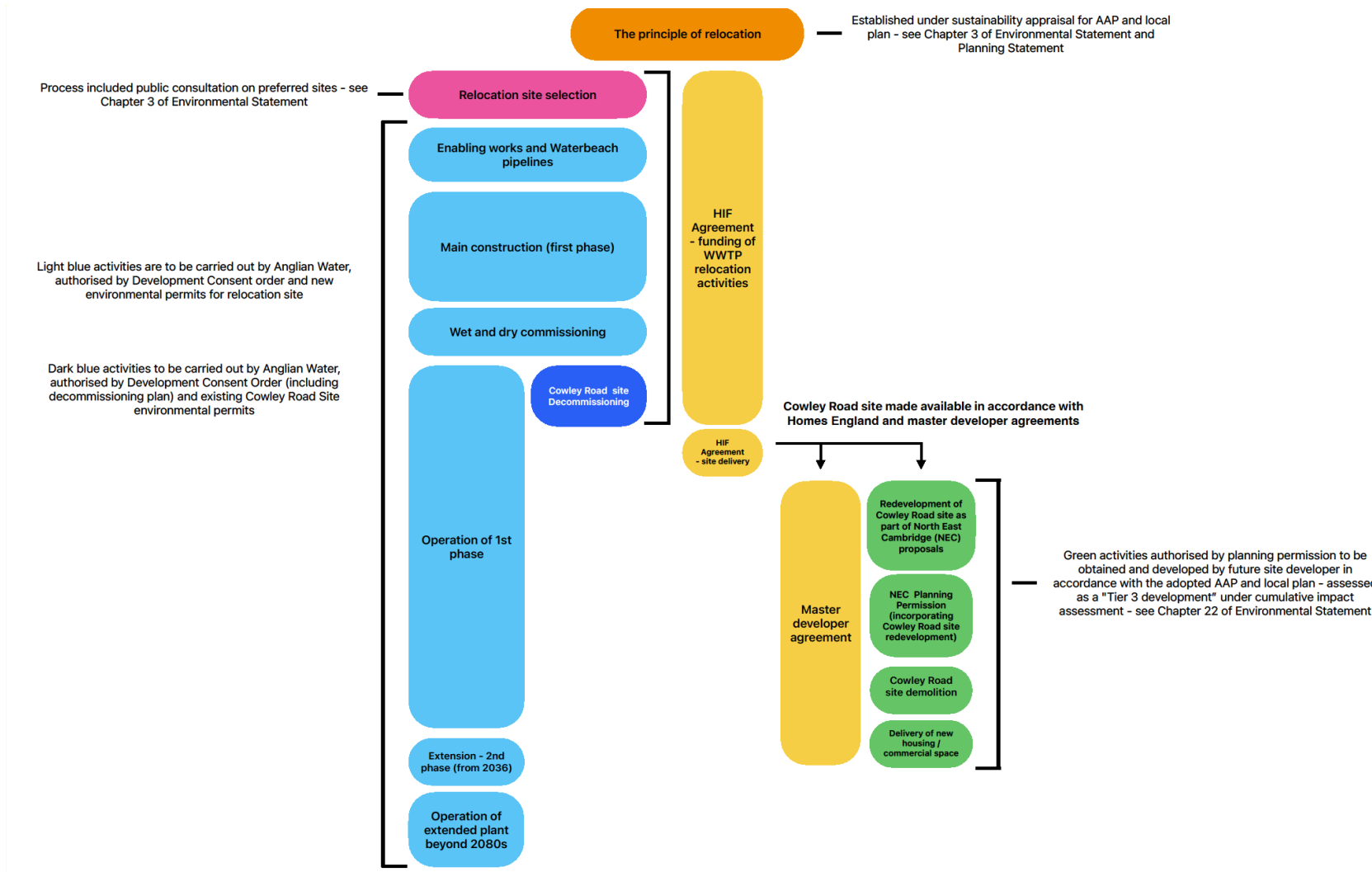


Figure 1.1: The relationship between the Proposed Development, the scope of the proposed DCO and the future demolition and redevelopment of the site at Cowley Road

1.5 Environmental mitigation

- 1.5.1 Through the environmental impact assessment process and community and technical stakeholder engagement the Proposed Development has incorporated comprehensive environmental mitigation, which is secured through the DCO.
- 1.5.2 This mitigation includes a Landscape, Ecological and Recreational Management Plan ("LERMP", Appendix 8.14, Application Document Reference 5.4.8.14) which has been developed to complement regional and local initiatives, including the Wicken Fen Vision and the Cambridge Nature Network. The 22-hectare footprint of the plant is encircled by a landscaped and planted earth bank situated within the broader LERMP area of around 70-hectares. This is a particularly important element of the Proposed Development. A circular earth bank, woodland blocks, hedges glades and biodiverse wildlife grassland are features of the comprehensive masterplan embedded as a core part of the design to mitigate the landscape and visual impacts of the Proposed Development, to expand and create recreational opportunities, deliver a high level of biodiversity net gain and augment and complement the existing network of rights of way.

1.6 Additional project benefits

- 1.6.1 In addition to enabling housing growth and future economic development of the Greater Cambridge area the project will also give rise to a number of additional benefits including:
- significantly reduced carbon emissions compared to the existing Cambridge WWTP, being operationally net zero and energy neutral, contributing to Anglian Water's ambition of being operationally net zero as a business by 2030.
 - greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows (CSOs) are far less likely to occur. This means that, as Greater Cambridge continues to grow, the facility will be able to treat a greater volume of storm flows to a higher standard than would be the case at today's facility.
 - The proposed WWTP is being designed to reduce concentration in final treated effluent discharges of phosphorus, ammonia, total suspended solids and biological oxygen demand (BOD), compared to the existing Cambridge WWTP. This means that when the new facility starts to operate, water quality in the River Cam will improve.

1.7 The Development Consent Order process

- 1.7.1 The term 'Proposed Development' in this document refers to the Cambridge Waste Water Treatment Plant Relocation Project (CWWTPR) in its entirety and all works associated with the development covered by this DCO application.
- 1.7.2 The draft DCO (Application Document Reference 2.1) sets out the details of the project for which the application is made through definitions, footnotes, schedules, and

relevant statutory provisions. In addition to the brief explanatory note included in the draft DCO, which explains the purpose of the DCO and what it would permit the Applicant to do if consented, the accompanying Explanatory Memorandum (Application Document Reference 2.2) explains the provisions of the DCO in more detail. This PS should be read alongside these documents and the other documents required by the PA 2008 and submitted in support of the Application, including particularly the ES (Application documents Volume 5) and the Consultation Report (CR) (Application Document Reference 6.1).

- 1.7.3 Approval of the DCO by the Secretary of State would give Anglian Water the powers it needs to deliver the project including, if necessary, the compulsory acquisition of land and properties, the extinguishment of, or interference with, interests in or rights over land and protective provisions with third parties and rights to fell trees and remove hedgerows.
- 1.7.4 There are no current plans included in this DCO application to decommission any part of the proposed WWTP, which is designed to accommodate future flows anticipated to arise in line with the emerging Greater Cambridge Local Plan growth forecast to 2041 and then to be capable of expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s. The only circumstances where the proposed WWTP might need to be decommissioned would be if Cambridge were to expand into the Green Belt surrounding the proposed WWTP. This is considered to be a sufficiently remote scenario that it does not need to be addressed. In the unlikely event that this might occur, it would be subject to a separate planning process and assessment at the time. Decommissioning would be likely to follow a reverse sequence of construction and commissioning, along broadly similar lines as set out in Chapter 2 of the ES (Application Document Reference 5.2.2) for the proposed and existing WWTP.
- 1.7.5 Under the terms of contractual agreements in place between (1) Homes England, Cambridge City Council and Anglian Water (to fund and construct the proposed WWTP) and (2) between Cambridge City Council/Anglian Water and U+I and TOWN (to make the land available, to fund and to develop new housing on the existing WWTP site), once relocated the existing Cambridge WWTP will be decommissioned to meet the requirements set out by the Environment Agency (EA) to rescind the current operational permits, specifically the final effluent and storm discharge consents, and sludge treatment operation permit to ensure that any pollution risk has been removed. Together, this DCO and the contractual agreements already in place will deliver the closure, decommissioning, rescinding of operational consents, and transfer of the land occupied by the existing WWTP to facilitate housing development. U+I and TOWN as master developers of the vacated site will be responsible for securing planning permission for the demolition of the decommissioned site and its redevelopment.
- 1.7.6 The arrangements for Housing Infrastructure Fund (HIF) funding place obligations on Anglian Water to relocate and commission the CWWTPR and decommission the Cambridge WWTP by March 2028. Surrender by Anglian Water of the

decommissioned site will make it available for the delivery of new housing which is of critical importance to the sustainable and continued success and growth of the nationally important city and region of Cambridge. The site will be at the core of the transformation of this major opportunity area to support Greater Cambridge's continued sustainable growth and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double the Regional Gross Value Added (GVA) by reinforcing Cambridge's position as a global centre of excellence for research, development and business success. Specifically, the Proposed Development will enable Cambridge City and South Cambridgeshire District Councils' combined long held ambition to develop a new low-carbon city district on Cambridge's last major brownfield site, known as NEC.

- 1.7.7 NEC is one of three key strategic sites which will form "*central building blocks of any future strategy for development*" in the proposed GCLP being jointly prepared by Cambridge City Council and South Cambridgeshire District Council that will be subject to public consultation in Autumn 2023. The NECAAP has also been agreed by the Councils in its Proposed Submission form and will be subject to public consultation prior to submission, once the DCO application is determined. The relocation of the WWTP will enable this new district to come forward and deliver 8,350 homes, 15,000 new jobs and a wide range of community, cultural and open space facilities in NEC. The project will also accommodate the growth arising from the Waterbeach New Town. Committed expansion of Waterbeach comprises over 11,000 new dwellings.
- 1.7.8 The two new pipelines (rising mains) required from Waterbeach to the proposed WWTP will support the development of Waterbeach New Town as there is insufficient capacity within the current network to accommodate these flows. They will also accommodate flows from the existing Waterbeach drainage catchment area.
- 1.7.9 Based upon the existing capacity within the network and the predicted build out rates of Waterbeach New Town, the need for additional capacity may arise before the proposed WWTP is operational. As such, the pipeline has been designed to take flows into the existing Cambridge WWTP for an interim period as a reasonable worst case scenario. A connection point will be installed where the rising main routes close to the proposed WWTP in order to allow the flows to be diverted to the new treatment plant once it is operational. Once the proposed WWTP is constructed and the Waterbeach flows are diverted, the southernmost section of the pipeline (i.e. that to the south of the new works) will become redundant and will be decommissioned.
- 1.7.10 A new pumping station will be required within the Waterbeach New Town development area, to pump flows into the new rising main. The planning permissions for Waterbeach New Town provide for this new Waterbeach pumping station, detailed consent for which will be obtained by the developers of the new town development area and is, therefore, outside of the scope of the DCO application.

Rochdale envelope

- 1.7.11 In common with other Nationally Significant Infrastructure Projects (NSIPs) the CWWTPR DCO is seeking some flexibility in the approved design to allow certain final details (for example, in respect of building height, the layout of the treatment facilities

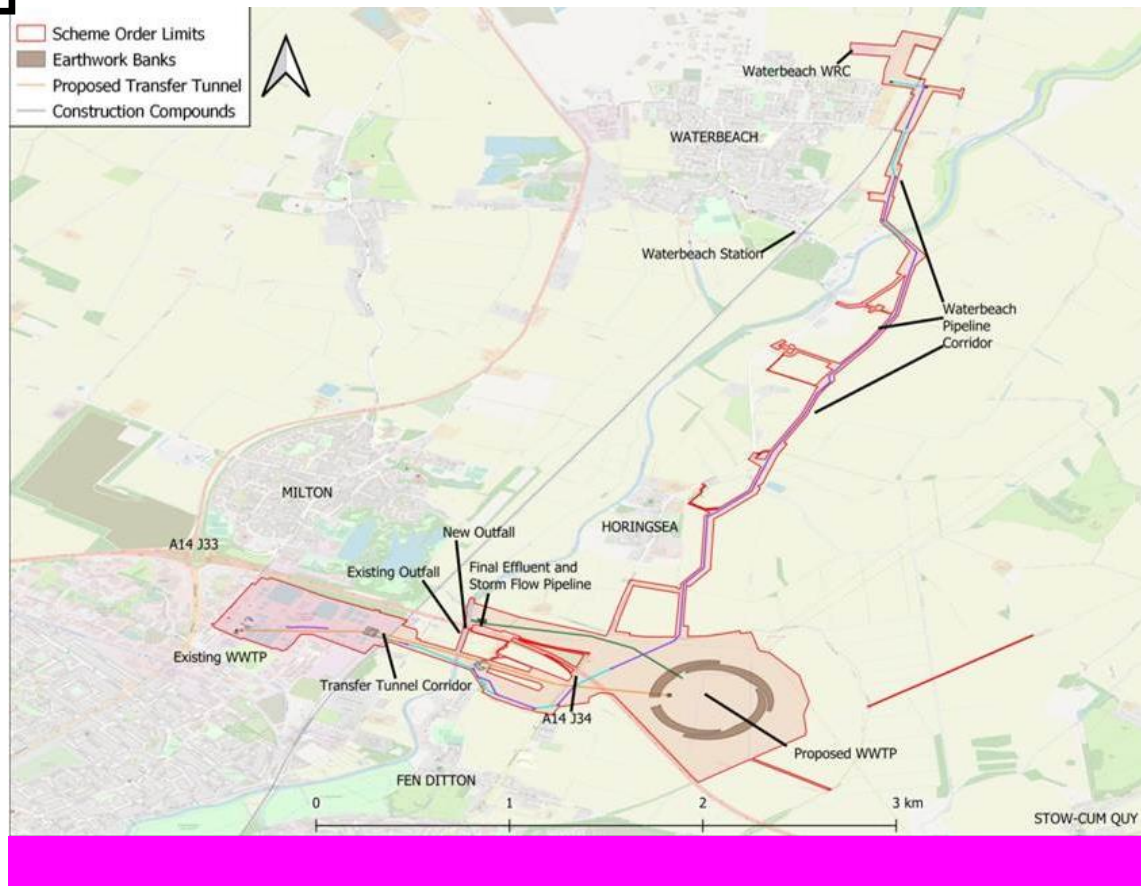
within the earth bank and detailed highway design) to evolve through agreement with key stakeholders after consent, at the detailed design stage. Seeking this design flexibility reduces commercial risk (by allowing further design solutions to be explored once consent has been obtained), provides opportunity to improve the efficiency of the design and to reduce carbon and minimises the potential for future, time-intensive, formal variations to the DCO which might otherwise be needed to accommodate differing solutions.

- 1.7.12 In order to ensure that the environmental impacts of the project have been fully assessed in accordance with relevant legislation, a ‘design envelope’ has been developed, encompassing the variability in design sought by the Applicant. This variability sought and the reasons why that variability is required by the applicant is summarised in Chapter 2 of the ES (Application Document Reference 5.2.2).
- 1.7.13 The approach of assessing a design envelope (also known as a “Rochdale envelope”) is commonplace practice for NSIPs and is described further in Planning Inspectorate (PINS) Advice Note Nine.

The draft Order Limits area

- 1.7.14 The Proposed Development is contained within the draft Order Limits area identified on the Scheme Order Limits Plans (Application Document Reference 4.1). This has been defined through a comprehensive design process which commenced with a site selection exercise, described in Chapter 3 of the ES (Site Selection and Alternatives, Application Document Reference 5.2.3).
- 1.7.15 The draft Order Limits encompass the land required to deliver the project the subject of this DCO application, including the proposed mitigations which have resulted from the Environmental Impact Assessment (EIA) process. It also includes areas for temporary compounds and accesses to deliver the Proposed Development. The draft Order Limits also comprise the existing Cambridge WWTP which will be decommissioned once the new proposed WWTP is operational. Finally, they also include the pipeline connections required from the existing WWTP to the new WWTP and the connection from Waterbeach and the pipeline to the discharge point and its outfall on the River Cam.
- 1.7.16 Figure 1.2 shows an oblique perspective of the site location and the main components of the Proposed Development for the purposes of this PS.

5



Proposed Development for the purposes of this PS

1.7.17 The Proposed Development is the first waste water project to seek a DCO that is not specifically named in the NPSWW. Although Anglian Water believes that the CWWTPR satisfies the requirements of s29(1) of the PA 2008 (being a waste water treatment plant located in England with an expected capacity following construction in excess of a population equivalent of 500,000), the approach to the calculation of population equivalent capacity under s29(1) of the PA 2008 has not been determined by the Courts. Rather than seek a direction on that basis (and without prejudice to any case it may choose to submit in the future in respect of s29(1) of the PA 2008), the Applicant instead sought and obtained a direction from the Secretary of State under s35 of the PA 2008 on 18 January 2021, which confirms that the project by itself is nationally significant and is to be treated as development for which development consent is required.

1.7.18 Copies of the request for a s35 direction by Anglian Water dated 1 December 2020 and their letter dated 17 December 2020 responding to a request by the Secretary of State for further information pursuant to s35A(3) of the PA 2008 are attached at **Appendix 1** and **Appendix 2** respectively. The Secretary of State's s35 direction dated 18 January 2021, which includes an annex setting out the reasons for the decision to issue the direction, is attached at **Appendix 3**.

4

1.7.19 Sections 3 and 6 of this PS set out the matters to which the Secretary of State must have regard when determining a DCO application under either s104 or s105 of the PA

18 January 2021, which includes an annex setting out the reasons for the decision to issue the direction, is attached at **Appendix 3**.

- 1.7.19 Sections 3 and 6 of this PS set out the matters to which the Secretary of State must have regard when determining a DCO application under either s104 or s105 of the PA 2008. It is the Applicant's opinion that the NPSWW has effect in this instance because of the terms of the s35 direction dated 18 January 2021 stating that the project is "nationally significant" (noting footnote 6 in NPSWW paragraph 1.2).
- 1.7.20 The design of the Proposed Development as a waste water treatment plant is dictated in large part by its purpose to clean waste water taken from people's homes and from local businesses and to return it to the environment. Under Schedule 1 Regulation 13 (waste water treatment plants with a capacity exceeding 150,000 population equivalent) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 No. 572) (the 'EIA Regulations'), EIA is required as part of the application for a DCO and, in making the decision, the Secretary of State must provide an up-to-date reasoned conclusion on the significant effects of the project (regulation 21(1)(b) and (2)).
- 1.7.21 Anglian Water requested a scoping opinion from PINS under regulation 10 of the EIA Regulations in October 2021 (Application Document Reference 5.4.4.2); this request stated that Anglian Water intended to submit an ES with its application for development consent. A Scoping Opinion dated 29 November 2021 was subsequently received from PINS (Application Document Reference 5.4.4.1). PINS was notified of Anglian Water's intention to submit an application for a DCO under s46 PA 2008 on 22 February 2022 (Application Document Reference 6.1.4). This notification informed the Planning Inspectorate that the development is EIA development and that an Environmental Statement (ES) would be submitted with the application.

1.8 Other statutory tests

- 1.8.1 Further statutory tests arise as a result of the DCO application proposals, including those relating to the compulsory acquisition of land for the purposes of developing the Proposed Development, compliance with the Conservation of Habitats and Species Regulations 2017 (the Habitats Directive) and the Water Framework Directive 2000/60/EC (WFD).

Compulsory acquisition

- 1.8.2 The DCO application seeks powers to compulsorily acquire land for the purposes of developing the Proposed Development in the event that it cannot be secured by voluntary agreement. The PA 2008 sets out a series of tests which must be followed in order to ensure that the acquisition is in the public interest.
- 1.8.3 Section 122 of PA 2008 sets out the tests that need to be met in relation to compulsory acquisition. These are that the land:
- s122(2)(a); is required for the development to which the development consent relates;

- s122(2)(b); is required to facilitate or is incidental to that development, or;
- s122(2)(c); is replacement land which is to be given in exchange for the order land under s131 or s132.
- s122(3); the condition is that there is a compelling case in the public interest for the land to be acquired compulsorily.

1.8.4 A Statement of Reasons is provided to support the DCO application (Application Document Reference 3.1). It identifies the land interests which are required for the construction, operation and maintenance of the Proposed Development and it sets out the reasons why powers of Compulsory Acquisition are necessary to secure interests, despite a process of continuous engagement prior to the submission of the DCO application. The Applicant has sought to acquire the land, rights (and restrictions) over land and agreements for the temporary use of land by voluntary agreement, however, to date it has not been possible to secure all of the land and rights required by agreement, although negotiations are ongoing. All areas of land subject to compulsory acquisition are required for the development.

Habitats Regulations Assessment

- 1.8.5 The Habitats Directive sets out the need for an appropriate assessment to be undertaken by a competent authority when development is likely to have significant effects on designated sites (SACs and SPAs in the UK).
- 1.8.6 The Habitats Regulations Report submitted with the DCO application (Application Document Reference 5.4.8.16) sets out for the competent authority (DEFRA) the Applicant's shadow appropriate assessment and concludes that, with adherence to the proposed mitigation including regulatory requirements, the construction works associated with the Proposed Development and the operational activity associated with the proposed WWTP will not give rise to any adverse effects on the integrity of the European sites and their features either alone, or in-combination with other plans, policies or projects.

Water Framework Directive

- 1.8.7 The Water Framework Directive 2000/60/EC sets out that all relevant water bodies in the UK must become of "*good ecological value*" by 2015. This is administered by the competent authority (the Secretary of State for Environment, Food and Rural Affairs) through the designation of River Basin Management Plans. If a development is considered to have a significant effect on the ecological value of a water body, the directive engages a 'polluter pays' principle to mitigate against this effect. A Water Framework Directive Assessment is submitted with this application (Application Document Reference 5.4.20.3) which concludes that the Proposed Development will have no significant effect on water bodies within the vicinity of the development.

Consents and licences

- 1.8.8 The Consents and Other Permits Register (Application Document Reference 7.1) which accompanies this DCO Application sets out what consents, licences and agreements

are expected to be needed to implement the Proposed Development outside that which is sought through the DCO. This statement also sets out the Applicant's intended strategy for obtaining these consents, licences and agreements.

- 1.8.9 A full list of the other permits and consents required for the operation and construction of the Proposed Development is set out in Consents and Other Permits Register (Application Document Reference 7.1).

1.9 The Purpose and structure of the Planning Statement

- 1.9.1 This PS is prepared on behalf of Anglian Water in support of the DCO application.
- 1.9.2 The PA 2008 and associated legislation do not require a PS to be submitted alongside an application for a DCO. However, Anglian Water considers that this statement is an integral element of the submission. The purpose of this PS is to analyse the proposals in accordance with the requirements of s104 and s105 of the PA 2008 being informed by the EIA process, and the information contained in the suite of documents and drawings/plans submitted as part of this application including the assessments relating to other statutory areas such as Habitats Regulations (Application Document Reference 5.4.8.16) and the Compulsory Acquisition of land (Application Document Reference 3.1), and in so doing to assist the Secretary of State to reach a decision on whether to grant consent.
- 1.9.3 This PS is structured as follows:
- Section 2 sets out the need and context for the Proposed Development and what the proposed Development will deliver.
 - Section 3 sets out the framework for determination of the DCO application.
 - Section 4 describes the effects of the proposed development after mitigation and the consistency of the Proposed Development with relevant policy, in particular the assessment of the Proposed Development against the policy contained in the NPSWW and the weighing of potential benefits and potential adverse impacts against the considerations set out in the NPSWW.
 - Section 5 describes how the draft DCO will address matters of detail in order to secure the mitigations which are not embedded in the Proposed Development and the benefits that the Proposed Development is seeking to deliver.
 - Section 6 considers the application proposals as a whole against the policy and legal tests. It presents a planning assessment of the proposals in accordance with the requirements of s104 and s105 PA2008 and the 'other considerations' which should inform the decision that the Secretary of State must make as to whether there are 'very special circumstances' sufficient in this instance to justify why the DCO should be granted for development in the Green Belt. Paragraph 147 in the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- Finally, Section 7 presents conclusions.

1.10 Legislative and policy changes

1.10.1 At the time of submission of this DCO application proposed reforms to the planning system in England are being promoted by the government through, amongst other documents, the Levelling Up and Regeneration Bill and revisions to the National Planning Policy Framework (NPPF). So far as these reforms remain at drafting stage, they are not considered in this PS. If, in the course of the determination of this DCO application, any reforms are made in law and take effect, their relevance to this application will be addressed through the preparation of additional statements.

2 The Need and Context for the Development Proposals

2.1 The need for the relocation of the Cambridge WWTP

- 2.1.1 For the reasons described below, relocation of the existing WWTP is necessary for the delivery of new housing which is of critical importance to the sustainable and continued success and growth of the nationally important city and region of Cambridge and will enable the delivery of significant planning benefits to be realised.
- 2.1.2 Once the WWTP is relocated, the site will be at the core of the transformation of this major opportunity area to support Greater Cambridge's continued sustainable economic growth (as recognised in the Secretary of State's s35 direction dated 18 January 2021 - Appendix 3) and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double the Regional Gross Value Added (GVA) by reinforcing Cambridge's position as a global centre of excellence for research, development and business success. Specifically, the Proposed Development will enable Cambridge City and South Cambridgeshire District Councils' long held ambition to develop a new low-carbon city district on Cambridge's last major brownfield site, known as NEC.
- 2.1.3 The relocation of the WWTP will enable this new city district to come forward and deliver 8,350 homes, 15,000 new jobs and a wide range of community, cultural and open space facilities in NEC. NEC is recognised as the most sustainable location suitable and available (subject to the CWWTP DCO being approved) in Greater Cambridge to meet housing needs.
- 2.1.4 The significant development potential of NEC (formerly referred to as the Cambridge Northern Fringe East or 'CNFE') has long been identified by Cambridge City Council, South Cambridgeshire District Council and CCC (as landowners and planning authorities) and this area has been studied and reviewed over an extended period. The area has benefitted from Transport Infrastructure Fund (TIF) funding for Park & Ride and in recent years the completion of Cambridge Guided Bus public transport infrastructure, Cambridge North railway station and the Chisholm Trail walking and cycling route. Until now, however, realisation of the full regeneration potential of NEC has been hampered by the presence of the existing Cambridge WWTP and the constraints its presence imposes on the full and effective use and development of this area. The difficulty of finding a feasible and viable solution to remove this constraint has until now also prevented Cambridge City Council and South Cambridgeshire District Council, acting together, to define and put in place a sound development plan to realise their aspirations. This is reflected in the local policy context summarised further below.
- 2.1.5 Unlocking the full potential of NEC by addressing the major market failure preventing the delivery of infrastructure and development in this instance was finally made possible through the award in 2019 of £227m of HIF funding from Homes England to relocate the existing WWTP following an application originally made in 2017 by the Cambridgeshire and Peterborough Combined Authority supported by Cambridge City Council in partnership with Anglian Water (as landowners and joint venture partners)

and by key stakeholders including South Cambridgeshire District Council in acknowledgement of its wider planning benefits. The strategic case in support of that award made clear that:

“Relocating the CWRC [existing WWTP] will release the CNFE Core Site, a major brownfield area for 5,600 homes (including 40% affordable) in line with the Cambridge Sustainable Housing Design Guide. It will also remove ‘odour zone’ restrictions around the [existing WWTP] that limit 82 hectares of land to industrial use. This would enable a further circa 3,000 homes to be built on adjacent land and nearby employment sites to more than double employment densities”.

2.1.6 The £227m of HIF funding is to be used to relocate the existing WWTP and for decommissioning works necessary to take the existing plant out of operational use, and to surrender its current operational permits (as per paragraph 1.4.1 final bullet, and paragraphs 1.4.5 to 1.4.8). It would also be used to address the major market failure to unlock development and allowing, through Cambridge’s strong property market and underlying land values, conventional developer funding and planning to deliver the physical, environmental and social infrastructure that will underpin the housing delivery. Without this full HIF funding, the infrastructure scheme will not be delivered and the delivery of 8,350 homes, together with associated mixed uses and infrastructure cannot be realised.

“The relocation of the CWRC [Cambridge Water Recycling Centre] is the basis for transformation of CNFE to support Greater Cambridge’s continued sustainable growth and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double GVA by reinforcing Cambridge’s position as a global centre of excellence for research, development and business success. CWRC relocation would release scarce land for development, facilitate housing on public and private land and reduce pressure for major housing development elsewhere in Greater Cambridgeshire.” (Extract from Strategic Case – HIF application)

2.1.7 The HIF award has released Anglian Water to develop its proposals for the construction of a new WWTP on a new site which now forms the basis of this DCO application, and enabled Cambridge City Council and South Cambridgeshire District Council to bring forward a detailed and ambitious planning framework for NEC through the production of an ‘Area Action Plan’ (AAP) in parallel with the preparation of a new joint Local Plan for Greater Cambridge. The position reached on these proposals and the historic local policy framework and chronology of activity which have informed this progress are described more fully below, as is the description of how the Proposed Development will allow the Applicant to continue providing vital waste water services to customers across Cambridge and Greater Cambridge in a single new, modern, carbon-efficient facility and the benefits this will deliver.

- 2.1.8 Fundamentally, development consent for the Proposed Development will allow the existing older treatment plant on Cowley Road to be decommissioned and will remove the Waste Water Treatment Safeguarding Area¹ which prevents any residential development within 400 metres of the existing Cambridge WWTP and restricts employment land-use to general industrial and office on the fringes. This Safeguarding Area not only prevents the consideration of housing development on the existing Cambridge WWTP site but on a core 35 hectares of land forming the gateway between Cambridge North station and the Cambridge Science Park.
- 2.1.9 With the removal of this constraint, creation of the new city district will provide for double the density of space and jobs at adjacent high-value employment sites such as Cambridge Science Park and allow the provision of significant new infrastructure to be delivered including investment in utilities, transport, green space, public realm, health facilities, schools and affordable housing.
- 2.1.10 It will also rebalance an employment-dominated part of Cambridge, achieving a sustainable mix of housing, work, retail and leisure and reduce the need to travel by exploiting its proximity to sustainable transport infrastructure including the guided busway, Cambridge North Station, cycling infrastructure and walking routes
- 2.1.11 In removing the Cambridge WWTP from its existing location, it will also substantially reduce the number of homes and properties within the area potentially affected by odour (given the location of the proposed WWTP and the higher standards of odour control which will be achieved there).
- 2.1.12 The potential of the Proposed Development to provide a key contribution to the development of Cambridge and to investment in waste water infrastructure, to support growth in the economy and to make an important contribution to meeting government housing objectives is recognised in the Secretary of State's s35 direction dated 18 January 2021 (Appendix 3).
- 2.1.13 Whilst demonstration of need does not dispose of the requirement on promoters to address all other matters, the need for land occupied by existing facilities for other compelling reasons, as expressed in and supported by a clear resolution by the Councils of the strategic direction of the emerging GCLP, undergirded by a robust Sustainability Assessment evidence base and political commitment to NEC, is a significant consideration in this instance.

2.2 What the Proposed Development will deliver

- 2.2.1 The Proposed Development will deliver a new, modern, carbon-efficient integrated water recycling facility, using the latest technology and operational practices. It will allow the Applicant to continue providing vital waste water services to customers across Cambridge and Greater Cambridge and to serve the growing population of Greater Cambridge for years to come, in a more sustainable and resilient way.
- 2.2.2 The new plant will continue storing and treating storm flows and treating sludge to produce renewable energy. It is designed to accommodate a growing population. It

¹ Policy 16 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

offers the opportunity for a joined-up solution for treating waste water from Cambridge and Greater Cambridge, including Waterbeach .

- 2.2.3 Planning for capacity in the new WWTP has needed to take account of all likely development for the foreseeable future within the combined Cambridge and Waterbeach catchment. Since Anglian Water's expectation is that the waste water from all new housing provision within the Cambridge and Waterbeach combined waste water catchment must be processed at the Cambridge WWTP (in accordance with the "proximity principle" - see Site Selection and Alternatives Chapter 3 of the ES Application Document Reference 5.2.3), this means accommodating all that part of the 37,200 homes and employment space already in the pipeline to be built between 2020 and 2041 which are situated in the waste water catchment, together with the additional homes and employment space identified in the emerging new Local Plan to support economic growth.
- 2.2.4 Greater Cambridge's current housing pipeline forecasts do not include NEC, for which the NECAAP (see below) is being prepared, or Cambridge East, which is safeguarded land for development in the adopted 2018 Local Plans. Since both of these locations are situated within the existing Cambridge waste water catchment and are likely to be identified in the emerging new Local Plan to accommodate a significant number of these additional new homes, the capacity of the proposed WWTP needs to be able to accommodate them.
- 2.2.5 By contrast, the development of Waterbeach New Town² is already in the housing pipeline and will deliver some 11,000 new homes. Planning permission³ for 6,500 new homes was granted to the Secretary of State for Defence and Urban & Civic Plc in September 2019 and development commenced in 2021. A planning application by RLW for a further 4,500 new homes, including on the site of the existing Waterbeach WWTP, benefits from a resolution on 29 January 2021 by South Cambridgeshire District Council to grant planning permission subject to a s106 Agreement.
- 2.2.6 Anglian Water's original proposed waste water recycling strategy for Waterbeach New Town was to accommodate the additional flows arising by building a new Waterbeach WWTP to the east of the existing treatment works. A pre-application for planning advice for this new Waterbeach WWTP submitted to Cambridgeshire County Council (CCC) in May 2019, however, prompted responses from CCC (in September 2019) making it clear that CCC was not satisfied that Anglian Water had demonstrated a feasible site for the new WWTP, particularly in relation to the location of the proposed site within a Flood Zone 2 area. The EA raised similar concerns and advised that pumping to Cambridge (existing Cambridge or proposed WWTP) would be the only feasible and deliverable option.
- 2.2.7 Given this and the benefits of, amongst other factors, operational efficiencies, capital cost efficiencies and carbon emissions reductions, Anglian Water decided instead to construct a new pipeline to align the new CWWTPR project with the timing of

² Waterbeach New Town, A Spatial Framework and Infrastructure Delivery Plan, Supplementary Planning Document, Adopted February 2019, South Cambridgeshire District Council.

³ S/0559/17/OL

requirements for Waterbeach. The connection of the existing Waterbeach catchment and the Waterbeach New Town development to the Proposed Development will in effect combine the two catchment areas and enable waste water flows to be treated at a single WWTP. This represents operational and capital cost efficiencies and carbon cost reduction.

- 2.2.8 The planned growth in Waterbeach will therefore be met by the existing Waterbeach WWTP until that plant reaches capacity (currently anticipated to be in 2028), at which point all flows will be re-routed to the new WWTP (or to the existing Cambridge WWTP in the event that the new WWTP is not ready to receive flows at that point in time) and the existing Waterbeach WWTP replaced by a new pumping station within the Waterbeach New Town site.
- 2.2.9 The requirement for new capacity to respond to the waste water demands generated by the above growth would, therefore, be the function of the CWWTPR project.
- 2.2.10 The existing Cambridge and Waterbeach WWTPs play a vital role storing and treating storm flows during heavy rainfall before discharging to the River Cam and provide a material contribution to the flow within the River Cam. Storm overflows play a vital role in combined waste water network systems as they work like pressure release valves to protect homes and businesses from flooding during periods of extreme rainfall (as recognised at NPSWW paragraph 2.3.5). The EA issues permits for storm overflows. In the climate change context, as Greater Cambridge continues to grow, the role played by WWTPs in responding to climate change becomes increasingly important. The proposed WWTP will be able to treat a greater volume of storm flows to a higher standard than would be the case at the existing WWTPs and will provide greater resilience and improved storm management, meaning storm overflows and Combined Sewer Overflows (CSOs) are far less likely to occur (as described in the Storm Model report – Application Document Ref. 5.4.20.10).
- 2.2.11 The design capacity of the new WWTP is therefore based upon the connected population equivalent that needs to be served, together with an element of growth, in a process that is capable of meeting the current Environmental permit standards. The capacity to deal with the waste water from the combined Cambridge and Waterbeach catchment (together with an element of growth) equates to a population equivalent (PE) of 300,000 and the capacity for the integrated Sludge Treatment Centre (STC) is 16,000 tonnes of sludge per year which equates to a PE of 548,000.
- 2.2.12 Broadly, the construction will take place over two phases:
- Phase 1: is expected to have a waste water capacity to serve circa 275,000 PE, plus the full sludge treatment capacity. This is modelled to provide sufficient waste water treatment capacity to at least 2035. The supporting infrastructure to allow for growth to 2080 will also be constructed;
 - Phase 2: will provide the balance of waste water treatment capacity to serve circa 300,000 PE which on current modelling will provide sufficient waste water treatment capacity at least 2041. This will largely comprise a modular build exercise within the earth bank.

- 2.2.13 It is possible that Phase 2 might be needed earlier or later than 2035 and that further capacity expansion may be needed earlier or later than 2041, for example recognising that more housing might ultimately be allocated and build rates could be faster or slower than predicted. However, the modelling makes no allowance for changes in environmental standards, for example in respect of increased grey water capture and re-use and Sustainable Drainage Systems (SuDS), which might reduce flows and therefore delay the need for Phase 2, nor assumptions around infiltration rates. Again, any reduction in rates (eg due to sewer upgrades elsewhere on the network) would reduce flows delaying the need for Phase 2. This phasing approach provides Anglian Water with the operational flexibility it needs to continue to provide waste water treatment services in accordance with its statutory duty at all times up to at least 2080.
- 2.2.14 This capacity for Phases 1 and 2 will be sufficient to serve all existing and planned residential and commercial development within the Cambridge catchment as a minimum to 2041 (being the end of the next Local Plan period) based on existing commitments and emerging needs and allocations identified in the emerging Local Plan (with headroom should the housing requirement/target increase), as well as from the strategic sites (ie Cambridge East, NEC and Waterbeach) beyond the next Local Plan period. The infrastructure provided as part of the main works will have a design life to at least 2080, and the supporting infrastructure (i.e. the transfer tunnel, pipelines and outfall) will have a designed capacity sufficient to meet population growth projections plus an allowance for climate change into the 2080s. Furthermore, there is capability for expansion in space that has been provided within the earth bank and by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s. The proposed development is therefore capable of accommodating the capacity of all the identified strategic sites within the Cambridge and Waterbeach combined waste water catchment that will be built out beyond 2041.
- 2.2.15 The Proposed Development is therefore necessary to achieve the wider planning objectives of the Councils and this need arises principally from population growth and urbanisation in Cambridge (in land use and water treatment terms) and also in Waterbeach (in water treatment terms).
- 2.2.16 The design includes a Gateway Building with incorporated Discovery Centre, parking including electrical vehicle charging points, renewable energy generation using anaerobic digestion and biogas and photovoltaics. Environmental mitigation and enhancements including substantial biodiversity net gain, improved habitats for wildlife, extensive landscaping over approximately 70ha, a landscaped earth bank enclosing the proposed WWTP, climate resilient drainage system and improved recreational access and connectivity.
- 2.2.17 The proposed scheme will result in the following benefits:
- **Building a modern, low carbon waste water treatment facility** - the design of the facility will contribute to Anglian Water's goal to reach net zero carbon emissions by 2030 by reducing energy consumption and contributing towards the circular economy. As explained in the DAS (Application Document Reference 7.6), the new

facility will significantly reduce carbon emissions compared to the existing WWTP and will be operationally net zero and energy neutral. The project will not, therefore, adversely affect delivery of carbon budgets under the Climate Change Act 2008. Anglian Water is also targeting a 70 per cent reduction in “capital” or “embedded” carbon during the construction phase compared to a 2010 baseline by adopting sustainable construction techniques (see Carbon Chapter in the ES - Application Document Reference 5.2.10).

- **Improving storm resilience** - storm overflows play a vital role in combined waste water network systems as they work like pressure release valves to protect homes and businesses from flooding during periods of extreme rainfall. The EA issues permits for storm overflows. The new facility will provide greater resilience and improved storm management, meaning storm overflows and CSOs are far less likely to occur. This means that, as Greater Cambridge continues to grow, the facility will be able to treat a greater volume of storm flows to a higher standard than would be the case at the existing waste water facility (see Resilience Chapter in the ES - Application Document References 5.2.9 and Storm Model Report at 5.4.20.10).
- **Improving the quality of the recycled water AW returns to the River Cam** - the design of CWWTPR will reduce concentration in final treated effluent discharges of phosphorus, ammonia, total suspended solids and BOD, compared to the existing facility. This means that when the new facility starts to operate, water quality in the River Cam will improve (see Water Resources Chapter in the ES - Application Document Reference 5.2.20).
- **Restoring and enhancing the surrounding environment** – the Proposed Development will increase biodiversity by a minimum of 20 per cent (see Biodiversity Chapter in the ES - Application Document Reference 5.2.8). This would be delivered by the creation of new woodland and grassland habitats and improved and replacement hedgerows. Anglian Water will create new wildlife habitats, which will complement local initiatives such as the Cambridge Nature Network and the Wicken Fen vision.
- **Maximising public value and supporting the circular economy** - the efficient and effective recycling and re-use of waste water is core to public health and the circular economy. The design of the facility further supports a circular economy (Application Document Reference 5.2.12) by:
 - more effectively recycling nutrients, in the form of phosphorous and ammonia, found in waste water;
 - treating the bio-solids captured as part of the wastewater treatment process, creating an enhanced soil conditioner for use by local agriculture; and
 - generating biogas which, when processed and exported into the local gas network, will be used to heat the homes of the local community as a renewable fuel source.

- **Operational and capital cost efficiencies and carbon cost reduction** – consolidation of both Cambridge and Waterbeach drainage catchment area sewage treatment capacity to serve existing and future development in a single WWTP will result in operational and capital cost efficiencies and carbon cost reduction (consistent with the recognition at NPSWW paragraph 2.4.14). The new WWTP will be operationally net zero carbon and an energy neutral facility (see Carbon Chapter in the ES - Application Document Reference 5.2.10).
- **Improving access to the countryside with new paths and accessible open spaces** – Cambridgeshire has one of the lowest levels of natural green space available for public access in the UK⁴. The design responds to this by creating quiet places for both people and nature. The Proposed Development will create new and improved access to the Cambridgeshire countryside via new public rights of way and permissive footpaths which will be connected to the wider network of public rights of way. A new bridleway will improve access to Quy Fen and Anglesey Abbey. The Proposed Development will also contribute to the realisation of the Horningsea Greenway (see Traffic and Transport Chapter in the ES - Application Document Reference 5.2.19).
- **Enhancing education** – the Discovery Centre will enable people to understand and interact with water recycling processes and Anglian Water’s wider sustainability agenda, transparently showing what Anglian Water does while offering unique educational opportunities (see Community Chapter in the ES - Application Document Reference 5.2.11).
- **Enhancing recreational opportunities** - The green space around the proposed WWTP is not intended as a recreational destination in its own right, and no additional parking is being provided for public access. However, providing pedestrian, cycle and equestrian access to the landscaped area, improved access for pedestrians and non-motorised users will formalize recreational access and provide opportunities for public enjoyment of access to green open space, thereby mitigating impacts on recreational amenity (see Landscape and Visual Amenity Chapter in the ES - Application Document Reference 5.2.15).

2.3 Local policy context for relocation

2.3.1 Greater Cambridge has a strong and nationally important economy. The growth of the area is an acute challenge, with significant housing pressure and house prices more than thirteen times the average salary. The Cambridgeshire and Peterborough devolution deal includes the vision of doubling the total economic output of the area over 25 years and the challenge is to ensure the growth in housing stock matches the strong economic growth in the area. The Cambridgeshire and Peterborough Independent Economic Review (CPIER)⁵ shows that recent jobs growth has been faster than expected, and that growth is likely to continue. As a result, demand for new

⁴ The Cambridge Nature Network: A Nature Recovery Network for Cambridge and its Surrounds – The Wildlife Trust March 2021

⁵ <https://www.cpier.org.uk/media/1671/cpier-report-151118-download.pdf>

housing in the Cambridge area has been exceptionally high and housebuilding has not kept up. The challenge of delivering sustainable development to achieve these ambitions is now being faced in the latest round of Local Plan preparation, although it is plain that this challenge is one which the local planning authorities have been grappling with for decades, with NEC and the existing Cambridge WWTP site being recognised as a significant opportunity if and when the constraints to regeneration can be removed.

Historic local policy position

- 2.3.2 The Adopted Cambridgeshire and Peterborough Structure Plan 2003 identified CNFE as a strategic area for sustainable redevelopment, with Policy MW15 providing support for the search for an alternative location for the Cambridge WWTP.
- 2.3.3 Policy 9/6 of the Adopted Cambridge City Local Plan 2006 set out the requirements for the redevelopment of CNFE for high density mixed use development with the redevelopment of the existing Cambridge WWTP contingent upon its relocation (paragraph 9.30).
- 2.3.4 The Cambridgeshire and Peterborough Minerals and Waste Plan Site Specific Proposals Development Plan Document - Preferred Options December 2006 identified a preferred site at Honey Hill, Horningsea/Fen Ditton, north of the A14 (Site SSP15) as the most appropriate location for the new WWTP, although the document did not retain this allocation when finally adopted in 2012.
- 2.3.5 The Cambridge Local Plan 2018 replaced the 2006 Local Plan. The Sustainability Appraisal (SA) of what is now the adopted 2018 Local Plan was originally undertaken in 2014 with further appraisals of proposed modifications carried out during the local plan examination prior to adoption. This SA confirmed at paragraph 3.12.4 that the 2006 CNFE policy was no longer applicable because the relocation of the CWWTTP was found to be unviable, and instead that the site would be taken forward through the Local Plan review and will focus on employment led development around the planned Chesterton Station (the now completed Cambridge North Station) within South Cambridgeshire District. The SA confirms that Cambridge City Council would be working with South Cambridgeshire District Council to ensure co-ordinated policies would be developed. The 2018 Cambridge and South Cambridgeshire Local Plans were then adopted (providing the extant respective Policies 15 and SS/4 referenced below).
- 2.3.6 Cambridge City Council and South Cambridgeshire District Council consulted on Issues & Options for the joint CNFE AAP in late 2014⁶. With its accompanying interim SA, it explored four future development options including reconfiguration of the existing WWTP site (option 3), complete relocation (option 4) and leaving the existing WWTP in situ (options 1 and 2). After consultation, officers were instructed to investigate a revised option 2 following Cambridge City Council determining that, while Option 4

⁶ the decision to prepare a joint AAP was made in early 2014 – see [Chronology document: Chronology of the feasibility investigations of redevelopment of the Cambridge Waste Water Treatment Plant \(greatercambridgeplanning.org\)](#)

was preferred through consultation, members considered the cost and challenge of relocating the existing WWTP was unfeasible at that time. Work on advancing a revised option 2 was then delayed as a result of the protracted Local Plan examination. However, the conclusions drawn from this exercise are referenced in the updated 'North East Cambridge Area Action Plan' Issues & Options Report 2019 (see below).

Present local policy context for CWWTPR

- 2.3.7 The current development plan continues to promote the regeneration of this area, principally through Policy 15 of the adopted Cambridge Local Plan 2018 (and corresponding Policy SS/4 of the South Cambridgeshire Local Plan 2018), and recognises the continuing aspiration and opportunity which could be realised if the existing WWTP is relocated.
- 2.3.8 The adopted Cambridge Local Plan 2018 (Policy 15) and corresponding Policy SS/4 of the South Cambridgeshire Local Plan 2018 identify the existing Cambridge WWTP site and surrounding area for redevelopment for high quality mixed-use development primarily for employment use as well as a range of supporting uses, commercial, retail, leisure and residential uses (subject to acceptable environmental conditions) as part of the 'Cambridge Northern Fringe East' Area of Major Change (now part of NEC).
- 2.3.9 The policy states that the detail of the total amount of development, site capacity, viability, timescales and phasing of development in NEC are to be established through the preparation of an AAP to be developed jointly between Cambridge City Council and South Cambridgeshire District Council, and involving "close collaborative working with Cambridgeshire County Council, Anglian Water and other stakeholders in the area".
- 2.3.10 The supporting text states that "*Exploration in respect of the viability and feasibility of redevelopment of the Cambridge Water Recycling Centre to provide a new treatment works facility either elsewhere or on the current site, subject to its scale will be undertaken as part of the feasibility investigations in drawing up the AAP. If a reduced footprint were to be achieved on the current site, this could release valuable land to enable a wider range of uses. Residential development could be an option, subject to appropriate ground conditions, contamination issues and amenity and air quality*" (paragraph 3.5).
- 2.3.11 The adopted plans for Cambridge and South Cambridgeshire for the period 2011 to 2031 have their own housing targets. The plans formally agree that the housing trajectory be looked at jointly in respect of the phasing of delivery of that housing. However, the soundness of both plans was predicated on the inclusion of a policy (Cambridge Local Plan Policy 9, South Cambridgeshire Local Plan Policy S/13) committing to an early review and preparation of a new joint Local Plan (the GCLP) which would commence before the end of 2019 and address a number of issues for specific attention, including an updated assessment of housing needs. Progress on that review process is set out further below.

Emerging local policy framework

2.3.12 The Councils published the updated NEECAP Issues & Options Report in 2019 which deals with the change in circumstances and refers to the submission of a bid for HIF funding and the potential for this to enable the relocation of the WWTP and unlock development on the site within the plan period (paragraphs 1.15 – 1.17). It sought views on whether the previously allocated Northern Fringe area should be extended to include neighbouring land parcels, including the Science Park, and this should constitute the Area Action Plan area (a decision subsequently made and confirmed in the subsequent draft NECAAP). The Issues & Options Report 2019 states:

'1.16. The Government announced in March 2018 that Cambridge's HIF bid had been shortlisted and was advancing to the detailed business case stage. Securing the HIF will provide certainty that the Water Recycling Centre can be relocated off the current site. This is the context within which the AAP is being progressed, and the basis on which this Issues and Options consultation has been prepared. It also prompts the need to revisit the development potential of area, and in particular, the balance of the land use mix to be delivered from that previously proposed under the 2014 Issue & Options consultation. It is therefore necessary to assess a new set of development options for the future of the area through the AAP. A formal announcement on the HIF is due in early 2019, with the decision informing future stages in the preparation of the AAP.'

1.17. The planning process for the future location of the Water Recycling Centre is outside the scope of this AAP. The County Council is the Local Planning Authority for waste matters. There will be a separate process put in place that will allow interested parties to engage in the Water Recycling Centre's relocation.'

2.3.13 The NEC Chronology report⁷ establishes that the feasibility of consolidation and relocation were tested through previous masterplans, the 2006 examination of the Cambridge Local Plan, and the 2014 Issues & Options Report. The 2019 Issues & Options Report did not revisit this but rather relied on the fact that the HIF was for relocation of the WWTP that would address the feasibility of redevelopment of the area. It references the four options explored in the 2014 Issues & Options SA (Main Report). It confirms (paragraph 1.3) that (when members considered the responses to the consultation in 2015) *'while the results from the consultation indicated a strong preference for variations of Options 2 and 4, Cambridge City Council members considered the cost and challenge of relocating the Water Recycling Centre under Option 4 was unfeasible, rendering the option impossible to implement. Work on*

⁷ [Chronology of the feasibility investigations of redevelopment of the Cambridge Waste Water Treatment Plant \(greatercambridgeplanning.org\) - https://consultations.greatercambridgeplanning.org/sites/gcp/files/2021-12/NECAAPEBChronologyoffeasibilityinvestigationofredevelopmentofCambridgeWWTPJuly21v1.pdf](https://consultations.greatercambridgeplanning.org/sites/gcp/files/2021-12/NECAAPEBChronologyoffeasibilityinvestigationofredevelopmentofCambridgeWWTPJuly21v1.pdf)

preparing the AAP was paused at this point to consider the way forward, and whilst the Councils Local Plans were progressed.'

North East Cambridge Area Action Plan

- 2.3.14 In July 2020 (following the announcement of the HIF award) Cambridge City and South Cambridgeshire Councils jointly published the Draft (Regulation 18) NECAAP for consultation which took place between July and October 2020. Taking into account the comments received, the Councils prepared the Proposed Submission Regulation 19 NECAAP. This was reported to the respective District Council and City Council Committees between 30 November 2021 and 11 January 2022 (<https://democracy.cambridge.gov.uk/ieListDocuments.aspx?CId=475&MId=3974>). The proposed submission (Regulation 19) version has been agreed by Cambridge City and South Cambridgeshire District Councils' decision-making processes "for future public consultation, contingent upon the separate Development Control Order being undertaken by Anglian Water for the relocation of the Waste Water Treatment Plant being approved". A consultation on the NECAAP will await the outcome of the Development Consent Order process for the relocation of the WWTP, on which the draft NECAAP is predicated.
- 2.3.15 Policy 1 in the Draft NECAAP makes provision for NEC to accommodate 8,350 new homes (3,900 in the period to 2041) and 15,000 new jobs, of which some 5,400 homes are to be provided on the existing WWTP site. The Draft NECAAP does not contain any specific policy advocating and supporting the relocation of the existing WWTP off site in order to achieve the spatial strategy. The introduction to the document states:

"The Cambridge North railway station and more recently confirmed funding from central government's Housing Infrastructure Fund to relocate the Cambridge Waste Water Treatment Plant, creates a once-in-a-generation opportunity to comprehensively transform the area and create a new city district for Cambridge. This Proposed Submission Area Action Plan is therefore based on the Waste Water Treatment Plant being relocated and establishes a clear vision of not only how North East Cambridge can grow physically, but also about supporting tangible social and environmental benefits that create a better overall quality of place and life for all."

- 2.3.16 On page 21 of the Draft NECAAP it is stated:

"In March 2019, the government announced that the Cambridgeshire and Peterborough Combined Authority and Cambridge City Council (as part landowner) had been successful in securing £227 million from the Housing Infrastructure Fund (HIF) to relocate the Waste Water Treatment Plant off-site, to enable the Area Action Plan area to be unlocked for comprehensive development. The relocation project will be led by Anglian Water who are consulting with the local community before submitting a Development Consent Order (DCO) application to the Planning Inspectorate. The Area Action Plan is predicated on the

relocation of the Waste Water Treatment Plant, and the outcome of the DCO process will be important in terms of confirming site availability and deliverability.”

- 2.3.17 The papers and evidence base considered by the Councils before approving the Regulation 19 version of the NECAAP include a SA (Appendix B of Committee papers) that considers whether there are reasonable alternatives to development of the NEC site.
- 2.3.18 Section 4 of the Sustainability Appraisal ‘Area Action Plan and Reasonable Alternatives’ contains a description of the likely effects of the options for the overall development of the NEC site, having regard to different assumptions relating to the WWTP. Paragraphs 4.8 – 4.12 refer to the NECAAP being prepared on the assumption that the WWTP will be relocated, that reasonable alternative locations for the new WWTP are outside the scope of the NECAAP (and the emerging GCLP) and therefore outside the scope of this SA, but that *“the preferred location for the WWTP will be taken into consideration when determining the cumulative effects of the Local Plan and NEC AAP”*.
- 2.3.19 The SA also concludes that the option of *“consolidation on site is not considered to be deliverable or viable and is therefore not considered to be a reasonable alternative”*. This was informed by a paper (the ‘NEC Chronology report’ referred to above – attached as Appendix I3 of the Committee papers) outlining the chronology of the feasibility investigations of redevelopment of the existing Cambridge WWTP that had also included the option of ‘consolidation’ of the existing Cambridge WWTP.
- 2.3.20 The SA acknowledges (paragraph 4.26) that *“if the WWTP were to remain in its current location, the full NEC development would not take place”* and therefore that the full positive effects of the NEC (set out in paragraphs 4.15 – 4.25) would not be realised. A substantially reduced housing capacity would also be unlikely to attract HIF and would again give rise to feasibility and deliverability concerns.

Greater Cambridge Local Plan

- 2.3.21 In January 2020 Cambridge City Council and South Cambridgeshire District Council jointly consulted on the GCLP First Conversation (Regulation 18: Issues and Options 2020) including the supporting Sustainability Appraisal of Issues and Options (December 2019) with the intention that this jointly prepared GCLP, once adopted, will replace both the adopted Cambridge and South Cambridgeshire Local Plans 2018 and cover the period to 2041.
- 2.3.22 In November/December 2021 the Councils consulted on the GCLP - First Proposals (Regulation 18: Preferred Options) including the supporting GCLP: First Proposals - Sustainability Appraisal (October 2021).
- 2.3.23 GCLP - First Proposals draft Policy S/NEC: North East Cambridge allocates NEC for housing and employment development, which *“will form an important part of the development strategy for the Local Plan. This site is one of the last few remaining significant brownfield sites within the city, where comprehensive redevelopment will support new homes and jobs as part of a new city district”* with the amount of

development proposed GCLP - First Proposals *“predicated on the relocation of the existing Waste Water Treatment Works, a process being led by Anglian Water. It is also reliant on the successful implementation of the North East Cambridge Trip Budget, which has been calculated to ensure that there are no additional vehicle trips on Milton Road at peak times (from 2017 levels) and subsequently not result in queuing on the A14 at Milton Interchange (Junction 33)”*.

- 2.3.24 Evidence supporting the GCLP is clear that the NEC site is the most sustainable location for strategic scale development available within Greater Cambridge. A critical finding in the climate change evidence that assessed spatial options for the GCLP - that is of key importance in determining the proposed development strategy - is that location is the biggest factor in impacts on carbon emissions, including the quality of access to public, active, and low carbon travel modes, and the need to travel regularly (GCLP Strategic Spatial Options Assessment: Carbon Emissions Supplement, November 2020 page 12⁸). The preferred strategy therefore focuses growth at a range of the best performing locations in terms of minimising trips by car as demonstrated by the GCLP Transport Evidence (October 2021)⁹. In terms of non-car mode shares and car trips per dwelling, the Transport Evidence concludes that development at NEC is the best performing location considered (page xviii and section 14.3).
- 2.3.25 The GCLP: First Proposals - Sustainability Appraisal (October 2021) includes an assessment of the proposed policy direction for Policy S/NEC: North East Cambridge and its alternative options (pages 196 – 203). Alternative option C is ‘Reduce developable area by retaining a consolidated Waste Water Treatment Works on site as either an indoors or outdoors facility’. The text against this option states that *“this alternative has not been appraised as it was not considered to be a reasonable alternative. This is because evidence shows that it would not be deliverable or viable”*. Alternative Option B is ‘No policy’. The SA recognises this *“would not provide the positive outcomes that option A would bring in terms of a major new city district to Cambridge”*.
- 2.3.26 The latest Local Development Scheme August 2022 (LDS) indicates a GCLP Draft Plan (Regulation 18) consultation in Autumn 2023 with a Proposed Submission (Regulation 19) consultation aligned with the NECAAP programme and consultation in Summer/Autumn 2025 after the CWWTPR DCO application has been determined, on the basis of the DCO being determined in early 2024.
- 2.3.27 In addition, the LDS advises that *“An additional stage is proposed to bring a report to members in January 2023 to confirm the Preferred Options for the Greater Cambridge Local Plan strategy and sites – this will include consideration of the representations on those issues received to the 2021 Preferred Options consultation, evidence provided by*

⁸ [GCLP strategic spatial options assessment Implications for carbon emissions Nov2020 \(greatercambridgeplanning.org\)](https://www.greatercambridgeplanning.org/gclp-strategic-spatial-options-assessment-implications-for-carbon-emissions-nov2020)

⁹ [Greater Cambridge Local Plan Transport Evidence Report \(greatercambridgeplanning.org\)](https://www.greatercambridgeplanning.org/greater-cambridge-local-plan-transport-evidence-report)

the draft water resource plans, an update to the evidence of needs for jobs and homes, more detailed work on capacity and design principles for the new strategic sites, and an update to other key evidence including the Sustainability Appraisal. This provides the opportunity for the Councils to confirm their preferred options for the strategy and sites before the full draft Greater Cambridge Local Plan is prepared and brought to Members". It says that "A report will be considered by each Councils decision-making processes in Summer 2023 with public consultation taking place in Autumn 2023".

- 2.3.28 The Councils state that they are unable to progress the GCLP and/or NECAAP with a housing strategy predicated on relocation of the WWTP to Regulation 19 proposed submission stage until the outcome of the CWWTPR DCO application is known, given the need to be able to demonstrate that the plans are sound and deliverable. As such the LDS says that *"As both the Greater Cambridge Local Plan and the North East Cambridge Area Action Plan are predicated on the relocation of the CWWTP, the timing of both Proposed Submission plans must be amended to follow the anticipated date of the outcome of the DCO. If the DCO is approved in Winter (early) 2024, rather than Autumn 2023 as informed the 2020 LDS, it is anticipated that the Proposed Submission Greater Cambridge Local Plan and the North East Cambridge Area Action Plan will be published for consultation in Autumn 2024. This allows for undertaking the Member process in Summer 2024, preparing for publication, and avoiding the summer holiday period with consultation starting in Autumn 2024. This would also follow the anticipated publication of the final Water Resources East Plan and the local water companies' Water Resources Management Plans in Autumn 2023, which is key evidence necessary to demonstrate delivery of the plan".*
- 2.3.29 Through a Development Strategy Update (Regulation 18 Preferred Options) report¹⁰ which draws on representations to the GCLP First Proposals consultation held in 2021 and evidence completed since then, Cambridge City and South Cambridgeshire District Councils have recently confirmed (at South Cambridgeshire District Council Cabinet on 6 February 2023) a clear position on NEC as one of three key strategic sites which will form *"central building blocks of any future strategy for development"* in the GCLP Draft Plan (Regulation 18) consultation in Autumn 2023.
- 2.3.30 The Development Strategy Update provides an update of objectively assessed need for homes and jobs, the key conclusions being that Greater Cambridge's key sectors have continued to see fast growth even accounting for COVID-19 impacts, and population growth in Cambridge in particular has been significantly higher than previously estimated, influencing a higher future forecast for the number of jobs that support the local population and resulting in a suggested increase in the number of homes to be accommodated in the period to 2041. No recommendation was made for any immediate decision on whether the GCLP strategy should be amended to meet objectively assessed needs or not amended with the consequences of not meeting needs addressed. This decision will depend on the outcome of further discussions once the water supply position and housing delivery implications of this increase are understood and the councils have considered the environmental, social and economic

¹⁰ <https://scambs.moderngov.co.uk/documents/s129785/230206-CabinetReport-GCLP-FINAL.pdf>

impacts of the alternatives. This must take place before the Regulation 18 Draft GCLP consultation.

- 2.3.31 The Development Strategy Update states, however, that the Councils *“can be confident there will be capacity in terms of water supply and housing delivery to see at least some additional development coming forward within the plan period to 2041”* and that this provides the basis therefore for beneficially confirming a clear position on three key strategic sites including NEC – *“Confirming a position on the three key strategic sites of North East Cambridge, Cambridge East and Cambridge Biomedical Campus that formed part of the First Proposals and being clear that they will form central building blocks of any future strategy for development will give confidence to promoters of these priority sites for development, and to providers of infrastructure on which those sites rely for effective delivery. It will also justify time spent working up proposals for these sites to be included in the draft plan, including working with promoters”*.
- 2.3.32 The report also notes that the LDS 2022 assumes submission of the DCO application in Autumn 2022 and that, since this is now expected in the first quarter of 2023, recommends that the Councils will need to review the Local Plan timetable once the DCO application for the relocation of the WWTP has been submitted.
- 2.3.33 Resolution by the Councils to approve the Development Strategy Update (Regulation 18 Preferred Options) report on 6 February 2023 provides confidence of the Councils’ position that NEC should form part of any GCLP development strategy, based on up-to-date evidence and with the benefit of consultation and means that the NECAAP and GCLP will effectively have reached a stage where the evidence envisaged by paragraph 3.35 of the adopted Cambridge Local Plan 2018 (and paragraph 3.34 of the South Cambridgeshire Local Plan 2018) has been assembled and that it can be reasonably concluded that:
- (a) the optimal form of regeneration of NEC is total removal of the existing Cambridge WWTP; and
 - (b) consolidation would not release enough land for significant housing and therefore would not secure HIF, and relocation is not viable without external funding so consolidation is not viable (as per the Chronology report) - see Chapter 3 of the Environmental Statement (Site Selection and Alternatives, Application Document Reference 5.2.3); and
 - (c) the current site is the most sustainable location suitable and available (subject to the CWWTP DCO being approved) in Greater Cambridge as part of meeting objectively assessed needs to 2041; and
 - (d) based on the evidence provided in this DCO application relocation is viable, feasible and sustainable, subject to the agreed HIF funding and approval of the CWWTP DCO.
- 2.3.34 In the absence of consent for this DCO project, Cambridge and Waterbeach’s combined and growing waste water recycling needs will need to be served at the

existing Cambridge WWTP, frustrating the shared aspirations of Cambridge City Council, South Cambridgeshire District Council, CCC and Cambridgeshire and Peterborough Combined Authority, supported by Homes England and Anglian Water to free a significant brownfield site and a constrained surrounding urban area for the delivery of a significant number of sustainable new homes. The site will be unable to assist in reducing pressure for major housing development in less sustainable locations elsewhere in Greater Cambridge.

- 2.3.35 In contrast, approval of the CWWTPr DCO will enable the proposed WWTP to be delivered and put in operation by 2028 ready to meet the additional growth needs arising from the Waterbeach New Town development and other developments in the combined waste water catchment and to enable delivery of the planned development in the NEC area (factors recognised in the Secretary of State’s s35 direction dated 18 January 2021 - Appendix 3). U+I plc with TOWN are the master developers for the redevelopment of the existing Cambridge WWTP site appointed by the landowners. They will be responsible for submitting planning applications and for delivery of the redevelopment of the existing WWTP site.
- 2.3.36 In conclusion, therefore, a combined WWTP is best able to serve the Cambridge and Waterbeach catchments with associated growth and that for that planned growth to be delivered in the most sustainable way requires the existing Cambridge WWTP to be relocated.

2.4 Wider policy and need context

Overview

- 2.4.1 The 2011 Water White Paper ‘Water for Life’ sets out the UK Government’s long-term priorities for the water industry in England to ensure that plans are in place to increase the sustainability and to protect the resilience of the water sector, taking account of climate change, population growth, patterns of demand and the need for resilience in the face of hazards such as drought and floods.
- 2.4.2 Water companies are obliged by law to produce a long-term strategy every five years to demonstrate the sufficient supply of water availability over the next 25 years. This is called the Water Resources Management Plan (WRMP). Anglian Water published their last WRMP in 2019 which covers the period from 2020-2045¹¹. Anglian Water is now developing its next Plan (WRMP24) for the period 2025 – 2050, a draft of which was submitted to DEFRA in October 2022. This Plan will (amongst other things) deliver a new strategic pipeline and reservoirs to manage and address current water resource issues.
- 2.4.3 In September 2018, Water UK (in collaboration with Defra and others) published the Drainage and Wastewater Management Plan (DWMP) Framework¹². This sets out a commitment by UK Water and Sewerage Companies to prepare collaborative long

¹¹ <https://www.anglianwater.co.uk/siteassets/household/about-us/wrmp-report-2019.pdf>

¹² <https://www.water.org.uk/wp-content/uploads/2018/12/Water-UK-DWMP-Framework-Report-Main-Document.pdf>

term strategic plans highlighting the known and expected future risks to drainage and identifying solution strategies to mitigate. The first plans will cover the period 2025-2050 (dovetailing with the WRMP), and will look at risks in 2025, 2030, 2035 and 2050. This broad range of design horizons will allow water companies to monitor predicted change over time and highlight where anticipated risk from growth and climate change will arise.

- 2.4.4 Anglian Water's Water Recycling Long-Term Plan September 2018 (WRLTP)¹³ outlines investment strategies across the Anglian Water region to support sustainable growth through £479m investment in the period 2020 – 2025 and £1.2 billion to 2045 recognising and embracing the crucial role Anglian Water has in facilitating sustainable economic and housing growth across the region, through timely and efficient provision of vital infrastructure. In the case of Cambridgeshire, this investment is required to accommodate a projected population growth of 8% in the period 2020-2025 (ie 64,844 people) and 21% in the period 2020-2045 (ie 166,108 people). The WRLTP currently allocates funding for increased water recycling capacity at the existing Cambridge WWTP for 14,533 people (page 60).
- 2.4.5 In June 2022, Anglian Water published its draft DWMP¹⁴ which sets out its plans for how it intends to manage and recycle water over the next 25 years. In the Cambridge and Waterbeach catchments, this includes a new treatment works in Cambridge and transfer of treatment from Waterbeach before 2035 Anglian Water has since published its feedback to the consultation¹⁵ and anticipates publishing its finalised DWMP in Spring 2023.
- 2.4.6 Housing growth is one of the biggest challenges for Anglian Water given its statutory obligation to meet growth and the automatic right of new developments to connect to the waste water system. Whilst growth can be forecast, the pace and exact location of housing growth is uncertain, requiring the company to take a risk-based approach to developing an appropriate investment strategy. The WRLTP identifies the location and scale of emerging growth sites in Anglian Water's region, and makes specific reference to both the potential for relocation of the Cambridge WWTP (paragraph 3.1.3, page 28) and the need to increase capacity to accommodate development of Waterbeach New Town.

The Applicant and its responsibility for waste water treatment

- 2.4.7 Anglian Water is the largest regulated water and water recycling company in England and Wales by geographic area, supplying water and water recycling services to almost seven million people in the East of England and Hartlepool. Because of the size of the geographic area it covers, Anglian Water operates more water and waste water treatment plants than any other water company, in total around a quarter of all the plants in England and Wales.

¹³ <https://www.anglianwater.co.uk/about-us/our-strategies-and-plans/water-recycling-long-term-plan/>

¹⁴ <https://www.anglianwater.co.uk/siteassets/household/about-us/dwmp-draft.pdf>

¹⁵ <https://www.anglianwater.co.uk/siteassets/household/about-us/post-dwmp-consultation-open-letter.pdf>

2.4.8 In accordance with the responsibilities set out in the Water Act 1989, Anglian Water has responsibility for sewerage and sewage disposal in the Cambridge drainage catchment area and the Greater Cambridge area (but not water supply in Cambridge, which is provided by Cambridge Water). Anglian Water therefore has a statutory duty to supply waste water services to its customers and to ensure effectual drainage within this area. Section 2 of the Water Industry Act 1991 sets out ‘general duties with respect to the water industry’ which apply to Anglian Water and its regulators the UK Government and Ofwat (the body responsible for economic regulation of the privatised water and sewerage industry in England and Wales).

2.4.9 The catchment area served by the existing Cambridge WWTP together with the catchment area served by the existing Waterbeach WWTP is shown in Figure 2.1.



Figure 2.1: Drainage Catchment Area for Cambridge and Waterbeach

- 2.4.10 Since 1895, the current Cambridge WWTP site at Cowley Road has been serving the needs of Cambridge and Greater Cambridge by taking waste water from people's homes, cleaning it and returning it to the environment. The site also plays a vital role by taking surface water from storm flows during heavy rainfall. On average the site treats 1,300 litres of waste water a second – equivalent to over 9 million toilet flushes a day.
- 2.4.11 Separately, the Applicant also operates the Waterbeach WWTP in the adjacent catchment area to the north of the Cambridge catchment. The Waterbeach WWTP is smaller than the Cambridge WWTP and serves the villages of Waterbeach, Landbeach, and Denny End.
- 2.4.12 The East of England region faces particularly acute challenges from climate change, population and housing growth and the need to enhance the natural environment. Above and beyond the provision of fresh, clean water and the effective treatment of waste water, Anglian Water's purpose is to tackle these challenges, delivering wider benefits to society by serving their customers and communities and safeguarding the environment.
- 2.4.13 The Applicant is committed to bringing environmental and social prosperity to the region it serves, through its commitment to 'Love Every Drop'. As a purpose-led business, The Applicant seeks to contribute to the environmental and social wellbeing of the communities within which it operates. As one of the largest energy users in the East of England, it is also committed to reaching net zero carbon emissions by 2030.

The role of the existing Cambridge and Waterbeach WWTPs

- 2.4.14 The existing Cambridge WWTP site serves the Cambridge drainage catchment area, this being the area from which precipitation contributes the flow from a borehole spring, river or lake. This catchment includes not only areas already connected to mains sewerage but also currently unconnected areas which could be connected (e.g. as a result of growth and new development).
- 2.4.15 Most of the waste water treated by Cambridge WWTP still comes from the city (i.e. from the catchment to the south of the existing WWTP) and is conveyed to the Inlet Works of the existing WWTP by gravity in a deep sewer tunnel constructed under Cambridge in the 1980s. This tunnel terminates in a deep shaft from where waste water flows are pumped up into the Inlet Works. The small proportion of flows from outlying villages such as Cottenham (approximately 3% of total flows treated) are pumped to the Inlet Works in pressurised pipelines.
- 2.4.16 Treated water is returned to the River Cam at the regulated discharge point and residual material in the form of a) biosolids, used in agriculture, and b) methane, used to power the WWTP.
- 2.4.17 The quantity and quality of the treated effluent that can be discharged to the River Cam, as well as the precise location of the discharge, are governed by the EA in its environmental permits for the WWTP. The site plays a vital role storing and treating

storm flows during heavy rainfall before discharging to the River Cam and provides a material contribution to the flow within the River Cam.

2.4.18 The current WWTP includes a sludge treatment plant, which treats all of the solids removed during the waste water treatment process. The sludge treatment plant also receives imported sludge solids from waste water treatment plants serving smaller communities in the area surrounding Cambridge, which are too small to be able to have their own sludge treatment facilities. The imported sludge comprises more than half of the total sludge treated at the existing WWTP.

Need for new and improved waste water recycling in a national policy context

2.4.19 The Government's policy on the need for new waste water infrastructure is set out in the NPSWW.

2.4.20 The NPSWW "*sets out a justification for new waste water infrastructure*"¹⁶ but notes that it "*should not be read as a standalone document but considered as a package of evidence presenting a strategic argument for new waste water infrastructure*"¹⁷ alongside supporting documents including an Appraisal of Sustainability (AoS) which incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive. The AoS provides a general appraisal for any waste water NSIPs which might come forward and notes that the NPSWW could have a significant positive effect on water quality and resources (paragraphs 1.4.2 and 1.4.3).

2.4.21 The summary, on page 8, acknowledges that waste water treatment infrastructure is essential for public health and a clean environment and that demand for new and improved waste water infrastructure is likely to increase in response to four "*main drivers*". These are:

- More stringent statutory requirements to protect the environment and water quality;
- Population growth and urbanisation;
- Replacement or improvement of infrastructure; and
- Adaptation to climate change.

2.4.22 More detail is given in NPSWW sections 2.1 to 2.5. In particular:

2.3.8 Population growth and urbanization - *As cities, towns, and villages grow and new developments are established, there will be a demand for new waste water infrastructure to provide treatment which is essential for public health and to ensure that we can continue to meet the standards for water quality set out in existing and new European Union and domestic legislation. Population growth is the main reason for the growth in new households, accounting for over three quarters of new homes. The remaining increase is attributable to changing age structure and household formation. The Government's projections estimate that the number of*

¹⁶ Para 1.1.4

¹⁷ Para 1.1.3

households in England is projected to grow to 27.5 million in 2033, an increase of 5.8 million over 2008.

2.4.14 Decentralisation of waste water treatment infrastructure - *In general, a decentralised approach to waste water treatment is most appropriate for smaller, dispersed rural communities, particularly those at the upper ends of river catchments, where the costs of pumping waste water long distances to large centralised works outweigh the potential economies of scale at the works. For urban areas, and in particular for large cities of the scale that might generate a project meeting the thresholds for consideration as an NSIP, it will remain **more cost effective to centralise treatment to a single large treatment works**. It is also **not practical to retrospectively locate large numbers of small treatment works throughout urban areas**. Generally, it will be necessary to transfer waste water to a suitable location for a treatment works and effluent discharge, **outside of urban centres** (emphasis added).*

2.4.23 Projects which are included in the EA's National Environment Programme (NEP) are ones for which the Government considers that need has been demonstrated. This is reinforced in paragraphs 2.5.3 and 2.5.4 of the NPSWW:

2.5.3 *The Government therefore considers that the need for new waste water treatment infrastructure will have been demonstrated if the Environment Agency has concluded that the project is necessary for environmental reasons and included it in its National Environment Programme.*

2.5.4 *The projects which have been identified through the Environment Agency's NEP, and for which need should be considered to have been demonstrated, are discussed below¹⁸. Should other, unforeseen projects come forward, they should similarly be considered as being needed if they satisfy the criteria in paragraph 2.5.3 above.*

2.4.24 Relocation of the Cambridge WWTP is not identified in the NEP and Anglian Water does not do not need to move the Cambridge WWTP for technical/environmental regulation compliance reasons. Despite the environmental and economic benefits arising from the Proposed Development, there is no operational need for the relocation of Cambridge WWTP or environmental reasons which would result in a need for relocation. Therefore, the project could not and would not come forward in the NEP.

2.4.25 Whilst the NPSWW includes the specific NEP need presumption (and prescriptions in respect of named projects), it does not say that need must exclusively be demonstrated by inclusion in the NEP. References in the NPSWW to population growth (particularly at paragraphs 2.3.8 and 2.3.9) are expressed in general terms. Paragraph 2.5.4 anticipates further "unforeseen" projects. Consequently a project could be "needed" if it accords with the wider principles set out in the NPSWW.

¹⁸ These are the Deephams STW and Thames Tideway

- 2.4.26 Because the project is not identified in the NEP, need cannot automatically be assumed, and so it is necessary to demonstrate how the project is responding to the need identified in the NPSWW.
- 2.4.27 Demonstration of need does not dispose of the requirement on promoters to address all other matters, as the NPSWW makes clear. Nor does it prevent promoters pointing to any other ways in which a project might be needed, including any need for the land occupied by existing facilities for other compelling reasons.
- 2.4.28 The NPSWW articulates the Government's key policy objectives at paragraph 2.2.3. A high-level assessment of the Proposed Development against these policies is set out in the following section at Table 3.1 of this PS.

3 The Framework for Determination of the Application

3.1 Determination of DCO applications

- 3.1.1 The Applicant sought and obtained a direction from the Secretary of State under s35 of the PA 2008 on 18 January 2021, which confirms that the project will be treated as a development for which development consent is required and therefore subject to the DCO process.
- 3.1.2 Section 103 of the PA 2008 sets out that the Secretary of State is the authorising body which makes the decision on whether to grant development consent for schemes. In the case of this project, the relevant Secretary of State is the Secretary of State for Environment, Food and Rural Affairs.
- 3.1.3 The Application must be determined pursuant to either s104 or s105 of the PA 2008. Section 104 applies to decisions in cases where a national policy statement “has effect”. Section 105 applies to decisions where no National Policy Statement “has effect”. The s35 Direction does not specify whether the NPSWW has effect.
- 3.1.4 In accordance with s104 and s105 of the PA 2008, the Secretary of State is obligated to have regard to the following on its decision on the DCO Application for the Proposed Development:
- s104(2)(a) – any National Policy Statement which has effect in relation to development of description to which the Application relates
 - s104(2)(b) and s105(2)(a)– any local impact report [...]
 - s104(2)(c) and s105(2)(b)– any matters prescribed in relation to development of the description to which the Application related; and
 - s104(2)(d) and s105(2)(c) – any other matter which the Secretary of State thinks are both important and relevant.
- 3.1.5 The key difference between a decision under s104 and s105 of the PA 2008 is that s104(3) requires the Secretary of State to decide an application for development consent in accordance with any relevant national policy statement, except where the Secretary of State is satisfied that one or more of the following applies (subsections 4 to 8 of s104).
- “deciding the application in accordance with any relevant national policy statement would lead to the United kingdom being in breach of any of its international obligations” (ss104(4))
 - “deciding the application in accordance with any relevant national policy statement would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment” (ss104(5))
 - “deciding the application in accordance with any relevant national policy statement would be unlawful by virtue of any enactment” (ss104(6))

- “the adverse impact of the proposed development would outweigh its benefits” (ss104(7))
- “any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met” (ss104(8))

- 3.1.6 Under s105, where no national policy statement “has effect” there is no similar requirement, although an NPS may be an important and relevant matter which should be taken into account under s105(2)(c). An “important and relevant matter” for the purposes of s104(2)(d) and S105(2)(c) is any matter which is considered to be material in the decision-making process by the Secretary of State. This could include the NPPF, local planning documents and guidance, where they are relatively up to date. The Secretary of State must also have regard to any representation made by any person(s) having an interest in the outcome of the DCO Application and to the effects of its construction and operation.
- 3.1.7 If the Secretary of State concludes that the DCO Application should be determined under s105 of the PA 2008, the NPSWW may still be considered as an important and relevant matter.
- 3.1.8 It is the Applicant’s opinion that the NPSWW has effect in this instance because of the terms of the s35 Direction dated 14 May 2021 stating that the project is “nationally significant” (noting footnote 6 in NPSWW paragraph 1.2). In this case, the NPSWW is the primary basis for making the decision on the Proposed Development and the Secretary of State must, therefore, decide the Application in accordance with that NPSWW unless one of the conditions set out at subsections (4) to (8) s104 PA 2008 apply.
- 3.1.9 The NPSWW states that the decision maker should start with a presumption in favour of granting consent for waste water NSIPs (NPSWW paragraph 3.1.2). This presumption does not apply if the NPSWW does not have effect, albeit it is expected that the Secretary of State would attach significant weight to it. So the starting point for the decision making process is fundamentally different under s104 and s105 PA 2008.
- 3.1.10 This Section sets out in the first instance, the considerations under s104(2)(b, c and d) of the PA 2008 which requires the Secretary of State to have regard to any local impact report submitted to the Secretary of State, any prescribed matters, and other important and relevant matters.
- 3.1.11 The Section then considers whether any matters under s104 (4-6) and (8) are considered applicable in respect of the Proposed Development, which may therefore influence the determination of the application in accordance with the NPSWW.

3.2 Local Impact Report – Section 104(2)(b) and Section 105(2)(a)

- 3.2.1 Local Impact Reports are expected to be prepared by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council as the host authorities in respect of the Proposed Development, following the formal submission and acceptance of the DCO Application. The Secretary of State is obligated to have

regard to these reports in its decision-making on the Proposed Development under s104(2)(b) and s105(2)(a) of the PA 2008.

3.3 Prescribed Matters – Section 104(2)(c) and Section 105(2)(b)

3.3.1 The prescribed matters referred to in s104(2)(c) and s105(2)(b) of the PA 2008 are set out in the Infrastructure Planning (Decisions) Regulations 2010 (as amended).

3.3.2 In the Secretary of State's decision on the application, the relevant prescribed matters that the Secretary of State must have regard to are set out below.

Regulation 3 – Listed buildings, conservation areas and scheduled monuments

- “must have regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses” (Regulation 3(1))
- “must have regard to the desirability of preserving or enhancing the character or appearance of that area” (Regulation 3(2))
- “must have regard to the desirability of preserving the scheduled monument or its setting” (Regulation 3(3))

3.3.3 The Applicant has presented detail of the Proposed Development’s impact on historic environment assets within this DCO application in Chapter 13 Historic Environment of the Environmental Statement (ES) (Application Document Reference 5.2).

3.3.4 Assessment of the potential effects of the Proposed Development on heritage assets is provided at Chapter 13 Historic Environment of the ES (Application Document Reference 5.2.13) and is summarised at Section 4.10 below.

3.3.5 It is the Applicant’s consideration that the Secretary of State’s obligation to have regard to the desirability of preserving listed buildings, conservation areas and scheduled monuments and their settings, where the Proposed Development would affect these, has been addressed within this DCO application in this respect.

Regulation 6 – Hazardous substances

3.3.6 Where development would involve the presence of a hazardous substance on, over or under land to which s12(2B) of the Planning (Hazardous Substances) Act 1990 applies, the decision-maker must have regard to:

- Any current or contemplated use of the land to which the application relates;
- The way in which other land in the vicinity is being used or is likely to be used; and
- Any planning permission or development consent that has been granted for development of that other land in the vicinity.

3.3.7 The current predicted volumes of hazardous substances present on the proposed WWTP site are below threshold levels.

Regulation 7 – Biological diversity

- *“must have regard to the United Nations Environmental Programme Convention on Biological Diversity of 1992.”* (Regulation 7)

3.3.8 The Applicant has prepared an assessment of the Proposed Development’s impact on biodiversity at Chapter 8 of the ES (Application Document Reference 5.2.8). In the assessment approach, the Applicant has considered the UK Post 2010 Biodiversity Framework. As the UK Post 2010 Biodiversity Framework has been produced in response to the commitments originally set out in the United Nations Environmental Programme Convention on Biological Diversity of 1992, the Secretary of State’ obligation to have regard to the Convention is therefore considered to be addressed in this respect.

3.3.9 The Applicant is proposing to deliver a 20% net gain in biodiversity in respect of the Proposed Development. In doing so through ecological enhancement measures, it is considered that the Proposed Development meets and in many cases exceeds the strategic goals which are set out in the UK Post 2010 Biodiversity Framework. Further details on the Applicant’s approach to biodiversity and ecological matters is set out in Chapter 8 Biodiversity of the ES (Application Document Reference 5.2.8), and the Biodiversity Net Gain Report (Application Document Reference 5.4.8.13).

3.4 Other important and relevant matters – Section 104(2)(d) and Section 105(2)(c)

3.4.1 Section 104(2)(d) and s105(2)(c) of the PA 2008 requires the Secretary of State to have regard to ‘any other matters which the Secretary of State thinks are both important and relevant to its decision’.

Local planning policy and other national planning policy

3.4.2 In the context of the Proposed Development, policies in the adopted local development framework and the NPPF are likely to be considered ‘important’ and ‘relevant’, particularly where they are relatively up to date.

3.4.3 These policy frameworks can also be materially influential in the content of any local impact report submitted by a host authority (please refer to section 3.2 for further context on the relevance of local impact reports in the decision-making process in respect of this DCO application).

3.4.4 Sections 3.7 and 3.9 below provide further context on the local planning policy and other national planning policy considered in respect of the Proposed Development.

Other legislation requirements

3.4.5 The Applicant has also prepared this application with regard to other legislation requirements. These requirements are detailed at the Legislation sections of Chapters 6-20 of the ES (Application Document Reference 5.2).

- 3.4.6 Notably, the Environment Act 2021 (the Environment Act) gained Royal Assent on 9 November 2020. It provides targets, plans and policies for improving the natural environment. These include:
- Establishing the Office for Environmental Protection, which states that its purpose is to protect and improve the environment by holding government and public authorities to account.
 - Increasing local powers to tackle sources of air pollution.
 - Protecting nature and improve biodiversity, including a requirement for 10% biodiversity net gain for developments consented under the PA 2008 (the details to be set out in due course in a statement to be contained either in a review of the NPSWW or issued separately).
 - Extend producer responsibility, ensure a consistent approach to recycling, introduce deposit return schemes, and introduce charges for specified single use plastic items.
 - Secure long-term, resilient water and wastewater services, including through powers to direct water companies to work together to meet current and future demand.
- 3.4.7 Although the requirements in the Environment Act in relation to NSIPs are anticipated to come into effect in 2025, the Applicant has had regard to the environmental principles and policies set out in the Act in respect of this DCO Application, which includes exceeding its biodiversity net gain requirement of 10% by delivering a 20% net gain.
- 3.4.8 The Climate Change Act 2008 (UK Government, 2008) and its 2019 amendment (UK Government, 2019) established the context for Government action and the requirements to undertake Climate Change Risk Assessments and develop a National Adaptation Programme to address opportunities and risks from climate change.
- 3.4.9 The Climate Change Act 2008 originally set out the legally binding targets to reduce carbon dioxide emissions in the UK by at least 80% by 2050, from 1990 levels. In 2019, the target was amended to meet the Government's target of achieving net zero by 2050. In 2021, the Government adopted the sixth carbon budget to cut emissions by 78% by 2035. The Applicant has taken the Climate Change Act 2008 into account its assessment approach in Chapter 9 Climate Resilience of the ES (Application Document Reference 5.2.9). The DAS (Application Document Reference 7.6) sets out the strategic objectives of the project which states how the proposed WWTP will be operationally carbon net zero, be energy neutral and will target a 70% reduction in capital carbon using sustainable construction techniques, thereby adhering to the headline target of the Climate Change Act 2008.

3.5 International obligations, Secretary of State duties, lawfulness and prescribed conditions - Section 104(4-6)(8)

3.5.1 This DCO Application meticulously considers all legal obligations that are applicable to it. The Applicant is therefore not aware of any issues in which deciding the application, in accordance with the relevant NPS (the NPSWW), the Secretary of State would be in breach of any of their duties, or that the decision would be unlawful or contrary to any other prescribed conditions for dividing the application.

3.6 National Policy Statement for Waste Water

Introduction

3.6.1 The PA 2008 introduced NPSs as a suite of documents to provide the policy framework against which an application for a DCO should be determined, where the relevant NPS has effect. For waste water projects the relevant NPS is the NPSWW published in March 2012. The relevance of the National Policy Statement for Water Resources Infrastructure April 2023 is considered at paragraph 3.7 below.

3.6.2 The Applicant has ensured that the Proposed Development aligns with the strategic objectives and is compliant with the policies set out in the NPSWW. A NPSWW Accordance Table supports this PS (Application Document Reference 7.5.1). It sets out in detail an assessment of the Proposed Development’s compliance with paragraphs and policies set out in the NPSWW.

NPSWW

3.6.3 The NPSWW sets out the need for, and Government’s policies to deliver NSIP developments for waste water infrastructure projects in England. It sets out planning guidance to guide applicants for waste water NSIP schemes to conform with the Government’s strategic requirements, aims and objectives.

3.6.4 Set out below are the key parts of the NPSWW that are considered relevant to the Proposed Development and have, therefore, been considered in this DCO Application.

Chapter 2: Government policy on need for waste water infrastructure

3.6.5 Chapter 2 of the NPSWW sets out the Government’s overall key policy objectives for the development of NSIP waste water infrastructure. It also explains the key drivers for the need for projects of this nature. **Table 3** provides a high-level overview of the Proposed Development’s conformity with the Government’s key policy objectives set out in the NPSWW.

Table 3.1: NPSWW policy objectives and conformity of the Proposed Development

| NPSWW Key Policy Objective | Conformity of the Proposed Development |
|---|---|
| Sustainable development – to seek waste water infrastructure that allows us to live within environmental limits and that helps | A key driver in the need for the Proposed Development is to respond to planned growth and support the continued sustainable growth in Greater |

NPSWW Key Policy Objective

Conformity of the Proposed Development

ensure a strong, healthy and just society, having regard to environmental, social and economic considerations.

Cambridgeshire. Following the decommissioning of the existing CWWTP, the site will be made available for the delivery of new sustainable housing which is of critical importance to economic growth and meeting housing targets for the nationally important city and region of Cambridge. Additionally, sustainability has formed an integral part of the design, and features as key Design Principle 6 which has ensured that the principles of sustainable development have informed every part of the design process. This has also been informed by the Applicant’s own corporate sustainability objectives, as established in the Anglian Water Net Zero 2030 strategy.

Public health and environmental improvement – to continue to meet our obligations under the Urban Waste Water Treatment Directive (UWWTD) by providing suitable collection and treatment systems to limit pollution of the environment.

The design of the Proposed Development has been developed so that it meets the functional requirements of a scheme of this nature, being a waste water treatment plant, whilst also ensuring that appropriate measures are incorporated to avoid, mitigate and as a last resort, compensate environmental impacts. Chapter 2 The Project of the Environmental Statement (Application Document Ref 5.2.2) sets out the measures embedded in the design to ensure pollution of the environment is limited.

To improve water quality in the natural environment – and meet our obligations under related European Directives, such as the Habitats Directive, the Water Framework Directive (WFD) and its Daughter Directives.

The Proposed WWTP is being designed to improve the water quality in the River Cam once operational, compared to the existing WWTP and its current permit. This is through the reduction in concentration of all regulated water quality constituents in final treated effluent entering the River Cam under non-storm conditions.

Additionally, a WFD Assessment has been prepared in respect of the Proposed Development and follows the three-stage screening/scoping and detailed assessment approach outlined in the Inspectorate’s Advice Note Eighteen: The Water Framework Directive.

NPSWW Key Policy Objective

Conformity of the Proposed Development

To reduce water consumption by households and industry which will have the knock on effect of reducing waste water production and therefore demand for waste water treatment infrastructure.

The Proposed Development is responding to the need to relocate the existing Cambridge WWTP to facilitate the opportunity for future housing development in Cambridge at the site. It responds to the current demand of the existing catchment area as well as the predicted growth in the area and subsequent demand up to and beyond 2080. The Proposed Development has a comprehensive set of design specifications that guide how a modern, efficient waste water treatment plant should be designed which will subsequently ensure that the Proposed WWTP is efficient and dependable.

To reduce demand for waste water infrastructure capacity - by diverting surface water drainage away from the sewer system by using SuDS.

The Proposed Development has been designed so that the surface water drainage network within the Proposed WWTP includes a 40% allowance for climate change. SuDS have been incorporated in the drainage network where possible, with any contaminated waterflow going back into the treatment works. Natural mitigation measures will be used where possible including vegetated cover and through the landscape design.

Climate change mitigation and adaptation – in line with the objectives of Defra’s mitigation and adaptation plans to help deliver the UK’s obligation to reduce greenhouse gas emissions by 80% by 2050 and work to carbon budgets stemming from the Climate Change Act 2008, within the context of the EU Emissions Trading System. Also to ensure that climate change adaptation is adequately included in waste water infrastructure planning.

As a principle, the Applicant is committed to delivering a modern, low carbon waste water treatment plant which forms part of Anglian Water’s commitment to reach net zero carbon emissions by 2030.

The climate impact assessment included in Chapter 9 Climate (Application Document Reference 5.2.9) considers the effects and impacts of climate change into the 2090s (2080-2099), which is the furthest time period for which climate modelling has been conducted. The mitigations identified and residual risks take into account mitigations that are embedded into the Proposed Development, as well as additional future mitigation (such as ongoing maintenance, renewals and upgrades) that will take place throughout the operational lifetime of the

| NPSWW Key Policy Objective | Conformity of the Proposed Development |
|--|---|
| <p>Waste Hierarchy – to apply the waste hierarchy in terms of seeking to first reduce waste water production, to seek opportunities to re-use and recycle resources and to recover energy and raw materials where possible.</p> | <p>Proposed Development and which will take climate change into account.</p> <p>The Proposed Development has prepared a Code of Construction Practice (Application Document References 5.4.2.1 and 5.4.2.2) which includes at section 6.10 a Waste Management and Resource Use Plan which requires that materials being imported or removed comply with all necessary legislative requirements, and that resource efficiency is maximised throughout the construction process in line with the principles of the waste hierarchy.</p> <p>The Applicant has sought to minimise the volume of waste produced and the volume of waste sent for disposal and the design of the Proposed Development has in fact identified the reuse of more than 90% of the site-won material during the construction phase of the proposed WWTP. Additionally, it has identified that during the construction of the proposed WWTP, 100% of the site won materials during the construction of the Waterbeach transfer pipeline, thus reducing the impact on the depletion of non-renewable resources.</p> <p>The CoCP Part A (Application Document Reference 5.4.2.1) requires the appointed contractor(s) to prepare a Site Waste Management Plan (SWMP) to implement management measures higher up the waste hierarchy.</p> |

- 3.6.6 A full assessment of the Proposed Development’s compliance with the NPSWW Chapter 3: Factors for the examination and determination of NSIP applications for development consent is set out in the NPSWW Accordance Table (Application Document Reference 7.5.1).
- 3.6.7 To note, Chapter 4: Generic Impacts of the NPSWW sets out policies that are relevant to particular physical impacts of the construction and operation of wastewater NSIPs, under a heading of Generic Impacts. The NPSWW also provides guidance on what should be included in the applicant’s assessment, the principal considerations for

decision making, and a framework of possible mitigation measures. The suggested approach in relation to specific topics is outlined below.

- 3.6.8 By way of background, it is relevant to note that Part 1 of the NPSWW explains that, in developing the NPSWW, the Government undertook a high level Appraisal of Sustainability, Equalities Impact Assessment and Habitats Regulation Assessment of the NPSWW in general and of two specific NSIP schemes. The Appraisal of Sustainability identified that the NPSWW could have a significant positive effect on water quality and resources. Similarly there could be positive effects for biodiversity as a result of improvements in water quality (NPSWW paragraph 1.4.3).
- 3.6.9 The NPSWW anticipates (paragraph 1.4.4) that negative effects may arise in relation to a number of matters, as follows:

“the development of waste water NSIPs is consequently likely to result in adverse townscape and visual effects within a built up environment with many possible receptors, and in the short term, noise disturbance during construction. The likely adverse effect on archaeology and cultural heritage is related to the likelihood that the public benefits of the provision of new nationally significant waste water infrastructure, for which there is no alternative, could in some circumstances outweigh damage or loss to heritage assets or their setting”.

- 3.6.10 In considering the impacts of the application proposals, therefore, it is relevant that the NPSWW itself recognises that some impacts may be unavoidable.
- 3.6.11 Section 4 of this PS provides assessment of the Proposed Development’s compliance with key planning policy, specifically the NPSWW. It provides an overall conclusion on whether the Proposed Development complies with planning policy, when weighing the potential benefits and potential adverse impacts (as indicated in paragraph 3.1.3 of the NPSWW) against the considerations of the NPSWW. The NPSWW Accordance Table (Application Document Reference 7.5.1) provides further context for the Proposed Development’s compliance and should be read in conjunction with Section 4 of this PS.

3.7 National Policy Statement for Water Resources Infrastructure

- 3.7.1 The National Policy Statement for Water Resources Infrastructure has now been laid before Parliament and, subject to approval, will be formally designated. It sets out the need and the Government’s policies for the development of NSIPs relevant to water resources in England and stems from the identification of an immediate need to increase resilience in the water sector to address pressure on water supplies due to population growth, the impacts of climate change and the need to maintain sufficient water in watercourses, lakes and wetlands to protect the environment.
- 3.7.2 Paragraph 1.3.1 of the new NPS states that *“for the purposes of the National Policy Statement, water resources infrastructure comprises development in England which meets the criteria set out in sections 27, 28, 28A and 35 of the Planning Act”*. Sections 27, 28 and 28A relate to Dams and Reservoirs, Transfer of Water Resources, and Desalination Plants respectively. Reference to section 35 is to water resource projects

which have obtained a s35 direction i.e. to those projects which do not automatically meet the current requirements for an NSIP set out under sections 27, 28 and 28A PA 2008 but which the SoS has directed is a water resources infrastructure development which should be treated as a development for which development consent is required. Consistent with the wording at paragraph 1.1.2 of the NPS which only refers to sections 27, 28 and 28A, this reference is not intended to bring under the National Policy Statement for Water Resources Infrastructure every project which has been subject to a s35 direction. Whilst there are a few references to wastewater in the NPS, the NPS is clear at paragraph 1.5.1 that it is separate from the NPSWW.

- 3.7.3 Given the above, the National Policy Statement for Water Resources Infrastructure is not considered to be relevant to waste water treatment and to the Proposed Development the subject of this DCO application.

3.8 Other national policy and objectives

National Planning Policy Framework (NPPF)

- 3.8.1 The NPPF (2021) sets out the Government's planning policies for England and how these should be applied in practice. As set out in section 3.2 above, the NPPF may be considered as an important and relevant matter in the determination of this DCO application.
- 3.8.2 The NPPF makes it clear at paragraph 5 that it does not contain specific policies for NSIPs, and that it is the role of the relevant NPS(s) to assume that function and provide the appropriate policy for development proposals of NSIP nature.
- 3.8.3 Whilst primacy in the decision process lies with the NPSWW by virtue of s104(3), the application of s104(2)(d) may require some consideration of the NPPF, particularly where the NPSWW directly references the NPPF, or where the NPPF may provide more details and/or more up to date guidance than the NPSWW. This is particularly the case in this instance in respect of matters relating to good design and to the Green Belt.
- 3.8.4 NPPF paragraph 124 ties the principle of good design to sustainable development. Whilst some issues of good design relate to visual appearance and aesthetics, NPPF paragraph 127 makes clear that decisions should ensure that developments are *"sympathetic to local character and history, including the surrounding built environment and landscape setting"*.
- 3.8.5 Policy on development in Green Belt is set out at paragraphs 137 – 151 of the NPPF:
- Paragraph 133 emphasises the importance Government places on the protection of Green Belt land to prevent urban sprawl and keep land permanently open.
 - Paragraph 134 sets out the five purposes of GB which are:
 - (a) *"to check the unrestricted sprawl of large built-up areas;*
 - (b) *to prevent neighbouring towns merging into one another;*
 - (c) *to assist in safeguarding the countryside from encroachment;*
 - (d) *to preserve the setting and special character of historic towns; and*

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

- Paragraph 143 states that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".
- Paragraph 144 states that "when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".
- Paragraph 145 states that "a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
 - a) *"buildings for agriculture and forestry;*
 - b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
 - c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
 - d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
 - e) *limited infilling in villages;*
 - f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
 - g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would, not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority"*
- Paragraph 146 states that "certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - a) *"mineral extraction;*
 - b) *engineering operations;*
 - c) *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*

- d) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and*
- f) *development brought forward under a Community Right to Build Order or Neighbourhood Development Order.”*

3.8.6 The Applicant recognises that the NPPF is currently being revised, with framework revisions anticipated to be published in Spring 2023. It is considered that for the purposes of this DCO Application, there are no current changes to the NPPF proposed, specifically in relation to the Green Belt, which would have a material impact on the assessment of the Proposed Development against the NPPF.

National Infrastructure Plan 2016–2021

3.8.7 The National Infrastructure Delivery Plan (NIDP) was published in March 2016 by the Infrastructure and Projects Authority, which reports to the HM Treasury and Cabinet Office. The NIDP sets out the government’s plans for economic infrastructure and identifies those which will support the delivery of housing and social infrastructure.

3.8.8 The NIDP Executive Summary states that:

“Infrastructure is the foundation upon which our economy is built. The government remains determined to deliver better infrastructure in the UK to grow the economy and improve opportunities for people across the country.”

3.8.9 Set out below are the key objectives in the NIDP which are considered relevant to the Proposed Development:

Table 3.2: NIDP Key Objectives

| Paragraph | Key objective |
|-----------|---|
| 1.19 | For the first time the NIDP brings together the government’s plans for economic infrastructure with those to support delivery of housing and social infrastructure, as part of a commitment to invest over £100 billion in infrastructure by the end of the Parliament. |
| 1.20 | These economic infrastructure networks are vital to improving quality of life but also integral to the creation of new places to live and work alongside plans for major housing and regeneration schemes and social infrastructure. |
| 9.1 | Water and waste infrastructure are essential for health and wellbeing, environmental sustainability and economic stability. |
| 9.2 | Water services are likely to come under increasing pressure because of population growth and a changing climate, whilst wastewater treatment infrastructure is essential for public health and a clean environment.1 Sufficient capacity is also required to |

| Paragraph | Key objective |
|-----------|---|
| | safely and effectively recycle or dispose of all household and commercial waste produced. |
| 9.11 | The government aims to have the right infrastructure in place to deal with waste as efficiently as possible, with an ambition to move towards a 'circular economy' where material resources are valued and kept in circulation. It believes these outcomes should primarily be driven by the market, operating within a policy and regulatory framework that provides the right economic incentives, including use of the tax system to bring about behavioural change where appropriate (e.g. through the landfill tax). |

3.9 Local policy

- 3.9.1 A number of topics are identified in the NPSWW for which local policies may be a consideration in determining the application. These include local designations and policies in respect of designations in relation to land use and open space, ecology, landscape and heritage.
- 3.9.2 The statutory development plan comprises of the following documents:
- South Cambridgeshire Local Plan 2018
 - Cambridge City Local Plan 2018
 - Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
 - Waterbeach Neighbourhood Plan 2022
- 3.9.3 Local designations including the extent of the Green Belt and the existing boundaries around Cambridge in the locality of the proposed WWTP are shown on the Plan at Appendix 4.
- 3.9.4 A list of the various local policies which the Applicant considers are of potential relevance to the Proposed Development is attached at Appendix 5.
- 3.9.5 The following Section 4 assesses the Proposed Development against the NPSWW.

4 The Effects of the Proposed Development and Compliance with Policy

4.1 Introduction

4.1.1 The purpose of this Section is to set out how the Project complies with the national policy framework. The Section will therefore identify why the Project should be consented within the established policy framework, looking primarily at the National Policy Statement for Waste Water and then other relevant national and level policy.

4.2 Water quality and resources and flood risk

4.2.1 The NPSWW draws attention to the statutory requirements to protect the environment and water quality. It states that *“existing and new, more stringent environmental standards are driving improvements to waste water treatment”*, (NPSWW paragraph 2.3.1). In relation to the project, the NPS recognises that *“it is essential to meet the ecological water quality objectives of a major river of national importance”* (NPSWW paragraph A1.3.6).

4.2.2 The NPSWW requires the applicant to undertake an assessment of the existing status of the quality, resources and physical characteristics of the water environment, and the potential impacts of the proposed project thereon. Such an assessment has been prepared in accordance with the requirements set out in the NPSWW and is included at Chapter 20 Water Resources of the ES (Application Document Reference 5.2.20). Impacts on the water environment should be given more weight, where a project would have adverse effects on the achievement of the environmental objectives established under the Water Framework Directive (NPSWW paragraph 4.2.7).

4.2.3 The baseline conditions in respect of the water environment are set out at Section 4 of Chapter 20 of the ES (Application Document Reference 5.2.20). The potential impacts are set out in relation to construction and operation of the Proposed Development at section 5 and embedded mitigation measures adopted as part of the Proposed Development are described in section 2.8 of Chapter 20 of the ES (Application Document Reference 5.2.20).

4.2.4 The assessment identifies that impacts on water resources as a result of the Proposed Development during construction would be temporary. These impacts would be subject to further mitigation comprising rigorous surface water and groundwater protection measures as outlined in the Code of Construction Practice (CoCP) Part A (Application Document Reference 5.4.2.1), which are standard practice in the construction industry, resulting in no significant residual effects. There are exceptions to this which are set out at Chapter 20 of the ES (Application Document Reference 5.2.20).

4.2.5 The potential effects during operation are considered to be not significant.

4.2.6 NPSWW paragraph 4.2.8 states that *“the decision maker should be satisfied that a proposal has regard to the River Basin Management Plans [RBMP] and meets the*

requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater". To this regard, the Applicant has prepared a Water Framework Directive Assessment which is contained in the ES Appendices (Application Document Reference 5.4.20.3). This sets out information on water bodies, and assesses the impact of the Scheme on RBMP objectives as part of its assessment of compliance. The assessment has found that there are no potential adverse effects on the water bodies as a result of the Proposed Development.

- 4.2.7 The NPSWW requires the decision maker to consider whether the mitigation measures put forward by the applicant for the construction and operation of the development are acceptable. It also recognises that the impact on local water resources can be minimised through effective planning and design (NPSWW paragraph 4.2.12). If appropriate, the examining authority and decision maker should consider whether any Requirements should be attached to development consent and/or development consent obligations.
- 4.2.8 The NPSWW recognises that the EA has a key role both in determining which projects are needed to meet statutory environmental requirements and as the environmental regulator of the water and sewerage sectors in England and Wales. The EA is also the competent authority responsible for the implementation of the Water Framework Directive. NPSWW paragraph 4.2.5 states that *"if the Environment Agency has concerns about the proposal on the grounds of impacts on water quality/resources, applicants should discuss these concerns with the Environment Agency and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns"*.
- 4.2.9 In accordance with NPSWW paragraph 4.2.5, early consultation has been undertaken with regulators such as the EA and Lead Local Flood Authority.
- 4.2.10 In determining an application for development consent, NPSWW paragraph 4.4.10 states that the decision maker should be satisfied that, where relevant:
- The application is supported by an appropriate Flood Risk Assessment.
 - The Sequential Test was applied as part of the site selection process.
 - The proposal is in line with any relevant national and local flood risk management strategy.
 - A sequential approach was applied at site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk.
 - Priority was given to the use of SuDS, and the requirements set out on National Standards are met.
 - In flood risk areas, the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development.

- 4.2.11 The Proposed Development is located within Flood Zones 1, 2 and 3, which have a low, medium and high probability of flooding respectively. In accordance with the NPSWW, a Flood Risk Assessment has been undertaken in respect of the Proposed Development and is contained within the ES Appendices (Application Document Reference 5.4.20.1). Following application of the Sequential Test, if it is not possible for the project to be located in zones of lower probability of flooding than Flood Zone 3, the Exception Test may be applied (NPSWW paragraph 4.4.14). The proposed WWTP is sequentially located within Flood Zone 1 and therefore passes the Sequential Test and is therefore considered to be compliant with the NPSWW at paragraph 4.4.14.
- 4.2.12 Connecting infrastructure (such as the outfall, pipelines and tunnel) which is located in Flood Zones 2 and 3 would also not be considered to be at high risk from fluvial flooding, assuming best practice construction methodology.
- 4.2.13 Fluvial flood modelling of the River Cam water levels has been undertaken in the Fluvial Model Report (Application Document Application Document Reference 5.4.20.5) to determine the impact of final effluent and stormwater discharges to the river upon flood levels. The model indicates that in a 1 in 100 year flood event, with a 20% allowance for climate change, there would be a less than 7mm increase in water levels in the River Cam, leading to a negligible change in the potential area of inundation across the floodplain. Therefore, the magnitude of impact to fluvial flood risk due to final effluent and stormwater discharges from the proposed WWTP is considered negligible. The effect on potential receptors, which could include properties, dwellings and infrastructure of high sensitivity, is assessed as slight adverse and therefore not significant.
- 4.2.14 One of the Government's key policy objectives (NPSWW paragraph 2.2.3) is to reduce demand for wastewater infrastructure capacity by diverting surface water drainage away from the sewerage system using SuDS. The NPSWW recommends that: *"opportunities should be taken to lower flood risk by reducing the built footprint of previously-developed sites and using SuDS"*,
- 4.2.15 If SuDS are provided, the NPSWW states (NPSWW paragraph 4.4.22) that the DCO, or any associated development consent obligations, needs to make provision for their adoption and maintenance including any necessary access rights to property (NPSWW paragraph 4.4.11). A Drainage Strategy (Application Document Reference 5.4.20.12) has been prepared in respect of the Proposed Development. The report sets out details of the drainage requirements for the permanent works associated with the scheme.
- 4.2.16 Permanent drainage that has the potential to be contaminated will be contained within an enclosed drainage system and fed back through the works process to be treated prior to being discharged to river via the Final Effluent and Storm Pipeline Outfall. Where there is no potential for surface water to be contaminated, it may be treated in a number of ways, following the SuDS hierarchy set out in the Drainage strategy (Application Document Reference 5.4.20.12) and the Chapter 2 Project Description of the ES (Application Document Reference 5.2.2).

- 4.2.17 Chapter 2 Project Description of the ES (Application Document Reference 5.2.2) sets out the measures proposed for temporary/construction surface and groundwater drainage.
- 4.2.18 Appendix E of the Drainage Strategy comprises a drawing which provides an overview of the proposed drainage strategy. It identifies the drainage facilities, attenuation facilities and outlet controls. The whole site, including the site drainage system and treatment system and outfall to the River Cam, will be under the ownership and management of the Applicant.
- 4.2.19 The detailed permanent drainage plans will be developed during detailed design in accordance with the Drainage Strategy (Application Document Ref 5.4.20.12).
- 4.2.20 The proposed WWTP will be located in an excavated area and will be surrounded by a system of earth banks as part of the Landscape Masterplan. Therefore, it is expected that runoff flow from either surface water or groundwater sources will be contained within the perimeter of the proposed WWTP. Runoff within the proposed WWTP and access roads will be managed through the Drainage Strategy (Application Document Reference 5.4.20.12). Any potential change to surface water flood risk associated with the proposed WWTP is therefore considered to be mitigated by drainage design.
- 4.2.21 Further details on surface water drainage arrangements during construction and operation are set out in Chapter 2 Project Description of the ES (Application Document Reference 5.2.2).
- 4.2.22 There will be no significant effects as a result of the Proposed Development during construction, with the implementation of the mitigation measures for surface water and ground water protection outlined in the CoCP, with the exception of a few impacts identified in paragraph 5.1.17 of Chapter 20 Water Resources of the ES (Application Document Reference 5.2.20). It is considered that these would have temporary adverse effects.
- 4.2.23 During operation, there would be impacts resulting from changes in final effluent and stormwater discharges which are expected to have a significant beneficial effect on water quality in the River Cam.
- 4.2.24 Overall, it is considered that the Proposed Development is in accordance with the NPSWW in relation to flood risk and drainage. Further detail on the Proposed Development's compliance with the NPSWW is set out in the NPSWW Accordance Table (Application Document Reference 7.5.1).

4.3 Air quality, emissions and dust

- 4.3.1 The construction and operation phases of infrastructure developments can have adverse effects on air quality. In such cases, an assessment of the impacts of the proposed project is required as part of the Environmental Statement. The Environmental Statement should describe the significance of air emissions, their mitigation and any residual effects, distinguishing between the construction and operational stages of the project. The NPSWW advises that the decision maker should generally give air quality considerations substantial weight where a project would lead

to deterioration in air quality in an area, or where development causes national air quality limits to be breached. However, air quality effects are also important where substantial changes in air quality are expected, even if the level of deterioration does not lead to any breaches of air quality limits (NPSWW paragraph 4.11.4).

- 4.3.2 In all cases the decision maker must take account of relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits, applicants should work with the relevant authorities to secure appropriate mitigation measures to enable the proposal to proceed. In the event that a project would lead to non-compliance with a statutory limit, the decision maker should refuse consent (NPSWW paragraph 4.11.5).
- 4.3.3 Chapter 7 Air Quality of the ES (Application Document Reference 5.2) sets out the assessment and findings in respect of the Proposed Development. An assessment of effects is undertaken for construction and operation of the Proposed Development. The assessment confirms that during the construction phase, impacts would be associated with dust generation, and emissions from construction plant and vehicle movements. The CoCP (Application Document Reference 5.4.2.1 and 5.4.2.2) and Air Quality Management Plan (will ensure that the implementation of mitigation measures which will control the risk of impacts and consequently, the risk from dust impacts from construction would be 'negligible', and the emissions from vehicle movements associated with construction are considered to be not significant.
- 4.3.4 During operation, the assessment concludes that potential impacts on air quality and dust from the energy plant, abnormal and/or emergency scenario, and vehicle movements are considered to be not significant, and no secondary mitigation or enhancement measures are required
- 4.3.5 It is therefore considered that the Proposed Development would not lead to any breach in the air quality thresholds set out in the NPSWW and is in accordance with the NPSWW to this regard.

4.4 Statutory nuisances

- 4.4.1 There is potential for the release of a range of emissions such as dust, steam, smoke, artificial light and for infestation of insects as a result of the construction and/or operation of wastewater infrastructure. All such effects could lead to a potential detrimental impact on amenity, or cause a common law nuisance or statutory nuisance (NPSWW paragraph 4.12.1).
- 4.4.2 NPSWW paragraph 4.12.3 recognises that for NSIPs some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level deemed acceptable. In decision making, NPSWW paragraph 4.12.7 states that the decision maker should satisfy itself that all reasonable steps have been and would be taken, to minimise any detrimental impact on amenity from insect infestation and emissions of dust, steam, smoke, and artificial light.
- 4.4.3 The Applicant is required to assess the potential for insect infestation and emissions of dust, steam, smoke and artificial light that may have a detrimental impact on

amenity. Chapter 2 Project Description of the ES (Application Document Reference 5.2) notes that there will be lighting implemented in relation to construction activities and the operation of the proposed WWTP. Chapter 15 Landscape and Visual of the ES (Application Document Reference 5.2) sets out the effects of lighting arising from the Proposed Development. Effects associated with the construction of the proposed development in particular relate to the introduction of lit areas into a predominantly dark landscape. Construction lighting will result in moderate adverse significant effects on night-time views from residential properties in Horningsea Road, Low Fen Drove Way, residents of Poplar Hall, Poplar Hall Farmhouse and Red House Close and Biggin Abbey and associated cottages.

- 4.4.4 During operation, the assessment concludes that lighting from the Proposed WWTP will result in a moderate adverse significant effect on night-time views from residential properties in Low Fen Drove Way. No significant effects will arise from lighting as a result of the operation of the Waterbeach pipeline.
- 4.4.5 The Proposed Development is accompanied by a Lighting Design Strategy which sets out the requirements and guidance which has informed the lighting design and the lighting design principles and objectives which have been used to inform the design. Lighting will be designed in both construction and operation to satisfy minimum light requirements to ensure the safety of people, while avoiding light pollution, night glow and minimising light spill and glare. The lighting design particularly considers minimising impacts on surrounding rural areas, particularly recognising the site's location in the Green Belt.
- 4.4.6 Design principles adopted as part of the detailed design, which will be developed having regard to Institution for Lighting Professionals and CIBSE guidance on lighting in industrial environments, lighting in the exterior environment and lighting for the protection of bats. Lighting has been designed to maintain safety, maximise low level lighting, minimise light spread, avoid or minimise night working, minimise number of lighting assets, and minimise impacts on ecological receptors. Lighting on Horningsea Road will be delivered in accordance with a design to be agreed with the local highway authority.
- 4.4.7 Temporary lighting will be provided during the construction phase in construction laydown areas, parking facilities and office areas. The use of flood lights will be minimised, and the need for extended night time working will be avoided except in exceptional circumstances (for accidents and emergencies, or critical tasks such as continuous concrete pours and at drive shaft sites).
- 4.4.8 During operation, road and area lighting will be provided around the site to ensure the safety of operational staff and visitors. The lighting will be designed to minimise any off-site effects and use specifically designed down-lighting equipment that avoids light spillage and glare, with sharp cut off.
- 4.4.9 A Statement of Statutory Nuisance (Application Document Reference 7.13) has been prepared in respect of the Proposed Development. This concludes that based on the mitigation measures proposed in the Lighting Strategy, no nuisance is anticipated in respect of lighting of the Proposed Development during construction and operation.

- 4.4.10 This concludes that in respect of air quality and dust emissions, with the effective implementation of the CoCP, the residual effects from construction activities generating dust are negligible and not significant and therefore no nuisance related to dust or particles is anticipated from the construction of the Proposed Development. The nature of the Proposed Development during operation will not incorporate any significant sources of dust or steam to be either prejudicial to health, or a nuisance.
- 4.4.11 In relation to odour emissions, the Applicant proposes to control odour emissions through an Odour Management Plan, a preliminary version of which is included in the application (Application Document Reference 5.4.18.4). Upon successful implementation of this plan, with the mitigation measures proposed, no nuisance related to odour or other effluvia is anticipated from the construction or operation of the Proposed Development.
- 4.4.12 In respect of noise, Chapter 17 (Noise and Vibration) of the ES (Application Document Reference 5.2.17) concludes that the residual effects of noise and vibration arising from the construction works will be not significant. Mitigation measures proposed in the CoCP once implemented will result in no anticipated noise nuisance in relation to construction of the Proposed Development. Furthermore, the ES concludes that with mitigation, noise impacts during operation of the Proposed Development are not significant. Therefore, based on the proposed mitigation measures, there will be no noise nuisance anticipated from the operation of the Proposed Development.
- 4.4.13 In relation to insect nuisance, no insect nuisance is anticipated during construction of the Proposed Development, through the implementation of the general measures outlined in the CoCP Part A and through the preparation and adherence to a CEMP. Furthermore during operation (and maintenance) of the Proposed Development, no insect nuisance is anticipated, based on the proposed mitigation measures and reasonable working practices adopted by on-site operators.
- 4.4.14 Based on the above, it is therefore concluded that the Proposed Development would not give rise to any impacts which would be likely to constitute a statutory nuisance as defined by the Environmental Protection Act 1990 and is compliance with the NPSWW.

4.5 Odour

- 4.5.1 The NPSWW recognises that new wastewater infrastructure may generate odour emissions during stages of conveyance, treatment, and storage. The potential for adverse odour impacts is dependent on a number of factors. These include the layout and distance of the most odorous sources to receptors, the selection of process technologies and whether they have high or low 'odour potential', and the selection and on-going maintenance and control of odour abatement equipment in order to ensure effective odour management (NPWWS paragraphs 4.3.2 to 4.3.3).
- 4.5.2 Some odour aspects of the project may be subject to regulation under the Environmental Permitting regime; however, NPSWW paragraph 4.3.11 advises that:

“The decision maker should satisfy itself that all reasonable steps have been taken and will be taken, to minimise any detrimental impact on amenity from odours on surrounding uses of land and development”.

- 4.5.3 The impact of odour emissions of a project should be considered from a broad perspective of impact on amenity and not from a narrow perspective of nuisance. Nuisance does not equate to a loss of amenity because significant loss of amenity would occur at lower levels of odour emission than would constitute a nuisance (NPSWW paragraph 4.3.14).
- 4.5.4 In accordance with the NPSWW paragraphs 4.3.2-4.3.10, the Applicant has undertaken an assessment of the potential impacts of odour arising from the Proposed Development on amenity. The assessment can be found at Chapter 18 Odour of the ES (Application Document Reference 5.2.18). It concludes that odour impacts during the construction of the Proposed Development, are predicted to be of short duration. Mitigation measures will be implemented through the CoCP and therefore with these in place, the odour risks identified from the construction activities are not significant. Odour emissions during normal and abnormal operation of the proposed WWTP are also identified to be not significant.
- 4.5.5 The Applicant has carefully considered the possible mitigation measures set out in the NPSWW at paragraph 4.3.16 and Table 6-1 in Chapter 18 Odour of the ES (Application Document Reference 5.2.18), describes a summary of the odour effects and sets out the embedded mitigation measures developed through the design of the Proposed Development and any additional mitigation measures to be implemented to minimize effects.
- 4.5.6 Further, the Applicant recognises that the existing Cambridge WWTP is currently operated under an environmental permit and the proposed WWTP will require a new, separate environmental permit to operate which will be issued and regulated by the EA. A Preliminary Odour Management Plan (OMP) has been prepared in accordance with the environmental permit which sets out how odour will be prevented or minimised in respect of the Proposed Development. This Plan would be subject to and controlled under the environmental permit and will be regularly updated.
- 4.5.7 Based on the conclusions of the odour assessment and mitigation measures implemented in respect of the Proposed Development effects on odour, it is considered that odour does not constitute a statutory nuisance and risk is low in respect of causing loss of amenity. Odour impacts during the construction of the Proposed Developments are considered negligible and not significant. During normal operation, the results of the odour modelling reported in Chapter 18 Odour of the ES (Application Document Reference 5.2.18) conclude that impacts are not significant. During the unlikely periods of abnormal operation, taking into consideration the secondary mitigation measures, the residual effect would be negligible and not significant. It is therefore considered that the Proposed Development is in accordance with the NPSWW in relation to odour.

4.6 Biodiversity and geological conservation

- 4.6.1 As a general principle, the NPSWW advises that development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, appropriate compensation measures should be sought (NPSWW paragraph 4.5.6).
- 4.6.2 In taking decisions, the decision maker should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment (NPSWW paragraph 4.5.7).
- 4.6.3 The Site Selection Report (Application Document Reference 7.3) describes the thorough exercise that the Applicant has undertaken to identify the most suitable site to accommodate the project. The selected site avoids significant harm to biodiversity and geological conservation interests, where necessary through mitigation.
- 4.6.4 In accordance with the NPSWW at paragraph 4.5.3, the Applicant has undertaken an assessment which sets out the effects of the Proposed Development on biodiversity and ecology. This is set out in Chapter 8 Biodiversity contained in the ES (Application Document Reference 5.2.8).
- 4.6.5 The Applicant has given consideration to the potential effects of the Proposed Development on sites of nature consideration interest in the wider study area which include Stow-cum-Quy Fen Site of Special Scientific Interest (SSSI), the River Cam County Wildlife Site (CWS) and Allicky Farm Pond CWS.
- 4.6.6 International designations have also been considered within the study area of either within 10km of the Order Limits or where a site may be hydrologically linked. Table 3.1 in Chapter 8 Biodiversity of the ES (Application Document Reference 5.8.2) sets out that one internationally designated Ramsar site and two designated Special Area of Conservation (SACs) were identified within the study area. Wicken Fen Ramsar and Fenland SAC were identified 8.5km north-east of the Order Limits and Devil's Dyke SAC was identified 9km east of the Order Limits.
- 4.6.7 The Habitats Regulations Assessment (HRA) Report undertaken in respect of the Proposed Development considers whether there are likely significant effects on the sites arising from the construction, and operation of the Proposed Development. It concludes that with adherence to the proposed mitigation, including regulatory requirements, the construction works associated with the Proposed Development and the operational activity associated with the proposed WWTP will not have any adverse effects on the overall integrity of the designated sites and their features either alone, or in-combination with other plans, policies or projects.
- 4.6.8 The NPSWW at paragraph 4.5.10 sets out that development consent should not normally be granted where a proposal would have an adverse effect on a SSSI, particularly where that effect would impact one of the special interest features of the SSSI.

- 4.6.9 There are no SSSI's within the Order Limits of the Proposed Development. Within the 10km study area, there are 32 nationally designated statutory sites present which include 19 SSSIs, one of which (Wicken Fen) is also classified as a National Nature Reserve (NNR), and 13 Local Nature Reserves (LNRs). Of these, nine SSSIs, including Wicken Fen NNR, and all 13 LNRs are designated for biodiversity features.
- 4.6.10 The assessment undertaken in Chapter 8 Biodiversity of the ES (Application Document Reference 5.2.8) concludes in Table 5-1 that there are no significant effects on the SSSI's found within the study area. The application of the CoCP will provide the necessary embedded mitigation measures which will reduce any impact on the nationally designated sites identified through the assessment.
- 4.6.11 There is one CWS within land required for the landscape masterplan and therefore within the Order Limits. Other nearby CWS include Allicky Farm Pond and the River Cam.
- 4.6.12 During construction, the impact of work in the river bed of the treated effluent discharge outfall to the River Cam on water quality in the River Cam CWS would result in a moderate adverse effect even after the application of mitigation measures set out in the CoCP. Other temporary effects on the River Cam CWS during construction will be mitigated through the implementation of the CoCP, resulting in non-significant effects.
- 4.6.13 Although there is a moderate adverse effect on the River Cam in one respect, the NPSWW gives decision makers clear direction at paragraph 4.5.12 that regional and local sites should not be used in themselves reasons to refuse development consent.
- 4.6.14 The Applicant recognises that many individual wildlife species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity. The NPSWW at paragraph 4.5.16 sets out that the decision maker should ensure that applicants have taken measures to ensure these species and habitats are protected from the adverse effects of development. Development consent should be refused where harm to the habitats or species and their habitats would result unless the benefits (including need) of the development clearly outweigh that harm.
- 4.6.15 Extensive habitat and species surveys have been undertaken as part of the ecology and biodiversity assessment. This includes surveys for bats, otter, badger, great crested newts (GCN), birds, water voles, reptiles, terrestrial invertebrates, fish, aquatic macrophytes and invasive species which are set out in the ES Appendices (Application Document Reference 5.4.8).
- 4.6.16 Chapter 8 Biodiversity of the ES (Application Document Reference 5.2.8) concludes that, the impact from the construction of the proposed WWTP, final effluent pipeline, the landscaping proposals and the new access connection connecting with Horningsea Road on habitats is assessed as a temporary, moderate adverse effect, where habitats are to be reinstated like-for-like.
- 4.6.17 Chapter 8 Biodiversity of the ES (Application Document Reference 5.2.8) sets out the mitigation measures that have been embedded in the design of the Proposed

Development for species and habitats. It also sets out further mitigation measures to be implemented to minimise impacts further.

- 4.6.18 Considering the mitigation measures proposed as part of the Proposed Development, the predicted effects in relation to protected and notable species and habitats of importance are included at sections 4.1 and 4.2 of Chapter 8 Biodiversity of the ES (Application Document Reference 5.2.8).
- 4.6.19 At paragraph 5.1.8 of ES Chapter 8 Biodiversity, it concludes that the construction of the Proposed Development would not have any significant effects following the implementation of mitigation measures. During operation, following mitigation, the Proposed Development would also not have any adverse significant effects. Additionally, several beneficial significant effects have been identified, particularly regarding:
- reptile species through creation of habitat suitable for use including hibernacula and refuge areas; and
 - habitats within the proposed WWTP through creation of more diverse grassland, woodland, scrub and seasonal ponds along with additional ecological features such as bat and bird boxes and bee banks. This additional habitat provision will support the local Nature Recovery Network.
- 4.6.20 At paragraph 4.5.14 of the NPSWW, it is noted that development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering applications, the decision maker should consider the extent to which the applicant has maximised such opportunities in and around developments. The decision maker may use requirements or planning agreements where appropriate in order to ensure that such beneficial features are delivered.
- 4.6.21 A Biodiversity Net Gain (BNG) assessment and report (Application Document Reference 5.4.8.13) has been completed in respect of the Proposed Development. The design of the development has been carefully developed to capitalise on opportunities for incorporating net gain. The Report sets out that the development as currently designed, a net gain of not less than 20% in all unit types will be achieved through:
- area based habitats 36%
 - linear habitats 71%
 - linear habitats (water) 20%
- 4.6.22 It is expected that the BNG assessment will be updated as the detailed landscaping designs are produced prior to construction. Following the CIEEM/British Standard guidance, the habitat proposals within the LERMP and habitats outside of the LERMP that deliver net gain, will be monitored for a 30 year period to determine condition of the habitats and whether or not the target gain has been reached.
- 4.6.23 In line with the NPSWW, the Proposed Development is considered to be in accordance with the policies in relation to biodiversity and geological conservation through the delivery of mitigation and enhancement measures proposed.

4.7 Landscape and visual impact

- 4.7.1 The Proposed Development will be located in a largely rural area, although more urban influences are present to the south of the Order Limits. The land within the Order Limits is currently used for agriculture. Some urban elements interrupt the otherwise rural landscape, including the transport corridor the A14 and the frequent presence of pylons, which are prominent in the open landscape. The main development site lies within a Landscape Character Area (LCA) defined by the Cambridge Green Belt Study as the Eastern Fen Edge. The key characteristics of the Eastern Fen Edge LCA are set out in section 5.4 of the DAS which sets out the landscape context in more detail in respect of the Proposed Development.
- 4.7.2 The NPSWW acknowledges that the landscape and visual effects of wastewater projects vary according to the type of development, its location and its landscape setting (NPSWW paragraph 4.7.1).
- 4.7.3 A Landscape and Visual Impact Assessment has been carried out in accordance with the NPSWW paragraph 4.7.2, the conclusions for which are contained within Chapter 15, Landscape and Visual of the ES (Application Document Reference 5.2). The assessment considers the relevant policies in the NPSWW and local development plan which are noted in the preceding Section of this Planning Statement.
- 4.7.4 The NPSWW recognises that, *“landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints, the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate”* (NPSWW paragraph 4.7.6).
- 4.7.5 In decision making, NPSWW paragraph 4.7.11 states that *“the fact that a proposed project will be visible from within a (nationally) designated area should not in itself be a reason for refusing consent”*. It advises that projects should avoid compromising the purposes of a national designation and should be designed sensitively according to the various siting, operational, and other relevant constraints.
- 4.7.6 Outside of nationally designated areas, the NPSWW acknowledges that there are local landscapes that may be highly valued locally and protected by a local designation. The NPS advises that where a local development document has policies based on landscape character assessment, the applicant should pay particular attention to these. However, it states that:
- “local landscape designations should not be used in themselves as reasons to refuse consent, as this may unduly restrict acceptable development”* (NPSWW paragraph 4.7.12).
- 4.7.7 NPSWW paragraph 4.7.13 states that the decision maker should consider whether the project has been designed carefully, taking account of environmental effects on the

landscape and siting, operational and other relevant constraints, in order to minimise harm to the landscape, including by means of reasonable mitigation.

- 4.7.8 Visual impact is also a consideration for the decision maker. The NPSWW indicates that potential visual effects on sensitive receptors should be weighed against the benefits of the development (NPSWW paragraph 4.7.14). In order to assist the decision maker in judging the weight to give to the assessment of visual impacts, the NPSWW suggests that the applicant may draw attention to any examples of existing permitted infrastructure that has a similar magnitude of impact on sensitive receptors.
- 4.7.9 The NPSWW recognises that reducing the scale of a project can help to mitigate its visual and landscape effects. However, reducing the scale or otherwise amending the design of the development may result in significant operational constraints or reduction in function. There may, however, be exceptional circumstances where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the decision maker may decide that the benefits of the mitigation to reduce the landscape effects outweigh the marginal loss of function (NPSWW paragraph 4.7.16).
- 4.7.10 The NPSWW also notes that adverse landscape and visual effects at site level may be minimised through appropriate siting of infrastructure, design (including colours and materials), and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration (NPSWW paragraph 4.7.17).
- 4.7.11 Just because a landscape is not "*valued*" or display any "*unusual*" or "*valued features*" does not mean its loss must carry limited weight in planning terms. Paragraph 170b NPPF enjoins decision makers to recognise the "*intrinsic character and beauty*" of the countryside. It follows that where a site displays those characteristics, convincing justification will be required before its loss will be permitted (paragraphs 67-68). However, unlike pre-NPPF policy, there is no blanket protection of the countryside "*for its own sake*". A more nuanced approach now applies.
- 4.7.12 The introduction of the proposed WWTP in an area which is typified by predominantly rural landscape will inevitable have some visual effects. A rigorous site selection process was undertaken in order to identify the most appropriate and preferred location for the proposed WWTP. In accordance with paragraph 4.7.16 of the NPSWW, the design of the Proposed Development has been meticulously developed and has been landscape-led in order to minimise the scale of the project to help mitigate any visual and landscape effects, whilst taking into account the minimum functional requirements for effective operation of the Proposed Development.
- 4.7.13 The landscape design for the proposed WWTP has emerged through an iterative process, informed by the landscape and visual constraints and opportunities (eg for visual integration) which are apparent on the site and in the surrounding context. The resulting design is therefore landscape and visually led.
- 4.7.14 A multifunctional approach has been adopted to deliver landscape enhancement, visual screening, ecological habitat creation and recreational opportunities for local

communities. This approach provides mitigation for potential environmental impacts that have been identified through EIA, including impacts on landscape character and visual amenity process and also for enhancement of the local environment.

- 4.7.15 A landscape masterplan has been prepared as part of the mitigation proposals for the Proposed Development. It is driven by a set of principles which are set out at section 8.2 of the DAS (Application Document Reference 7.6)
- 4.7.16 The central feature of the proposals is the circular landform. The earth bank, proposed at approximately 5m above existing ground levels, will screen the majority of the structures of the WWTP, with only the taller elements (including the digesters at 20m high, gas holder at 16m high and boiler stack at 24m high) visible above the bank. Planting on the earthwork bank will, by being raised, further screen the new infrastructure.
- 4.7.17 Chapter 15 of the ES concludes that during construction, the proposed WWTP, treated effluent transfer pipeline and discharge outfall, transfer tunnel and junction with Horningsea Road will have large adverse significant adverse effects on the Eastern Fen Edge Chalklands LCA due to the presence of the construction works on farmland, a reduction in tranquillity and the introduction of lit areas into a predominantly dark landscape. There will be slight adverse effects on the River Cam Corridor due to the construction of the outfall on the river and on LCA during the construction of the outfall the Waterbeach Lode Fen LCA due to the proximity of construction works to the LCA. There will be no other effects on the other LCA in the study area. However, these effects will not be significant.
- 4.7.18 The construction of the Waterbeach pipeline will result in slight adverse not significant effects on the Eastern Fen Edge Chalklands LCA, River Cam Corridor LCA and the Waterbeach Lode Fen LCA due the presence of the construction works in farmland, a reduction in tranquillity and the introduction of lit areas into a predominantly dark landscape. It is considered, however, that these effects will not be significant.
- 4.7.19 During construction for both the Proposed WWTP and the Waterbeach pipeline, there will be a variation of some large adverse effects on views, and moderate adverse significant effects. These are temporary effects which arise from the presence of construction activity on what is currently farmland in addition to the introduction of construction lighting into a predominantly unlit landscape. Further details are set out in Chapter 15 Landscape and Visual of the ES (Application Document Reference 5.2.15).
- 4.7.20 During operation of the proposed WWTP, the maturing landscape mitigation of the landscape masterplan will partially integrate the proposed WWTP into the landscape, but the large scale of the structures means that they will still have a presence in the landscape. The woodland planting of the masterplan will result in a more wooded character in the landscape around the proposed WWTP. Therefore, effects on the Eastern Fen Edge Chalklands LCA will remain moderate adverse and significant and effects on the River Cam Corridor LCA and Waterbeach-Lode Fen LCA will remain slight adverse and will not be significant.

- 4.7.21 There will be no significant effects on landscape character as a result of the presence of the Waterbeach pipeline. The land disturbed by the construction of the pipeline will be fully restored at the end of construction and the hedgerows removed will be replaced.
- 4.7.22 In terms of visual amenity, there will be significant effects during the first year of operation on some visual receptors mainly in High Ditch Road, Horningsea Road, Low Fen Drove Way, at Biggin Abbey House and associated cottages and on the PRoW network west of the Proposed Development. These effects will arise from the introduction of the large-scale infrastructure of the proposed WWTP into views over farmland, the presence of the outfall and sheet-piled banks in views from the River Cam and the introduction of lighting into a predominantly unlit landscape. Once the landscape mitigation has matured, however, at year 15 it will partially screen the proposed WWTP from view, however, some of the larger scale structures will still be visible from a small number of locations.
- 4.7.23 There will be no significant effects on visual receptors as a result of the presence of the Waterbeach pipeline.
- 4.7.24 The careful design and mitigation has been successful in minimising the visual impact of the Proposed Development where possible, such that only a relatively small number of receptors will experience long term effects. It is considered that the need and benefits case for the Proposed Development is set out at Section 2 of this PS in combination with the mitigation measures implemented through the landscape-led design, outweigh any effects arising from the Proposed Development, as per paragraphs 4.7.6 and 4.7.12-4.7.13 of the NPSWW.

4.8 Land use including open space, green infrastructure and Green Belt

- 4.8.1 NPSWW paragraph 4.8.1 recognises that “a waste water infrastructure project will have direct effects on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of waste water infrastructure projects there may be particular effects on open space including green infrastructure”.
- 4.8.2 The NPSWW states that applicants should identify existing and proposed land uses near the project, any effects of replacing an existing development or the use of the site for the proposed project, or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan (paragraph 4.8.5).
- 4.8.3 Where the project conflicts with a proposal in a development plan, the NPSWW states that the decision maker should consider the stage that the Development Plan Document has reached to decide what weight to give to the plan in order to determine the planning significance of what the proposals would replace, prevent or preclude (paragraph 4.8.12).
- 4.8.4 The NPSWW states that: “in reaching a judgment, the decision maker should consider whether any adverse impact is temporary, such as during construction, and/or

whether any adverse impact on the landscape will be capable of being reversed in a timescale that the decision maker considers reasonable” (NPSWW paragraph 4.8.14).

- 4.8.5 In terms of mitigation, it is recognised that applicants can minimise the direct effects of a project on the existing use of the proposed site, or proposed uses near the site by the application of good design principles, including the layout of the project.

Land use

- 4.8.6 The NPSWW favours the re-use of previously-developed land for new development, noting that it can make a major contribution to sustainable development by reducing the amount of undeveloped greenfield land that needs to be used. However, the NPS recognises that it may not always be possible to locate some forms of infrastructure on previously-developed land (paragraph 4.8.3).
- 4.8.7 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification), and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations and justification of loss of higher quality land is provided. Applicants should safeguard any mineral resources on the proposed site as far as possible.
- 4.8.8 Chapter 6 Agricultural Land and Soil Resources of the ES (Application Document Reference 5.2.6) provides an assessment of the effects of the Proposed Development on agricultural land. The majority of the land permanently required for the construction of the proposed WWTP and landscape masterplan (within the Landscape Ecology and Recreation Management Plan, Application Document Reference 5.4.8.14) is grade 2 and grade 3a agricultural land, deemed best and most versatile (BMV). The effect of the permanent loss of BMV land is moderate adverse and is significant.
- 4.8.9 For areas of land permanently required the extent required has been minimised.
- 4.8.10 The temporary acquisition of land required for the construction of the waste water transfer tunnel, treated effluent pipeline, and the outfall would have a temporary minor adverse effect on agricultural land which is not significant. The acquisition of land required for the construction of the Waterbeach pipeline was found to have a temporary moderate effect on agricultural land which is considered significant.
- 4.8.11 Furthermore, the effects of the Proposed Development on soil resources during construction and operation would be not significant in areas of temporary and permanent land acquisition with the implementation of mitigation measures.
- 4.8.12 The Proposed Development will need to continue to provide vital wastewater services to customers across Cambridge and the Greater Cambridge area. As such, there is a current catchment area that it will need to continue to serve, as well as take into account that from the growth indicated and being planned within the catchment, with the ability and resilience to expand further to deal with future population growth and changing regulatory requirements.

- 4.8.13 A robust site selection process was undertaken by the Applicant which was focused initially by a Statement of Requirement for the project. Initial Site selection exercise which eliminated areas of land with particular constraints (for example, flood zones and proximity to protected and statutory designated sites) and sites of insufficient size having regard to the Statement of Requirements. As such, the proposed WWTP was fixed in terms of general location, based on the operational requirements and land constraints. Chapter 3 of the ES (Application Document Reference 5.2.3) provides further details on the site selection process and the main alternatives considered for the Proposed Development.
- 4.8.14 Through the site selection process, it became clear that given the fixed location of the existing Cambridge WWTP, there were no opportunities to deliver the proposed WWTP on land that was not almost entirely agricultural in nature. The use of agricultural land is unavoidable to successfully deliver the Proposed Development, in line with paragraph 4.8.16 of the NPSWW. The Site Selection Report (Application Document Reference 7.3) sets out the justification for the preferred site selection.
- 4.8.15 The ES concludes that the prevalence of BMV land in the area means that there is no alternative location for the proposed WWTP that would not impact BMV. Land temporarily required will be managed through a Soil Management Plan (SMP) an outline of which is provided in Application Document Reference 5.4.6.3. The SMP will cover the efficient and sustainable use of soils including their use in the new natural habitats which will displace the current agricultural uses. The Outline SMP states at paragraph 5.4.1 that the *“projected end-use of the soils will be for reinstatement of profiles and the formation of landscape features within the landscape masterplan as part of the LERMP”*.
- 4.8.16 The landscaping proposals integrate re-use of all surplus soil resources and measures to offset as much as possible the effects of the Proposed Development are incorporated in the CoCP (Application Document Reference 5.4.2.1).
- 4.8.17 The Applicant has been engaging with landowners throughout the design development process to ensure that the affected landowners can maintain access to land that is not permanently affected by the Proposed Development. The design has been refined in response to these discussions. The Consultation Report (Application Document Reference 6.1) sets out how the Applicant has had regard to statutory consultation responses, and further details on the progression of discussions will be presented during the DCO application process.
- 4.8.18 Furthermore, the Applicant has assessed the potential effects of two Mineral Safeguarding Areas (Chalk and sand and gravel) from the construction of the Proposed Development in Chapter 14 Land Quality of the ES (Application Document Reference 5.2.14). This concludes that the maximum percentage of the MSA (chalk) that may be affected on both a temporary and permanent bases is 0.18% of a total of 636.5km². The assessment indicates that the percentage of the MSA (sand and gravel) that may be affected is 0.02% of a total of 991.8km². It is concluded that there will be no significant effects to the Mineral Safeguarding Areas identified.

Open space and green infrastructure

- 4.8.19 The NPSWW sets out that the decision maker should not grant development consent for development on existing open space. The decision maker should also consider whether mitigation of any adverse effects on green infrastructure or open space is adequately provided for by means of any development consent obligations, for example, to exchange land and provide appropriate management and maintenance agreements (NPSWW paragraph 4.8.21).
- 4.8.20 This project does not propose building on existing open space, sports or recreational buildings and land. The Applicant has undertaken public consultation and given regard to the consultation responses, including considering the comments raised about the land required for the Proposed Development.
- 4.8.21 Recreational connectivity is central to the design; Cambridgeshire has one of the lowest levels of natural green space available for public access in the UK. Two new connections to the existing PRoW are proposed.
- 4.8.22 A new bridleway from Low Fen Drove Way to existing network of PRoW in the north-east and a permissive path from the proposed WWTP to Low Fen Drove Way. The project's paths will be connected to the wider network of public rights of way, and a new bridleway will improve access to Quy Fen and Anglesey Abbey.
- 4.8.23 The new walking routes have been developed following stakeholder feedback including through technical working groups. During engagement, stakeholders highlighted a gap in the network to the north-east of the proposed WWTP location and the lack of connectivity between Low Fen Drove Way and Anglesey Abbey. Stakeholders also supported proposals for improving connectivity through the creation of the shorter circular walking routes. These new routes will provide better and new connections for communities, promoting outdoor physical activity for local people and visitors to the area. This amenity space will provide a recreational resource for the local community. The circular earthwork bank, which will enclose the treatment plant, is not a passive landscape feature. Access onto part of the earthwork bank via the paths provided will allow visitors to experience the surrounding sculpted features and wider landscape.
- 4.8.24 Furthermore, the LERMP sets out the monitoring and management of the mitigation proposed through green infrastructure which includes the earth bank planting, woodland blocks, hedgerows and hedgerow trees. Further details in relation to mitigation through green infrastructure are set out at section 8.6 of the DAS (Application Document Reference 7.6).
- 4.8.25 For the reasons set out above, it is therefore considered that the Proposed Development is in accordance with NPSWW at paragraph 4.8.13.

Green Belt

- 4.8.26 A significant proportion of the project falls within Green Belt (as defined in the South Cambridgeshire Local Plan 2018). The NPSWW notes the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open; “the

most important attribute of Green Belts is their openness” (NPSWW paragraph 4.8.4). Reference is made to further information on the purposes of Green Belt policy as set out in Planning Policy Guidance 2 or any successor to it (now paragraphs 137 – 151 of the NPPF).

4.8.27 Paragraph 138 of the NPPF sets out the five purposes that the Green Belt serves:

- “a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

4.8.28 These purposes have been applied locally as the 'Cambridge Green Belt Purposes', which are set out in the Cambridge City Local Plan 2018 and South Cambridgeshire Local Plan 2018 as being to:

- preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre;
- maintain and enhance the quality of its setting; and
- prevent communities in the environs of Cambridge from merging into one another and with the city.

4.8.29 These purposes most closely align with NPPF paragraph 134 purposes (b), (c) and (d). In addition, the Cambridge Local Plan (2018) and South Cambridgeshire Local Plan (2018) set out a number of factors that define the special character of Cambridge. Those relevant to the Proposed Development are:

- a soft green edge to the city;
- a distinctive urban edge;
- green corridors penetrating into the city;
- the distribution, physical separation, setting, scale and character of Green Belt villages; and
- a landscape that retains a strong rural character.

4.8.30 The Inspectors’ Local Plan Examination reports for the South Cambridgeshire Local Plan and the Cambridge Local Plan in 2018 accepted the continued validity of the three Cambridge Green Belt purposes as an application of national policy in a local context, reflecting *“the importance of Cambridge as a historic city and the particular role of the Green Belt in preserving its setting”*.

4.8.31 The NPSWW is clear that the general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general

- presumption against inappropriate development within them (NPSWW paragraph 4.8.10). Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and, if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy.
- 4.8.32 The NPSWW recognises that when located in the Green Belt, waste water infrastructure projects may comprise ‘inappropriate development’ (as defined in the NPPF). Inappropriate development is by definition harmful to the Green Belt and there is a presumption against it.
- 4.8.33 The extent of the Green Belt and the existing boundaries around Cambridge in the locality of the proposed WWTP are shown on the Local Designations Plan at Appendix 4.
- 4.8.34 A significant proportion of the project falls within Green Belt (as defined in the South Cambridgeshire Local Plan 2018). The proposed pumping station at Waterbeach is outside the Green Belt boundary, as are sections of the rising main connection and transfer tunnels in the vicinity of Waterbeach and to the south of the A14. A number of the elements of the project also fall within the exceptions listed at paragraph 150 of the NPPF. Insofar as they “*preserve the openness of the green belt and do not conflict with the purposes of including land in the Green Belt*”, the transfer tunnels, proposed access roads to the WWTP and connecting infrastructure and the discharge point fall within the exceptions at paragraphs 150(b) (engineering operations) and 150(c) (local transport infrastructure which can demonstrate a requirement for a Green Belt location) and should not, therefore, be considered to constitute ‘inappropriate development’.
- 4.8.35 However, at least one element of the project, namely the proposed WWTP and surrounding earth bank (and potentially the visitors’ car park) would be considered inappropriate development in the Green Belt., does not fall within the exceptions set out at paragraph 150 of the NPPF and must, accordingly be considered to be inappropriate development and, consistent with NPSWW paragraph 4.8.10 must be “*by definition, harmful to the Green Belt and should not be approved except in very special circumstances*”. The woodland, hedgerows, tree planting, meadows and recreational routes shown on the landscape masterplan (within the LERMP Application Document Reference 5.4.8.14) are not be considered inappropriate development.
- 4.8.36 NPSWW paragraph 4.8.14 makes clear that “*very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the decision maker will attach substantial weight to the harm to the Green Belt when considering any application for such development*”.
- 4.8.37 In addition to harm by reason of inappropriateness, it is also necessary to consider “*any other harm*”. This is done having regard to the purposes of Green Belt (as described above).

- 4.8.38 The Proposed Development will result in inappropriate development on some 34 hectares of designated Green Belt required for the construction of the Proposed WWTP within and including the circular earth bank and visitors' car park. The earth bank around the Proposed WWTP would provide good screening to active areas of the Proposed Development but would not screen the upper parts of the WWTP. The scale of the taller building elements would be apparent from a number of viewpoints and to people travelling on the roads past the completed development. Although there are a number of built features in the vicinity, in particular the A14 and the pylons and powerlines, the openness of the Green Belt in this area is not materially affected by other urbanizing influences.
- 4.8.39 The Landscape Masterplan would deliver a significant area of green infrastructure (comprising some 77% of the total area required for the proposed WWTP and surrounding landscape area). This would provide screening and help to reduce the visual impact of the Proposed Development and, because this area surrounds the proposed WWTP, it would serve to retain openness and contribute to reducing the effect on the openness of the Green Belt.
- 4.8.40 In order to assess the degree of harm to the Cambridge Green Belt, a Green Belt Impact Assessment of the Proposed Development has been undertaken by Mott MacDonalds (Application Document Reference 7.5.3). It concludes that, after mitigation, the Proposed Development would result in the loss of land which makes a strong contribution to two of the Green Belt purposes and would have a moderate impact on adjacent Green Belt land. Overall, the harm on Green Belt function resulting from the Proposed Development would be moderate-minor or minor.
- 4.8.41 Therefore, in addition to the harm by reason of its inappropriateness, the Proposed Development would cause moderate harm to the openness of the Green Belt and moderate harm to at least two of the purposes of including land in the Green Belt as a result of its encroachment into the countryside.
- 4.8.42 The Landscape Masterplan and LERMP would provide extensive mitigation and enhancement measures over a 60ha area. The encircling earth bank, tree belts and woodland would, in time, screen the majority of the new structures of the proposed WWTP and provide new strong boundaries to the land occupied by the Proposed Development, reducing its urbanizing influence. The strength of the contribution to Green Belt purposes of adjacent retained Green Belt land would be largely restored.
- 4.8.43 The Applicant accepts that, having regard to the policies in the NSPWW, the Proposed Development would constitute inappropriate development and is promoting the Application on the grounds that the very special circumstances required to justify the making of the DCO are demonstrated.
- 4.8.44 Having regard to the five purposes of Green Belt set out at NPPF paragraph 138, the following conclusions are drawn:
- (a) The proposed Development would not breach the paragraph 134(a) purpose of checking the unrestricted sprawl of large built-up areas. The Proposed Development would not result in the unrestricted sprawl of large built-up areas.

The development is for a specific element of nationally significant infrastructure which, although visible in the Green Belt, will be distinct in character, will be contained within a strong earthwork bank and will be surrounded by a significant area of green infrastructure which would provide screening and help to reduce the visual impact of the Proposed Development and, at least in respect of the Proposed Development, serve to retain openness around it.

- (b) The Proposed Development would not breach the paragraph 134(b) purpose of preventing neighbouring towns from merging into one another. Whilst the development would result in a substantial area of new built development, it would be seen as an enclave of infrastructure development rather than a new settlement and the nearby settlements would retain their individual identities. There would remain a substantial area of Green Belt between Horningsea, Fen Ditton, Waterbeach and the urban edge of Cambridge.
- (c) The Applicant accepts that the Proposed Development would encroach on the countryside and cause moderate harm with the mitigation and enhancement measures proposed to this purpose of the Green Belt as set out in NPPF paragraph 134(c), as the Proposed Development would in time partly restore the existing contribution that the site of the Proposed WWTP and adjacent Green Belt land make to the Green Belt purposes.
- (d) The Proposed Development would not harm the paragraph 134(d) purpose to preserve the special character of historic towns. The area of land within which the proposed WWTP site falls is recognised (in the Greater Cambridge Green Belt Assessment – LUC 2021) as making limited or no contribution to that purpose as the land is not closely associated with the large built-up area of Cambridge and is strongly distinct from it. The area of land does, however, make a relatively significant contribution to the quality of Cambridge's setting as it has strong distinction from the urban edge of Cambridge and inset developments and contributes to the characteristic rural setting of Cambridge. The Proposed development will have moderate harm in diminishing the role of land that currently contributes to the quality of Cambridge's setting, would have an urbanising visual influence and would reduce the settlement gap between fen Ditton and Horningsea, because as set out above, the mitigation and enhancement measures set out in the landscape masterplan and LERMP would over time partly restore the existing contribution to Green Belt land which the site currently provides.
- (e) The Proposed Development would not harm the paragraph 134(e) purpose of assisting urban regeneration by encouraging the recycling of derelict and other urban land. The CWWTFR project as a whole seeks to enable the recycling of derelict and other urban land by removing a present WWTP operation which prevents realisation of the regeneration of NEC to the full extent envisaged by the Councils. The suggestion that the Proposed Development harm the paragraph 134(e) purpose of assisting urban regeneration by encouraging the recycling of derelict and other urban land would be inconsistent with the Council's aspirations for NEC and the conclusion from the site selection exercise that no alternative

sites are available that could accommodate the WWTP. If it is not possible to locate the Proposed Development within the urban area then the development of the WWTP outside of that area would not harm urban regeneration objectives.

4.8.45 In light of these conclusions of moderate harm, and in accordance with NPSWW paragraph 4.8.10 that development consent "*should not be approved except in very special circumstances*", an assessment is made in Section 6 below of the 'other considerations' which should inform the decision that the Secretary of State must make as to whether there are 'very special circumstances' sufficient in this instance to justify why the DCO should be granted.

4.9 Noise and vibration

4.9.1 The NPSWW recognises that excessive noise can have wide-ranging impacts on the quality of life and health (e.g. annoyance or sleep disturbance), and on the use and enjoyment of areas of value (e.g. quiet places and areas with high landscape quality). Similar considerations also apply to vibration (NPSWW paragraph 4.9.1).

4.9.2 The NPSWW advises that the decision maker should not grant development consent unless it is satisfied that the proposals avoid significant adverse impacts on health and quality of life from noise. The decision maker should also be satisfied that the proposals mitigate and minimise adverse noise impacts on health and quality of life. Where possible, projects should contribute to improvements to health and quality of life, through the effective management and control of noise (NPSWW paragraph 4.9.9).

4.9.3 Noise impacts have been assessed and are addressed in Chapter 17 Noise and Vibration of the ES (Application Document Reference 5.2.17). Risk of impacts has largely been scoped out of the project through the Site Selection process and there is no identified need arising from the project for offsite noise mitigation through, for example, improved sound insulation to dwellings or through compulsory purchase of affected properties. The proposed WWTP location and design aims to avoid significant adverse effects and minimise adverse noise and vibration impacts. Appropriate mitigation measures for the Proposed Development to this regard have been included within proposals also to avoid significant adverse effects and minimise adverse noise impacts at the nearest noise sensitive receptors. Measures set out in the CoCP (Application Document Reference 5.4.2.1 and 5.4.2.2) include the use of solid site hoarding, temporary acoustic barriers, use of earth banks and enclosures.

4.9.4 Chapter 17 Noise and Vibration of the ES (Application Document Reference 5.2.17) conclude that with the implementation of mitigation measures during construction, there will be no significant effects in respect of the Proposed Development. During operation, there would also be no significant effects in respect of noise and vibration. To this regard, it is considered that the Proposed Development is compliant with the NPSWW.

4.10 Historic environment

- 4.10.1 The NPSWW requires the applicant to provide a description of the significance of the heritage assets affected by the proposed development and the contribution of the asset's setting to that significance. NPSWW paragraph 4.10.7 states that the level of detail should be proportionate to the importance of the heritage assets, but no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset.
- 4.10.2 In considering the impact of a proposed development on any heritage assets, the decision maker should take into account the particular nature of the significance of the heritage assets, and the value that they hold for this and future generations (NPSWW paragraph 4.10.11). This understanding should be used to avoid or minimise conflict between conservation of the heritage asset and the development proposals.
- 4.10.3 An assessment has been prepared which assesses the likely effects of the Proposed Development on built heritage, archaeological remains and historic landscape assets during construction and operation in accordance with the NPSWW at paragraph 4.10.8. This is set out in Chapter 13 Historic Environment of the ES (Application Document Reference 5.2.13). It includes a description of the significance of the heritage assets and details of archaeological desk-based and field investigations.
- 4.10.4 The design of the Proposed Development has been developed taking into consideration the full suite of legislative, policy and information materials relevant to the protection of heritage assets.
- 4.10.5 Chapter 13 Historic Environment of the ES (Application Document Reference 5.2.13) details the national, regional and local level policies which have been considered as part of the heritage assessment and these have informed the identification of receptors, their sensitivity, the assessment methodology, the potential for likely effects and required mitigation. The decision maker should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use. The decision maker should have regard to any relevant local authority development plans or local impact reports on the proposed development in respect of the factors set out in relevant practice guidance (NPSWW paragraph 4.10.12).
- 4.10.6 In decision making, the NPSWW states that there should be a presumption in favour of conserving designated heritage assets, and the more significant the asset, the greater the presumption in favour of its conservation. Substantial harm to or loss of a Grade II listed building, park or garden should be "*exceptional*". Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments, registered battlefields, Grade I and II* listed buildings and Grade I and II* registered parks and gardens should be "*wholly exceptional*" (NPSWW paragraph 4.10.13).
- 4.10.7 Any harmful impact on a designated heritage asset should be weighed against the public benefit of the development, recognising that the greater the harm to the

significance of the heritage asset, the greater the justification required for any loss. Where a development would lead to substantial harm to or total loss of significance of a designated heritage asset, the decision maker should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm (NPSWW paragraph 4.10.14).

- 4.10.8 The NPSWW states that the decision maker should consider imposing a Requirement on the consent or requiring the applicant to enter into an obligation where the decision maker has determined that the applicant has justified the loss of significance of any heritage asset based on the merits of the new development. The Requirement or obligation would prevent the loss occurring until it is reasonably certain that the relevant part of the development shall proceed (NPSWW paragraph 4.10.16).
- 4.10.9 When considering applications for developments that affect the setting of a designated heritage asset, the NPSWW requires the decision maker to treat favourably applications that preserve elements of the setting that make a positive contribution to, or better reveal the significance of the asset. However where there is a negative effect on setting, the decision maker should weigh those effects against the wider benefits of the application (NPSWW paragraph 4.10.17).
- 4.10.10 The NPSWW advises that any unavoidable losses of heritage assets should be recorded but also that a documentary record of the past is not as valuable as retaining the asset. Therefore the ability to record evidence of the asset should not be a contributory factor in deciding to grant consent (NPSWW paragraph 4.10.19).
- 4.10.11 The risk of impacts on heritage assets were considered through the Site Selection process undertaken. However, in selecting the preferred location for the proposed WWTP, two designated assets were identified within the Order Limits; Baits Bite Lock Conservation Area (HE095) and Fen Ditton Conservation Area (HE097). The following are also within the study area included in the assessment undertaken in Chapter 13 Historic Environment of the ES (Application Document Reference 5.2.13):
- Poplar Hall (HE040), a grade II listed building, is surrounded by the Order Limits
 - Biggin Abbey (HE011), a grade II* listed building, is located 100m north of the Order Limits and has views overlooking the proposed WWTP.
 - Horningsea Conservation Area (HE097) is located approximately 10m west of the Order Limits.
- 4.10.12 In the design of the Proposed Development, the Applicant has given meticulous consideration to the desirability of sustaining, and where appropriate, enhancing the significance of heritage assets and their setting.
- 4.10.13 Views towards and over the farmland beyond Horningsea Road contribute to an understanding of Biggin Abbey's role as part of a rural agricultural manor of the Bishops of Ely. The presence of and noise from vehicles on the A14 diminishes how the setting contributes to the value of the asset. Due to construction, there will be a temporary minor adverse impact on the heritage value of Biggin Abbey as the

construction compound and activities will be located 110m to the south. To note, Biggin Abbey is considered to be of high heritage value.

- 4.10.14 There will be a permanent impact on the heritage value of Biggin Abbey (HE011) as a result of changes within its setting from the proposed development. The introduction of the proposed WWTP will alter the agricultural character of the Abbey's setting in this particular location. Although the landscape planting and earth bank will reduce the visual intrusion of the proposed WWTP, these elements will themselves truncate views eastwards from the asset. A representative viewpoint from the asset can be found in Chapter 15 Landscape and visual amenity (Application Document ref: 5.2.15); Viewpoint 24. These potential impacts have been assessed as minor adverse. The proposed WWTP will be located approximately 850m east of Biggin Abbey (HE011), with the tallest elements of the proposed WWTP located approximately 1km east. However, the tallest elements and the substantial planting west of the proposed WWTP will be visible within the setting of the abbey. These elements will alter the existing relationship the rural retreat has with the farmland which would have historically served it. The Fen Ditton Conservation Area, Baits Bite Lock Conservation Area and Horningsea Conservation Area are all considered to be of medium value. As a result of construction, with the mitigation proposed to be implemented through the LERMP, there would be no significant effects.
- 4.10.15 Mitigation described within Chapter 15: Landscape and visual amenity and within the LERMP (Application Document Reference 5.4.8.14) is suitable to reduce change within the historic landscape character areas, as it is in keeping with the historic character of the area.
- 4.10.16 During operation, there will be no significant effects on the conservation areas listed above, nor on Biggin Abbey or Poplar Hall. This is summarised in Gazetteer of Assets - Historic Environment (Application Document Ref 5.4.13.2).
- 4.10.17 The LERMP secures the landscape and design measures which will mitigate the impact on the setting of heritage assets. This includes proposals to visually screen the development from view from Biggin Abbey. Planting and landscaping proposals have been developed with regard to the existing landscape and species. The benefits of the new planting – woodland blocks, earth bank thicket and hedgerows with new hedgerow trees - will add substantially to the network of green corridors and ecological networks in this rural part of Cambridge. The new landscape provides a new and substantial feature of green infrastructure, designed to mitigate the effects of the proposed plant, to create an aesthetically pleasing and user-friendly green space, and to provide exemplary wildlife benefits through a mosaic of new habitats.
- 4.10.18 As set out in the Site Selection Report, the preferred location was selected based on numerous factors which included the need to relocate the existing Cambridge WWTP to an area which would maintain the ability to serve the existing catchment area whilst considering future needs of the catchment area and need for expansion, as well as environmental constraints. As such, effects on the setting of the heritage asset Biggin Abbey cannot be avoided by an alternative design.

- 4.10.19 The Applicant has incorporated an extensive landscape scheme in its masterplan to mitigate the impacts of the Proposed Development, particularly in relation to screening views from identified receptors.
- 4.10.20 In accordance with the NPSWW at paragraph 4.10.14, the Proposed Development will not be causing ‘substantial harm’ to any heritage asset as it is not physically impacting an asset itself or causing ‘total loss’ of the asset. In the case of a change to the setting of a heritage asset equates to ‘less than substantial harm’. In particular, there will be less than substantial harm caused to Baits Bite Lock, Horningsea and Fen Ditton Conservation Areas, and the Grade II Listed Poplar Hall and Grade II* Listed Biggin Abbey. With the application of the primary, secondary and tertiary mitigation described in this chapter, it is predicted that the level of harm on these heritage assets will be at the lower end of less than substantial harm.
- 4.10.21 Given the above, and the substantial need for the Proposed Development and benefits set out in section 2 of this PS, it is considered that the harm to the heritage assets identified is outweighed by the public benefits and need for the relocation of the existing Cambridge WWTP.

4.11 Traffic and transport, including river use

- 4.11.1 The NPSWW recognises that the transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts, including economic, social and environmental effects. A new NSIP may give rise to substantial impacts on the surrounding transport infrastructure. The decision maker should therefore ensure that the applicant has sought to mitigate these impacts. The consideration and mitigation of transport impacts is an essential part of the Government’s wider policy objectives for sustainable development (NPSWW paragraphs. 4.13.1, 4.13.2 and 4.13.6).
- 4.11.2 Where significant environmental effects are anticipated from traffic and transport effects, NPSWW paragraph 4.13.3 states that a Transport Assessment must be prepared using the NATA/ WebTAG methodology, and that consideration must be given to the construction, operational and decommissioning stages. The NPSWW requires projects to assess the transport effects and provide mitigation where necessary to reduce adverse transport impacts to an acceptable level. Where additional infrastructure is required, NPSWW paragraph 4.13.5 provides guidance on the potential for co-funding by government for any third-party benefits. NPSWW paragraph 4.13.7 also states that:

“Provided that the applicant is willing to enter into planning or transport obligations or requirements [sic] can be imposed to mitigate transport impacts identified in the NATA/WebTAG Transport Assessment, with attribution of costs calculated in accordance with the Department for Transport’s guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure”.

- 4.11.3 Where cost-effective, the NPSWW prefers water-borne or rail transport over road transport at all stages of projects. Where there would be substantial HGV traffic, applicants should work to control HGV movements in a specified period during construction and possibly to route such movements. Additionally, the NPSWW suggests the provision of HGV parking to avoid prolonged queuing on approach roads and uncontrolled on-street parking during normal operating conditions. Satisfactory arrangements for reasonably foreseeable abnormal disruption as a result of substantial HGV traffic should also be made, in consultation with network providers and the responsible police force (NPSWW paragraph 4.13.10).
- 4.11.4 NPSWW paragraph 4.13.11 states that: “If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the decision maker of any obligations or requirements needed to secure the mitigation”.
- 4.11.5 Transport impacts from the project (both in construction and operational phases) have been assessed and are addressed in Chapter 19: Traffic and Transport of the ES (Application Document Reference 5.2.19). The assessment identifies the effects of severance, delay (motorised and non-motorised), fear and intimidation, accidents and road safety, and hazardous loads on users across the study area. The study area incorporates all affected road links in construction and operation.
- 4.11.6 For construction of the Proposed WWTP and waste water transfer tunnel, no significant effects on severance, pedestrian delay, fear and intimidation, accidents and road safety, and the delivery of hazardous loads have been determined. Following implementation of mitigation measures outlined in the Construction Traffic Management Plan (CTMP) and Construction Workers Travel Plan (CWTP) to restrict peak period construction movements, the effect on driver delay would also not be significant. Likewise, following the implementation of mitigation measures (in the form of diversions), construction of the treated effluent pipeline to outfall would result in a residual temporary major effect on pedestrian delay would remain on PRow 85/6 owing to the additional journey time.
- 4.11.7 For construction of the Waterbeach Pipeline, there would be no significant effects on severance, pedestrian delay, driver delay, fear and intimidation, accidents and road safety, and the delivery of hazardous loads. Following the application of mitigation measures within the CTMP and CWTP to restrict peak period construction movements, the effect on driver delay would also not be significant.
- 4.11.8 Decommissioning of the Existing Cambridge WWTP will result in approximately 150 daily vehicle movements on Milton Road and Cowley Road. This contribution of this amount of vehicles on the road network would not result in significant effects.
- 4.11.9 The operational phase consists of the redistribution of vehicle movements from the Existing Cambridge WWTP to the Proposed WWTP. The assessment has considered the vehicle movements required to operate the Proposed WWTP at full development capacity. The daily peak during year 10 of operation equates to 238 vehicle movements. Following the implementation of mitigation measures to restrict peak period movements including the Operational Workers Travel Plan (OWTP), the change

in total traffic flows as a result of this redistribution would not result in any significant effects.

- 4.11.10 Furthermore, in operation, there will be beneficial effects to Horningsea Road as a result of a reduction in the likelihood of fear and intimidation to pedestrians and cyclists through the wider footpath, speed restriction and additional safe crossing point between this road, and Low Fen Drove Way.

4.12 Waste management

- 4.12.1 The NPSWW recommends that waste generated during the construction and operation phases of a development should be subject to sustainable waste management. Sustainable waste management should be implemented through the waste hierarchy, which sets out a sequential preference for prevention, preparing for re-use, recycling, other recovery including energy recovery, and finally disposal (NPSWW paragraph 4.14.2).
- 4.12.2 In accordance with NPSWW paragraph 4.14.5, the Applicant has prepared a CoCP (Application Document Reference 5.4.2.1 and 5.4.2.2) which includes at section 6.10 a Waste Management and Resource Use Plan which requires that materials being imported or removed comply with all necessary legislative requirements, and that resource efficiency is maximised throughout the construction process in line with the principles of the waste hierarchy. The CoCP requires the appointed contractor(s) to prepare and implement a SWMP which will detail the types of waste and the quantities likely to be generated, measures to be adopted to minimise waste, opportunities for recycling and/or material reuse as well as include proposed treatment and disposal methods. The CoCP will be secured via a requirement included within the DCO (Application Document Reference 2.1).
- 4.12.3 In decision making, consideration should be given to the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction and operation of the proposed development. The NPSWW states that the decision maker should be satisfied that waste could be dealt with appropriately and would be properly managed, both on-site and off-site. Waste occurrence should not have an adverse effect on the capacity of existing waste management facilities and adequate steps should be taken to minimise the volume of waste sent for disposal, except where that is the best overall environmental outcome (NPSWW paragraph 4.14.6).
- 4.12.4 The design of the Proposed Development has identified the reuse of more than 90% of the site won material during the construction of the proposed WWTP and 100% of the site won materials during the construction of the Waterbeach transfer pipeline, thus reducing the impact on the depletion of non-renewable resources.
- 4.12.5 The design has identified the potential need to import up to 4,373m³ of materials for the purpose of landscaping earthworks to create the earth bank, which is an important landscaping, ecological mitigation and recreational opportunity feature for the Proposed Development.

4.12.6 With the implementation of mitigation measures in the CoCP (Application Document Reference 5.4.2.1 and 5.4.2.2) and environmental compliance through environmental permits, the construction and operational effects on material resources and waste are not significant. It is considered, therefore, that the Proposed Development is compliant with the NPSWW in relation to waste management.

4.13 Socio-economic

4.13.1 Where a project is likely to have socio-economic impacts at a local or regional level, the applicant should undertake an assessment of those impacts during the construction, operation and decommissioning stages of the development (NPSWW paragraph 4.15.2). Potential socio-economic impacts include the creation of jobs and training opportunities, impacts on rights of way, and effects arising from an influx of workers during the construction phase (NPSWW paragraph 4.15.3). Impacts on tourism or local business may also be relevant (NPWWS paragraph 4.15.5).

4.13.2 The applicant should describe the existing demographics of the area surrounding the development and could also refer to how the development's socio-economic effects correlate with local planning policy (NPSWW paragraph 4.15.4).

4.13.3 The applicant should assess whether a disproportionate number of a particular equalities group would be affected by the generic impacts, such as air emissions, other emissions, flood risk, noise, visual impacts, land use etc. This requires an Initial Equalities Impact Assessment to identify potential adverse, differential or positive impacts on equalities groups and whether the impacts would be direct or indirect. If significant impacts are identified at the initial screening stage, a full Equalities Impact Assessment should be undertaken. The applicant should describe the equalities impact on people who live, work or own businesses who may be displaced as a result of the development, as well as the indirect equalities impact of a loss of goods or services as a result of displacement (NPSWW paragraph 4.15.6).

4.13.4 The decision maker is required to have regard to the applicant's assessment of socio-economic effects and to other sources that it considers important and relevant. However, the NPSWW advises that it *"should be reasonable for the decision maker to conclude that little weight is to be given to speculative assertions of socio-economic impacts not supported by evidence (particularly in view of the need for wastewater infrastructure as set out in this NPSWW)"* (NPSWW paragraph 4.15.10).

4.13.5 Chapter 11 Community of the ES (Application Document Ref 5.2.11) sets out an assessment of the potential impacts arising from the Proposed Development on population, employment and economic activity, private property and housing, businesses, community facilities and open space and recreational impacts. Chapter 12 Health of the ES (Application Document Ref 5.2.12) assesses the effects of the Proposed development on human health during construction and operation. It concludes that during construction and operation, the effects would not be significant.

4.13.6 Mitigation measures will be implemented through the CoCP (Application Document Ref 5.4.2.1 and 5.4.2.2) and Outline Community Liaison Plan (OCLP) (Application Document Ref 7.3). The OCLP sets out the approach to engagement with stakeholders

and will form the final Community Liaison Plan that will be agreed as part of the DCO process. The plan sets out how communication with the community will be managed during the construction of the Proposed Development.

- 4.13.7 During the construction period, there will be a beneficial impact on the local economy through the provision of employment opportunities via both new and existing construction contracts. With the implementation of mitigation measures, the construction effects on all identified receptors would be not significant, with the exception of effects on the River Cam. Construction activity will temporarily reduce the width of the navigation for River Cam users resulting in a temporary, major adverse effect.
- 4.13.8 During construction, there will be a requirement for mitigation measures to be implemented through the application of management plans as specified by the CoCP (Application document Ref 5.4.2.1 and 5.4.2.2).
- 4.13.9 The effects of the Proposed Development on community receptors during operation are slight beneficial, as a result of the effect of formalising recreational opportunities provided as part of the Proposed Development (as set out in the LERMP (Application Document Reference 5.4.8.14), and through the provision of the Discovery Centre.
- 4.13.10 The Discover Centre will provide users of a unique education experience covering topics (such as sustainability and the circular economy) that are not always covered by the more formal educational facilities.
- 4.13.11 During operation, the proposed WWTP would be regulated through permits issued by the EA for operation and monitoring of the operation as well as discharge standards which would obligate the Applicant to operate the proposed WWTP in accordance with approved limits.
- 4.13.12 Additionally, the Applicant has undertaken an Equality Impact Assessment (EqIA) (Application Document Ref 7.12) in respect of the Proposed Development in accordance with paragraph 4.15.6 of the NPSWW for the construction, operation and decommissioning phases of development. This is to understand the impacts of the Proposed Development on affected parties (such as local residents, business owners, employees and users of community facilities), referring to people with characteristics protected under the Equality Act 2010.
- 4.13.13 The EqIA concludes that no adverse equality effects are expected as a result of the construction phase of the Proposed Development. During operation, there will be beneficial equality effects on PRow as a result of improvements to the network. This will result in a differential impact on children, older people and disabled people. There will also be a beneficial effect on personal safety and security due to increased CCTV and lighting provision, differentially benefitting older people, disabled people, ethnic minority groups, men, women and LGBT+ groups. Finally, the inclusion of a discovery centre as part of the operational design will differentially benefit children and young people who will have access to a new educational resource.
- 4.13.14 It is considered to this regard that the Proposed Development is in accordance with the NPSWW, particularly paragraph 4.15.3.

4.14 Carbon

- 4.14.1 NPSWW paragraph 2.2.3 sets out the policy context including 'to help deliver the UK's obligation to reduce greenhouse gas emissions by 80% by 2050 and work to carbon budgets stemming from the Climate Change Act 2008'. The Climate Change Act was amended in 2019, and now commits the UK to 'net zero' by 2050. In 2021, the Government adopted the sixth carbon budget to cut emissions by 78% by 2035. The Applicant has taken the Climate Change Act 2008 into account in its assessment approach in Chapter 9 Climate Resilience of the ES (Application Document Reference 5.2.9). The DAS (Application Document Reference 7.6) sets out the strategic objectives of the project which states how the Proposed WWTP will be operationally carbon net zero, be energy neutral and will target a 70% reduction in capital carbon using sustainable construction techniques, thereby adhering to the headline target of the Climate Change Act 2008.
- 4.14.2 Chapter 10 Carbon of the ES (Application Document Reference 5.2.9) sets out the assessment of the potential carbon emissions generated by the Proposed Development. Using the baseline of a pre-value-engineered design which represents an early view of how the Existing Cambridge WWTP would likely have been re-built through conventional processes and approaches, the carbon assessment compares the emissions associated with this baseline scenario with the emissions associated with actual design of the Proposed Development presented for the purposes of Environmental Impact Assessment.
- 4.14.3 Although construction emissions are outweighed over the lifetime of the Proposed Development with the preferred option of gas to grid, good practice measures during construction of the Proposed Development to reduce greenhouse gas emissions have been recommended in the Code of Construction Practice.
- 4.14.4 Land use change is estimated to provide additional carbon sequestration (the capturing, removal and storage of carbon dioxide from the earth's atmosphere) once the deciduous woodland is established from year 11 after planting.
- 4.14.5 Although construction, operation, and decommissioning activities would generate carbon emissions (104,410 tCO₂e lifetime gross emissions), the net whole life emissions of the Proposed Development preferred option would lead to an estimated reduction of -32,330 tCO₂e (avoided emissions due to export of gas to the grid which displaces other sources of natural gas) in comparison to the baseline scenario. This would be beneficial effect which is significant.
- 4.14.6 The alternative Proposed Development worst case scenario of using biogas in efficient combined heat and power (CHP) engines (which would also significantly reduce the amount of solar PV which could be installed) is estimated to have a net carbon impact over the same period of 71,480 tCO₂e. As stated in the ES at Chapter 10 Carbon (Application Document Reference 5.2.10), this would be a moderate adverse effect which is significant. Energy market and other commercial factors as well as future policy in respect of the gas grid will determine if CHP is utilised. In this case, the Applicant would mitigate this effect through an operational carbon management plan under which the operationally Net Zero status would be delivered, for example

through the acquisition of carbon offsets consistent with the Climate Change Act 2008 and NPSWW paragraph 2.2.3.

4.15 Conclusion

4.15.1 The assessment above establishes that, subject to demonstrating ‘very special circumstances’ for inappropriate development within the Green Belt, the project wholly accords with the NPSWW and therefore consent should be granted unless there is something else to consider which points to refusal under s104(4)to(8) PA 2008.

5 Requirements and Development Consent Obligation (S106)

5.1 Introduction

5.1.1 A number of commitments are proposed or matters reserved by the DCO requirements in order to secure the mitigations which are not embedded in the Proposed Development and the benefits that the Proposed Development is seeking to deliver.

5.2 Discharge of DCO requirements

5.2.1 A major aspect of the management of ecological impacts will be the discharge of requirements. These requirements include the translocation of sensitive species; establishment of work areas subject to survey; and the carrying out of protective works. The full list of requirements, which effectively represent commitments made by the Applicant to measures which reduce and/or eliminate Likely Significant Effects (LSEs) or enhance the immediate or surrounding environment for wildlife and/or people which have been identified through environmental impact assessment and design evolution to be necessary or beneficial to the Proposed Development, are detailed at Schedule 2 of the draft DCO (Application Document Reference 2.1). These include the measures presented in the CoCP, CTMP and CWTP and other commitments as set out in the LERMP, OWTP, OCLP and OMP.

5.2.2 Requirement 7 of the draft DCO addresses any further detailed design to be carried out after DCO approval (as reserved by the DCO requirements) and requires that these details, such as the design and external appearance of plant and buildings, materials and landscape planting, must include an explanation of how they accord with the design objectives set out in section 11 of the DAS or an explanation of why this is not reasonably practicable (having regard, for example, to new regulatory requirements, abnormal ground conditions, availability of technology and change to permitting requirements). This approach will ensure the design is delivered within the parameters of the initial design intent, and will control the detailed design of key components of the CWWTPRP such as the buildings, principal structures and landscape.

5.2.3 Use of the DAS to inform later detailed design is consistent with similar approaches adopted in a number of consented NSIPs including, for example, the Sizewell C (Nuclear Generating Station) Order 2022¹⁹ (specifically Schedule 2 Requirement 16) and the Lake Loathing (Lowestoft) Third Crossing Order 2020²⁰ (specifically Schedule 2 Requirement 3).

5.2.4 Taking into account the design of CWWTPR and the mitigation measures (whether embedded, additional, off site, enhancement or BNG) to be implemented to reduce significant adverse effects to minor impacts, it is the assertion of Anglian Water that

¹⁹ <https://www.legislation.gov.uk/uksi/2022/853/schedule/2/made>

²⁰ <https://www.legislation.gov.uk/uksi/2020/474/contents>

the project will provide a net economic, social and environmental benefit to the area, beyond its fulfilment of the need for waste water treatment.

5.3 Development consent obligation (S106)

- 5.3.1 In the event that certain mitigation measures identified as necessary for DCO consent cannot be secured through the provisions of the DCO itself (eg payment of money, offsite mitigation), an agreement with the Local Planning Authority and/or other relevant parties may be required. The heads of terms of such a 'Development Consent Obligation' if required will be submitted in preparation for or as part of the post-submission examination process for this DCO application.

6 Overall Assessment and Very Special Circumstances

- 6.1.1 This section considers the application proposals as a whole against the requirements set out at s104 and s105 PA 2008, taking into account the policy tests and considerations identified in the NSPWW and considered in Section 3 and 4 above.
- 6.1.2 The Proposed Development is the first waste water project to seek a Development Consent Order that is not specifically named in the NPSWW. The Applicant therefore sought and obtained a direction from the Secretary of State under s35 of the PA 2008 which confirms that the project is to be treated as development for which development consent is required.
- 6.1.3 The Application must therefore be determined pursuant to either s104 or s105 of PA 2008. Section 104 applies to decisions in cases where a national policy statement “has effect”. Section 105 applies to decisions where no National Policy Statement “has effect”. The s35 Direction does not specify whether the NPSWW has effect.
- 6.1.4 It will be for the Secretary of State to determine this issue which will, in turn, determine whether the Application ‘must’ be determined in accordance with the NPSWW, or whether the Secretary of State can determine the Application ‘having regard’ to the NPSWW as an “*important and relevant matter*”. The NPSWW, if it applies, states that the decision maker should start with a presumption in favour of granting consent for waste water NSIPs. This presumption does not apply if the NPSWW does not have effect, albeit it is expected that the Secretary of State would attach significant weight to it. So the starting point for the decision making process is fundamentally different under s104 and s105 PA 2008.
- 6.1.5 It is the Applicant’s opinion (Application Document Reference 7.15 Applicant’s legal submission on applicability of S104/105 PA 2008) that the NPSWW has effect for s35 projects and that the application should be determined on this basis. Assessment of the Proposed Development under s104 is therefore set out below. However, in the event that the Secretary of State determines that the NPSWW has no effect, an alternative assessment of the Proposed Development under s105 is also presented.
- 6.1.6 Whichever section of the PA 2008 applies (s104 or s105), the assessment at paragraphs 4.8.26 to 4.8.45 above concludes that in addition to the harm by reason of its inappropriateness, the Proposed Development would cause moderate harm to the openness of the Green Belt and moderate harm to at least two of the purposes of including land in the Green Belt as a result of its encroachment into the countryside.
- 6.1.7 The ES (Application Document Reference 5.2) identifies and assesses the effects that would potentially arise from the Proposed Development. Those identified as adverse significant effect (and therefore the most weighty in considering “*any other harm*’ in Green Belt policy terms²¹) are listed below:
- Temporary large adverse significant effects in construction on the Eastern Fen Edge Chalklands LCA due to the presence of construction activity and reduction in

²¹ The ES identifies a number of other non-significant adverse effects which have also to be considered although individually their weight may be limited

tranquillity in the landscape and the introduction of lighting into predominantly dark areas.

- Temporary large or moderate adverse significant effects in construction on the visual amenity of local residents, users of local roads and users of public rights of way and other recreational routes near to the Proposed Development due to views of construction activity and the introduction of lighting into views over unlit farmland.
- Permanent moderate adverse significant effects in year 1 of operation on the Eastern Fen Edge Chalklands LCA due to the presence of the Proposed Development in the landscape. By year 15 of operation, mitigation planting will reduce effects by providing further screening and landscape integration.
- Permanent large or moderate adverse significant effects in year 1 of operation on the visual amenity of local residents, users of local roads and users of public rights of way and other recreational routes near to the Proposed Development due to due to partially screened views of the taller structures of the Proposed Development and the introduction of lighting into views over unlit farmland. By year 15 of operation, maturing mitigation planting will reduce effects by providing further screening of the new structures.
- A moderate adverse significant effect on permanent loss of BMV agricultural land.
- A major/moderate adverse significant effect from permanent and temporary acquisition of land on 1 farm business and moderate adverse effects on 11 farm businesses.
- Temporary and permanent moderate adverse significant effects on the setting of Biggin Abbey (Grade II* listed) but, with mitigation, this impact would equate to less than substantial harm.
- Temporary moderate adverse significant effects to the setting of Baits Bite Lock Conservation Area and Poplar Hall during construction but with mitigation the effects on built heritage and historic landscape assets would be less than significant.
- Permanent moderate adverse significant effects from the partial or complete removal of archaeological remains.
- Temporary adverse significant effects on water resources from the potential short term increase in sediment content and localised increase in fluvial flood risk in the River Cam, and from the lowering of groundwater levels.
- A temporary, adverse major effect on the River Cam arising from a temporary reduction in the width of the navigation for River Cam users (but equating to a temporary less than significant adverse effects on the community, including to recreational resources, PRoWs and open spaces during construction).

6.1.8 Consistent with NPSWW paragraph 4.8.10, therefore, consent for the Proposed Development "should not be approved except in very special circumstances". Prior to

considering the proposals as a whole against the requirements set out at s104 and s105 PA 2008, therefore, the ‘other considerations’ which should inform the decision that the Secretary of State must make as to whether there are ‘very special circumstances’ sufficient in this instance to justify why the DCO should be granted are set out.

6.2 The Very Special Circumstances case

6.2.1 NPSWW paragraph 4.8.14 makes clear that *“very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. In view of the presumption against inappropriate development, the decision maker will attach substantial weight to the harm to the Green Belt when considering any application for such development”*.

6.2.2 When considering whether very special circumstances exist, the presumption in favour of granting development consent, set out in NPSWW paragraph 3.1.2, could potentially be of significance. That presumption is triggered only if, having regard to the detailed policies and protections in the NSPWW and the constraints set out in the PA 2008, the Secretary of State concludes that the Proposed Development would fall within the need established in that document or (as is set out at paragraph 2.4.20 – 2.4.22 above) that there are other ways in which the project is needed, including any need for the land occupied by existing facilities for other compelling reasons. Hence, it is necessary to assess the level of need for the proposal and the suitability of the site to meet any identified need and the potential benefits of the scheme before reaching a conclusion as to whether or not very special circumstances exist.

6.2.3 Each of the above points are considered in more detail below.

Need including need for the land occupied by existing facilities

6.2.4 The need for the project is set out in detail at Section 2 above. It can be summarised as follows:

- i) The Proposed Development is necessary to achieve the wider planning objectives of the Councils and this need arises principally from population growth and urbanisation in Cambridge (in land use and water treatment terms) and also in Waterbeach (in water treatment terms).
- ii) Greater Cambridge has a strong and nationally important economy. The growth of the area is an acute challenge, with an undersupply of housing and house prices more than thirteen times the average salary. The Combined Authority is committed to doubling the area’s Gross Value Added over 25 years and the challenge is to ensure the growth in housing stock matches the strong economic growth in the area.
- iii) The requirement for new capacity to respond to the waste water demands generated by the above growth would be the function of the CWWTPR project.
- iv) The development potential of NEC, with the relocation of the existing Cambridge WWTP, has long been identified by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council (as landowners and planning

authorities) and is set out in Cambridge City and South Cambridgeshire Councils' joint Proposed Submission draft NECAAP and emerging GCLP.

- v) The area has already benefitted from TIF funding for Park & Ride and completion of Cambridge Guided Bus public transport infrastructure, Cambridge North rail station and the Chisholm Trail walking and cycling route. However, the existing Cambridge WWTP and the Safeguarding Area (or odour zone) around it prevents any residential development and restricts employment land-use to general industrial and office on the fringes. This prevents the consideration of housing development not only on the existing WWTP site but also on the surrounding 35 hectares of land, an area which forms the gateway between Cambridge north station and the Cambridge Science Park.
- vi) The recent award of HIF funding from Homes England to relocate the Cambridge WWTP and carry out decommissioning works necessary to take the existing plant out of operational use and to surrender its current operational permits addresses the major market failure to unlock development and “ *... is the basis for transformation of CNFE [now NEC] to support Greater Cambridge's continued sustainable growth and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double GVA by reinforcing Cambridge's position as a global centre of excellence for research, development and business success. CWRC relocation would release scarce land for development, facilitate housing on public and private land and reduce pressure for major housing development elsewhere in Greater Cambridgeshire.*”
- vii) The Councils believe they are unable to progress the GCLP and/or NECAAP with a housing strategy predicated on relocation of the WWTP to Regulation 19 submission stage until the outcome of the CWWTTPR DCO application is known, given the need to be able to demonstrate that the plans are sound and deliverable. However, the recent resolution by the Councils in approving the interim report including confirmation of the strategy for the Plan and the allocation of NEC provides confidence of the Councils' position on CWWTTPR and their acceptance that:
- the optimal form of relocation is total removal from the current site; and
 - downsizing on site would not produce sufficient land for housing because of buffer requirements and therefore would not be expected to secure HIF funding impacting on viability, and would also prejudice the development of other adjacent strategically important previously developed land; and
 - the current site is the most sustainable location suitable and available (subject to the CWWTTP DCO being approved) in Greater Cambridge as part of meeting objectively assessed needs to 2041; and
 - relocation is viable, feasible and sustainable, subject to the agreed HIF funding and approval of the CWWTTP DCO.
- viii) The 2011 Water White Paper 'Water for Life' makes clear the government's recognition of the need to increase the sustainability and to protect the resilience

of the water sector, taking account of climate change, population growth, patterns of demand and the need for resilience in the face of hazards such as drought and floods.

- ix) The NPSWW “sets out a justification for new waste water infrastructure”²². The summary, on page 8, acknowledges that waste water treatment infrastructure is essential for public health and a clean environment and that demand for new and improved waste water infrastructure is likely to increase in response to four “main drivers”, including population growth and urbanisation.
- x) For urban areas, the NPSWW recognises that “it will remain more cost effective to centralise treatment to a single large treatment works” and that “Generally, it will be necessary to transfer waste water to a suitable location for a treatment works and effluent discharge, outside of urban centres”.
- xi) The NPSWW does not say that need must exclusively be demonstrated by inclusion in the EA’s NEP. NPSWW paragraph 2.5.4 anticipates further “unforeseen” projects. Consequently, a project may be “needed” if it accords with the wider principles set out in the NPSWW.

6.2.5 Based on the above, the Applicant is of the opinion that the Secretary of State should conclude that the Proposed Development would fall within the need established in the NPSWW and (as is set out in section 2 above) that the land occupied by existing Cambridge WWTP is needed for other compelling reasons. Acceptance of this need triggers the presumption in favour of granting development consent, set out in NPSWW paragraph 3.1.2, having regard to the detailed policies and protections in the NPSWW and the constraints set out in the PA 2008. The weight to be attached in this instance to the need for the project is, therefore, substantial.

Suitability of the site and lack of alternative sites

6.2.6 The selection of the site for the proposed WWTP was a result of an extensive process undertaken by Anglian Water which is fully described in the Site Selection and Alternatives chapter of the ES (Application Document Reference 5.2.30). It commenced with an Initial Options Appraisal and Stage 1 Initial Site selection exercise which eliminated areas of land with particular constraints (for example, flood zones and proximity to protected and statutory designated sites) and sites of insufficient size having regard to the Statement of Requirements. 14 out of an initial 99 potential site areas within or immediately adjacent to the Cambridge and Waterbeach catchment areas were identified at the end of these stages. Stage 2 ‘Coarse Screening’ and Stage 3 ‘Fine Screening’ involved further ‘sieving’ through assessment of the technical and operational suitability of these remaining site areas against environmental, community, operational, planning and economic criteria including their potential to minimise environmental and community impacts and their ability to comply with national and local legal, regulatory and planning frameworks for waste water treatment plants. This resulted in the 14 site areas being reduced to 7 with a final

²² Para 1.1.4

shortlist of 3 sites capable of accommodating the relocated WWTP being selected for more detailed appraisal in Stage 4 'Final Site Selection'.

- 6.2.7 The final 3 site area options were put forward for Phase 1 of public consultation to assist with the site selection process in July 2020. A technical analysis was undertaken to appraise each of the three sites against one-another with regards to several key factors, including carbon, odour, heritage, visual impact and cost before the site the subject of this DCO Application was selected.
- 6.2.8 Based on the above, there are no alternative sites suitable for the proposed development within the built-up area or outside of the Green Belt. This is addressed fully in the Site Selection and Alternatives chapter of the ES (Application Document Reference 5.2.30). Considering the size of the facility and the need for the facility to be well-located, there are no more appropriate, suitable or viable alternative sites for such development.
- 6.2.9 The weight to be attached to the absence of alternatives in this instance is substantial.
- 6.2.10 Evidence supporting the GCLP is clear that NEC is one of the most sustainable locations for development in the area and this conclusion provides the rationale for the Proposed Development and for the regeneration of NEC as described in the NECAAP. In the absence of more specific assessment than has so far been presented in the GCLP SA, and in order to assess the relative whole-life carbon impact of the Proposed Development and the opportunity it presents for regeneration of NEC against the alternative of leaving the existing WWTP in situ (a question raised by a number of parties in the consultation process prior to submission of the DCO application), the Applicant has undertaken a high level strategic whole-life carbon assessment to compare the proposed relocation of the Cambridge Waste Water Treatment works with a plausible and reasonable counterfactual (alternative) scenario.
- 6.2.11 The results of the analysis (Cambridge Waste Water Treatment Plant: Strategic Whole-Life Carbon Assessment, January 2023 – Application Document Reference 7.5.2) show that, on the assumptions used in the analysis, proceeding with the proposed development by relocating the Waste Water Treatment works and developing the NEC brownfield site will emit significantly fewer carbon emissions than expanding and modernising the existing WWTP in situ and building the equivalent additional 8,350 houses elsewhere in Greater Cambridge (the counterfactual emits ~40% more carbon than the proposed development). This result is consistent across all three policy scenarios tested. It is also consistent across both the optimistic and conservative housing delivery timescale scenarios.
- 6.2.12 The results of the analysis provide further evidence to support the rationale for the development strategy in the GCLP and Proposed Submission draft NECAAP which recognises NEC as the most sustainable strategic location to deliver Greater Cambridge's growth aspirations and development needs, and support the rationale for the relocation of the WWTP into the Cambridge Green Belt (despite its resultant impacts).

Potential benefits of the Proposed Development

6.2.13 The potential benefits of the project are set out in detail at Section 2 above. They can be summarised as follows:

- Decommissioning and release of the existing WWTP site to enable regeneration and the creation of a new district delivering 8,350 homes, 15,000 new jobs and a wide range of community, cultural and open space facilities in the highly accessible and sustainable location.
- Delivery of a new, modern, carbon-efficient integrated water recycling facility, using the latest technology and operational practices. This means Anglian Water can continue to serve the growing population of Greater Cambridge for years to come, in a more sustainable and resilient way.
- Operational and capital cost efficiencies and carbon cost reduction – the proposed WWTP will be operationally net zero carbon and an energy neutral facility.
- Improved storm resilience - storm overflows and CSOs will be far less likely to occur meaning that, as Greater Cambridge continues to grow, the facility will be able to treat a greater volume of storm flows to a higher standard than would be the case at the existing waste water facility.
- Improved quality of recycled water returned to the River Cam – a significant beneficial effect through reduced concentration in final treated effluent discharges of phosphorus, ammonia, total suspended solids and BOD.
- Maximising public value and supporting the circular economy
- Contributing to Anglian Water’s goal to reach net zero carbon emissions by 2030 by reducing energy consumption and contributing towards the circular economy.
- Restoring and enhancing the surrounding environment – by increasing biodiversity by a minimum of 20 per cent through the creation of new woodland and grassland habitats, including beneficial significant effects on reptile species, complementing local initiatives such as the Cambridge Nature Network and the Wicken Fen vision.
- Improving access to the countryside with new paths and accessible open spaces – helping to address Cambridgeshire being one of the lowest levels of natural green space available for public access in the UK and having beneficial equality effects as a result of improvements to the PRoW network.
- Enhancing education – enabling people to understand and interact with water recycling processes and Anglian Water’s wider sustainability agenda, transparently showing what Anglian Water does while offering unique educational opportunities. This will differentially benefit children and young people who will have access to a new educational resource.
- Increasing recreational opportunities.
- Delivering socio-economic benefits on the local economy during construction.

- Substantially reducing the number of homes and properties within the area potentially affected by odour.

6.2.14 Without consent for this DCO project, Cambridge and Waterbeach's combined and growing waste water recycling needs will need to be served at the existing Cambridge WWTP, frustrating the shared aspirations of Cambridge City Council, South Cambridgeshire District Council, CCC and Cambridgeshire and Peterborough Combined Authority, supported by Homes England and Anglian Water to free a significant brownfield site and a constrained surrounding urban area for the delivery of a significant number of sustainable new homes and other planning benefits described above. This outcome will also mean that NEC will be unable to provide the level of contribution presently envisaged in reducing pressure for major housing development in less sustainable locations elsewhere in Greater Cambridge, to the detriment of the goals of achieving sustainable development and tackling climate change.

Whether there are 'Very Special Circumstances' (the planning balance)

6.2.15 The NPSWW requires that substantial weight should be given to any harm to the Green Belt and that other elements of harm should also attract significant weight. However, the Green Belt and other harm in this instance would, in the Applicant's opinion, be clearly outweighed by the need for the Proposed Development and the substantial cumulative public benefits it will deliver sufficient for the Secretary of State to conclude that the very special circumstances needed to justify a grant of development consent have been demonstrated.

6.3 Assessment of the application under s.104 PA 2008

6.3.1 The various matters under s104(2) PA 2008 that the Secretary of State must have regard to in deciding the application are identified in Section 3.1 above. In summary, they are:

- 2.1.1 the NPSWW;
- 2.1.2 any local impact report;
- 2.1.3 the prescribed matters; and
- 2.1.4 any other important and relevant matters.

6.3.2 Paragraph 3.1.2 of the NPSWW makes clear that the decision maker should start with a presumption in favour of granting consent to applications for waste water NSIPs. That presumption applies unless any more specific and relevant policies set out in the NPSWW "*clearly indicate that consent should be refused*". The presumption is also subject to the provisions of the PA 2008 – namely the requirement to have regard to the other matters referred to above.

6.3.3 On the basis of the assessment of the consistency of the Proposed Development with relevant policy, in particular the assessment of the Proposed Development against the policy contained in the NPSWW (as summarised in the NPSWW Accordance Table at Application reference 7.5.1) the Proposed Development (with mitigation) is in compliance with the policies of the NPSWW.

6.3.4 In respect of the prescribed matters which are identified at section 3.3 above, it is the Applicant's consideration that the Secretary of State's obligations under Regulations 3 and 7 of the Infrastructure Planning (Decisions) Regulations 2010 (as amended) to have regard to the desirability of preserving listed buildings, conservation areas and scheduled monuments and their settings (Regulation 3) and to the commitments originally set out in the United Nations Environmental Programme Convention on Biological Diversity of 1992 (now contained in the UK Post 2010 Biodiversity Framework) (Regulation 7) where the Proposed Development would affect these, have been addressed within this DCO application.

6.3.5 Section 104 (3) PA 2008 requires that the decision must be made in accordance with the NPSWW, except to the extent that one or more of the scenarios in subsections 104 (4) – (8) applies.

- *"deciding the application in accordance with any relevant national policy statement would lead to the United Kingdom being in breach of any of its international obligations"* (s104(4))
- *"deciding the application in accordance with any relevant national policy statement would lead to the Secretary of State being in breach of any duty imposed on the Secretary of State by or under any enactment"* (s104(5))
- *"deciding the application in accordance with any relevant national policy statement would be unlawful by virtue of any enactment"* (s104 (6))
- *"the adverse impact of the proposed development would outweigh its benefits"* (s104(7))

6.3.6 Providing only that the Secretary of States concludes that there are 'very special circumstances' sufficient in this instance to justify why the DCO should be granted for inappropriate development in the Green Belt, none of the scenarios in subsections 104 (4) – (8) applies.

6.4 Assessment of the application under s.105 PA 2008

6.4.1 Section 105 (2) requires that, in deciding the application, the Secretary of State must have regard to:

- 2.3.1 any local impact report;
- 2.3.2 any matters prescribed in relation to the development of the description to which the application relates; and
- 2.3.3 any other matters which the Secretary of State thinks are both important and relevant to his decision.

6.4.2 As in paragraph 6.3.4 above, it is the Applicant's consideration that the Secretary of State's obligations under Regulations 3 and 7 of the Infrastructure Planning (Decisions) Regulations 2010 (as amended), where the Proposed Development would affect these, have been addressed within this DCO application.

- 6.4.3 The matters which are considered in this instance to be both important and relevant to the Secretary of State's decision are addressed in the NPSWW which, even if the NPSWW is considered in this instance not to have effect, nevertheless sets out the policy for new waste water infrastructure. The effects of the proposed development after mitigation, and the consistency of the Proposed Development with the NPSWW including the weighing of potential benefits and potential adverse impacts against the considerations set out in the NPSWW has been undertaken in Sections 4 and 6 above.
- 6.4.4 Notwithstanding that the presumption in favour of granting development consent, set out in NPSWW paragraph 3.1.2, does not apply in this scenario, the Proposed Development would fall within the need established in the NPSWW and (as is set out in section 2 above) the land occupied by existing the Cambridge WWTP is needed for other compelling reasons. This need, together with the absence of alternative sites and the benefits that would result from the Proposed Development are sufficient, in this instance, for the Secretary of State to conclude that the very special circumstances needed to justify a grant of development consent have been demonstrated.

7 Conclusion

7.1 Overall conclusion

- 7.1.1 This PS has presented details of the Proposed Development, characteristics of the site and its locality along with the legislative and policy decision making framework within which a recommendation and a subsequent decision should be made.
- 7.1.2 It presents a planning assessment of the proposals in accordance with the requirements of s104 or, in the alternative, s105 of the Planning Act 2008 (as amended) and the 'other considerations' which should inform the decision that the Secretary of State must make as to whether there are 'very special circumstances' sufficient in this instance to justify why the DCO should be granted for development in the Green Belt.
- 7.1.3 The assessment establishes that, subject to demonstrating 'very special circumstances' for inappropriate development within the Green Belt, the project wholly accords with the NPSWW and therefore consent should be granted in the absence of any other consideration which points to refusal under either s104(4) to (8) or s105 of the Planning Act 2008 (as amended).
- 7.1.4 For the reasons clearly set out in this Planning Statement, the Green Belt and other harm in this instance would, in the Applicant's opinion, be clearly outweighed by the need for the Proposed Development and the substantial public benefits it will deliver sufficient for the Secretary of State to conclude that the very special circumstances needed to justify a grant of development consent have been demonstrated.
- 7.1.5 There is a clear and compelling need for the proposed development.
- 7.1.6 There is a lack of alternative sites for the development.
- 7.1.7 The Proposed Development is consistent with the Government's key policy objectives as set out at NPSWW paragraph 2.2.3;
- 7.1.8 Documents submitted as part of the Application for consent, including, but not limited to this PS and the ES, demonstrate the positive benefits arising from the Project along with any impacts and necessary mitigation to make them acceptable.
- 7.1.9 Therefore, in light of the above, it is respectfully submitted that consent should be granted.

Appendix 1: Request for a section 35 direction by Anglian Water dated 1 December 2020

Rt Hon George Eustice MP
Secretary of State for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London
SW1P 4DF

1 December 2020

Dear Secretary of State

Request for Direction by the Secretary of State pursuant to Section 35 of the Planning Act 2008 - The Cambridge Waste Water Treatment Plant Relocation Project

This letter is sent on behalf of Anglian Water Services Limited (Anglian Water) seeking a direction from the Secretary of State pursuant to section 35 Planning Act 2008 (the Act) that its proposed Cambridge Waste Water Treatment Plant Relocation Project (CWWTPR) be treated as a project for which development consent is required.

The CWWTPR will comprise the relocation of the existing Cambridge Waste Water Treatment Plant (CWWTP) from its existing site on land adjoining the north eastern side of the city of Cambridge, to one of three new locations being considered by Anglian Water to the north of the city and the A14.

The relocation is required to support the delivery of South Cambridgeshire District and Cambridge City Councils' recently published Area Action Plan for a new low-carbon city district in North East Cambridge, which could create 8,000 homes and 20,000 jobs over the next 20 years. Anglian Water is working in partnership with them to help achieve this vision through the relocation of the CWWTP which will unlock the last large brownfield site in an area with excellent walking, cycling and public transport links, making it a highly sustainable location for around 5600 of those new homes.

The CWWTPR project will deliver a modern, carbon-efficient waste water treatment plant that will continue to provide vital services for the community and the environment, recycling water and nutrients, producing green energy and enabling Cambridge to grow sustainably. The project is explained in further detail below.



Anglian Water is seeking a direction from the Secretary of State that the project should be treated as being of national significance due to the critical role that it plays in enabling the regeneration of North East Cambridge. It responds to national planning and wider economic policy, and to the need to provide continued resilient waste water treatment services to Cambridge and the surrounding area.

The project's national importance has already been recognised through the securing of £227m investment from Homes England via the Housing Infrastructure Fund (HIF) grant. This investment signifies its role in supporting the Government's target to build 300,000 new homes every year, while supporting jobs and local economies, and contributing to the Government's "Project Speed" initiative.

The Importance of the CWWTPR to the Strategic Growth of Cambridge

Cambridge is a regional, national and international centre of excellence for academic research, successfully commercialising that research in a range of fast-growing knowledge-intensive clusters, and industrial innovation.

Keeping Cambridge at the forefront of innovation is an objective recognised by many government bodies and evidenced by studies such as the Cambridge - Milton Keynes - Oxford Corridor Interim Report (National Infrastructure Commission, 2017). The future economic growth of Cambridge is recognised as a priority in the Government's Industrial Strategy and in the announcement of Cambridge as one of eleven Tech Nation regional hubs being established outside London. The availability and affordability of housing has long been identified at local and national levels as a critical issue which must be addressed if the area is to realise its economic potential.

This future growth is exemplified by the conclusions of studies which have recently been published to inform the emerging Greater Cambridge Local Plan which indicate that significant housing growth will be required in order to match projected employment growth.

The current CWWTP occupies a large area of land adjoining the north east side of the city of Cambridge. It has been in that location since 1895 and has evolved over the intervening period to meet the demands of the growing city and the surrounding area. However, further growth to the north east of Cambridge is now constrained by the presence of the CWWTP. The current relationship between the CWWTP site and the city of Cambridge can be seen from the photograph at Appendix 1.

The Secretary of State's Discretion to make a Direction

It is noted that the Secretary of State has a broad discretion when exercising powers under section 35 of the Act to determine that a proposal should be treated as a nationally significant infrastructure project.

The scope of that discretion was recently highlighted by the High Court in response to a challenge to the exercise of the section 35 power:¹

Given the nature of the Defendant's decision, as one which was exercised using a relatively broad discretion, the task of the Claimants to show that the judgment which the Defendant reached was unlawful is daunting.

In relation to matters relevant to the exercise of the Secretary of State's discretion, Anglian Water refers to the Policy Statement by the Department for Communities and Local Government: Extension Of The Nationally Significant Infrastructure Planning Regime To Business And Commercial Projects (2013). A copy of the Policy Statement is attached at Appendix 2 and attention is drawn to the following factors which it sets out, noting that achievement of any one of them might indicate that a project should be regarded as being of national significance:

- whether a project is likely to have a significant economic impact, or is important for driving growth in the economy;
- whether a project has an impact across an area wider than a single local authority area;
- whether a project is of a substantial physical size; or
- whether a project is important to the delivery of a nationally significant infrastructure project or other significant development.

Whilst the CWWTPR is not a commercial project in the sense envisaged by the Statement, it accords with all of these factors which clearly substantiates that it should be treated as a project of national significance.

Background to the project

The development and regeneration potential of North East Cambridge (NEC) has long been identified by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council. North East Cambridge includes 182 hectares of brownfield land, just a 15-minute cycle ride from the city centre. The funding from central government's HIF to relocate the CWWTP creates a once-in-a-generation opportunity to transform the area and create a significant new city district.

However, a waste water treatment safeguarding area, or odour zone, prevents any residential development within 400 metres of the CWWTP and restricts employment land-use to general industrial and office on the fringes. It also prevents the consideration of housing development on 35 hectares of land surrounding the CWWTP. The CWWTP therefore needs to be relocated as part of the plans for the strategic growth of Cambridge.

¹ Mr Brian Ross, Mr Peter Sanders (Acting on Behalf of Stop Stansted Expansion) v Secretary of State for Transport v Uttlesford District Council, Stansted Airport Limited [2020] EWHC 226 (Admin) (see in particular para 106)

The need for the relocation of the CWWTP as part of the regeneration of this area has also long been recognised by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council:

- The Adopted Cambridgeshire and Peterborough Structure Plan 2003 identified the Cambridge Northern Fringe (East) (CNFE) as a strategic area for sustainable redevelopment, with Policy MW15 providing support for the search for an alternative location for the CWWTP.
- Policy 9/6 of the Adopted Cambridge City Local Plan 2006 set out the requirements for the redevelopment of Cambridge Northern Fringe (East) with the redevelopment of the existing CWWTP contingent upon its relocation (paragraph 9.30).
- The Cambridgeshire and Peterborough Minerals and Waste Plan Site Specific Proposals DPD-Preferred Options December 2006 identified a preferred site at Honey Hill, Horningsea/Fen Ditton, north of the A14 (Site SSP15) as the most appropriate location for the new CWWTP, although the document did not retain this allocation when finally adopted in 2012.

The current development plan continues to promote the regeneration of this area, principally through Policy 15 of the adopted Cambridge Local Plan 2018 (and corresponding Policy SS/4 of the South Cambridgeshire Local Plan 2018) and the emerging Area Action Plan (AAP) for this area.

The emerging AAP (Regulation 18) was approved by both Cambridge and South Cambridgeshire Councils in late June 2020 and recently underwent public consultation which ended on 5 October 2020.

Policy 1 in the emerging AAP identifies that, inter alia:

The councils will work to secure the comprehensive regeneration of NEC during the plan period, in particular the creation of a new high quality mixed-use city district, providing 8,000 new homes, 20,000 new jobs, and new physical, social and environmental infrastructure that meets the needs of new and existing residents and workers as well as delivering tangible benefits for surrounding communities.

Paragraph 2.1.6 of the emerging AAP explains the wider strategic importance of the CWWTP to the delivery of this regeneration:

Part of the eastern part of the Area Action Plan site is the Anglian Water Waste Water Treatment Plant, which is an essential piece of infrastructure that serves Cambridge and surrounding areas. The adopted Cambridge and South Cambridgeshire Local Plans identified this broad area for development and noted that a new treatment works facility either elsewhere or on the current site will be undertaken as part of the feasibility investigations in drawing up the Area Action Plan. Feasibility studies are now complete and relocation off-site is the option moving forward.

Furthermore, initial work published to inform the emerging Greater Cambridge Local Plan indicates that significant housing growth will be required going forward to meet local needs.

Providing Waste Water Services to the new settlement at Waterbeach New Town

The proposed development of Waterbeach New Town lies to the north of Cambridge. It will deliver over 11,000 new homes in addition to the CNFE. Outline Planning permission for 6,500 new homes was granted to the Secretary of State for Defence and Urban & Civic Plc in September 2019 and development is expected to commence shortly. A planning application by RLW Estates for a further 4,500 new homes, including on the site of the existing Waterbeach WWTP, is presently being determined by South Cambridgeshire District Council.

This planned growth in Waterbeach will be met by the existing Waterbeach WWTP until that plant reaches capacity (currently anticipated to be in 2028)², at which point an alternative would be required.

Anglian Water's original proposed waste water recycling strategy for Waterbeach New Town was to build a new facility, on a site to the east of the existing works. A pre-application request for planning advice related to this proposal was submitted to Cambridgeshire County Council (CCC) in May 2019. Resulting discussions with CCC and the Environment Agency, identified a concern about the feasibility of the proposed relocation site. An alternative recommendation was made by them to pump all waste water flows from Waterbeach and Waterbeach New Town to CWWTP for treatment. This solution also presented significant embodied carbon reductions and operational efficiency.

Anglian Water therefore took the decision that the CWWTPR would also need to provide waste water treatment services for the growing population of Waterbeach New Town.

Housing Infrastructure Funding

Recognising the importance of the CWWTPR to delivering the strategic growth of Cambridge, Cambridge City Council in partnership with Anglian Water, prioritised by the Cambridgeshire and Peterborough Combined Authority and supported by key stakeholders, applied for and secured HIF grant of £227m to relocate the Cambridge WWTP. The strategic case in support of that award made clear that:

“Relocating the [CWWTP] will release the CNFE Core Site, a major brownfield area for 5,600 homes (including 40% affordable) in line with the Cambridge Sustainable Housing Design Guide. It will also remove ‘odour zone’ restrictions around the [CWWTP] that limit 82 hectares of land to industrial use. This would enable a further circa 3,000 homes to be built on adjacent land and nearby employment sites to more than double employment densities. The new housing in the CNFE area will be within walking and cycling distance of thousands of jobs at the Cambridge Science Park, to the Cambridge North railway station, and other public transport. It will be transport net neutral.”

² It is anticipated that the current capacity of the Waterbeach WWTP will be reached in 2025, although AW expects to be able to undertake enhancement measures to extend this to 2028.

The HIF is to be used to relocate the CWWTP and "switch off" the existing CWWTP to allow the site to be redeveloped. This will unlock the site's development potential and allow, through Cambridge's strong property market and underlying land values, conventional developer funding and planning to remediate the site and deliver the physical, environmental and social infrastructure that will underpin the delivery of 8,625 homes together with associated mixed uses and infrastructure, 5,600 of which would be built on the CWWTP site itself.

The arrangements for HIF funding place obligations on Anglian Water to relocate and commission the CWWTPR and decommission the CWWTP by March 2028. The ability to rely on the "one stop" shop created by the development consent order process is therefore important to the timely delivery of the CWWTPR. The reasons for this are explained further below.

The CWWTPR as a Nationally Significant Infrastructure Project

As the project plays a vital role in the development of north-east Cambridge and in turn Cambridge's role in the Government's Industrial Strategy, Anglian Water considers that the CWWTPR is of national significance and should therefore be treated as a nationally significant infrastructure project for which development consent is required.

Anglian Water is also of the view that the CWWTPR should be considered as a project of national significance due to the strategic importance of the existing CWWTP, the compelling need to relocate the CWWTP to facilitate the wider benefits, and the timescales within which the CWWTPR must be delivered in line with its HIF funding obligations.

Given the complex nature of the construction, commissioning and decommissioning process which will require works across multiple local authority boundaries, it is important that Anglian Water is able to rely upon the certainty in the determination process that accompanies the Planning Act regime, and is able to acquire the necessary land and rights quickly using compulsory acquisition, and other powers if agreement cannot be reached with relevant landowners.

In order to effectively and efficiently deliver the project, Anglian Water requires the use of powers best available through a development consent order. In particular:

- whilst Anglian Water will make every effort to acquire the necessary land interests it needs in order to deliver CWWTPR, engagement with landowners to date and the typical experience on other linear projects would indicate that compulsory purchase powers are likely to need to be relied upon in some form in order to acquire the main site for the new plant and also to secure the necessary rights for the connecting transfer and outfall tunnels.
- the project will potentially interfere with the existing apparatus and infrastructure of a number of statutory undertakers who would expect Anglian Water to undertake any works to protect their interests. This protection would be best secured through protective provisions forming part of a development consent order for the CWWTPR.
- the project will need to undertake highway works potentially requiring the temporary closure or diversion of highways and public rights of way.

Without a development consent order authorising these powers, Anglian Water would have to apply for a number of different consents³ across multiple administrative areas under separate legislative processes, many of which could result in separate public inquiries which would greatly increase the potential for delays, potentially frustrating the delivery of the AAP aspirations and the associated benefits. The Planning Act 2008 process would allow for these consents to be encapsulated within a single consenting process and dealt with in a single examination process which is subject to a statutory timetable.

The Project

As part of its statutory function, Anglian Water operates the existing CWWTP. The CWWTP receives waste water from the Cambridge catchment direct from the connected sewerage network and tankered to the plant from homes and businesses that are not connected, which is then treated to remove pollutants, and the treated effluent discharged through an outfall to the nearby River Cam.

The CWWTP is an integrated waste water treatment plant. It incorporates an integrated sludge treatment centre (STC) which treats the sludge derived from the waste water from the Cambridge catchment, and also the “wet sludge”⁴ produced by other satellite waste water treatment plants in the area which do not have an integrated STC.

Integrated waste water treatment plants act as “hubs” dealing not only with the waste water treatment process for the catchment areas in which they, and their nearby population centres, are located but also completing the waste water treatment process for the “wet sludge” tankered in from the local satellite facilities. The “wet sludge” from these satellite plants is transported to the CWWTP by tankers and deposited into the first stage of the STC process at CWWTP. CWWTP acts as a “hub” for local satellite sites. The overall Cambridge catchment has around 45 such satellite sites which send wet sludge to CWWTP. Other local catchments, Huntingdon and Ely also feed into the CWWTP.

Further sludge treatment is undertaken to separate suspended solids from the waste water which are then digested anaerobically. The dewatered solids at the conclusion of the digestion process are reduced to methane (which is used to generate heat required to activate the water treatment process, and power in the form of electricity, some of which is utilised on site and some of which can be exported to the grid), and an agricultural product to be used as fertilizer. The waste water removed as a result of the digestion process is then returned to the start of the waste water treatment process. The STC at CWWTP also incorporates a combined heat and

³ As a minimum, these are likely to comprise separate planning applications in each local authority area under the Town and Country Planning Act 1990, a compulsory purchase order under the Water Industry Act 1991, and various highways orders under either the Highways Act 1980 and the Road Traffic Regulation Act 1984.

⁴ Wet sludge is typically 97% waste water having only completed an initial solid screening process prior to transportation to CWWTP

power plant and is fully integrated with the other parts of the process via inter-linking pipework. A flow diagram of the waste water treatment process at CWWTP is shown at Appendix 3.

The capacity of the integrated CWWTP has a population equivalent of 548,000.

The integrated CWWTP is a critical element of infrastructure which is vital to enable Anglian Water to comply with its principal statutory duty as a sewerage undertaker in the region by providing waste water treatment services to the city of Cambridge, the surrounding drainage catchment area, and the satellite facilities which it serves.

As outlined above, the CWWTPR will comprise the relocation of the existing CWWTP. The replacement plant will involve the construction and operation of a new integrated waste water treatment plant and sludge treatment centre, transfer tunnels, terminal and intermediate pumping stations, access, utilities connections, renewable energy generation, ancillary buildings and landscaping sufficient to meet the needs of an expanded Cambridge and Waterbeach New Town.

The CWWTPR will include the following principal elements:

- an integrated waste water treatment plant and sludge treatment centre;
- connecting tunnels to convey the waste water and the materials it contains from the existing CWWTP inlet works to the CWWTPR including complex construction of new deep and large scale tunnels to be constructed under the A14 and other intervening infrastructure and the interception of existing sewerage systems to divert flows to the new works;
- connecting tunnels or pipes intercepting waste water from Waterbeach New Town to convey it to the CWWTPR;
- tunnels or pipes taking treated effluent from the CWWTPR to a discharge point on the River Cam;
- the production of bio-gas through anaerobic digestion for conversion into renewable energies for use on site and/or storage and export.

The CWWTPR will operate at the same capacity as the existing CWWTP.

Anglian Water is also committed to ensure that the project will deliver a more carbon efficient facility contributing towards its ambition to deliver net-zero carbon emissions by 2030.

The CWWTPR will be constructed on one of three potential sites shown on the plan at Appendix 4. Anglian Water will make its final site selection in early 2021 following further assessment work on these options, which will be informed by environmental baseline survey and responses to public consultation exercise which is currently taking place.

All options will require works to be undertaken in the administrative areas of both Cambridge City and South Cambridgeshire, and will involve linear development inevitably crossing multiple land interests.

Section 29 of the Planning Act 2008

Anglian Water believes that the CWWTPR will satisfy the requirements of section 29(1) Planning Act 2008 being a waste water treatment plant located in England with an expected capacity following construction in excess of a population equivalent of 500,000. However, it does not seek a direction on that basis, and this request is submitted entirely without prejudice to any case that Anglian Water may submit in the future that the CWWTPR is a nationally significant infrastructure project meeting the requirements of section 29(1) of the Act.

Nevertheless, Anglian Water is mindful that the CWWTPR will be the first project of its kind to seek development consent⁵, and that the approach to the calculation of population equivalent capacity under section 29(1) of the Act has not been determined by the Courts. It has the potential to take up a considerable amount of examination time and inevitably carries a potential risk of subsequent legal challenge either from Anglian Water or third parties given the novelty of the issue. Any challenge, regardless of the outcome would inevitably delay the delivery of this important project.

Anglian Water therefore asks the Secretary of State to exercise his discretion to treat the project as being one of national significance as it accords with all four of the principles set out in the Policy Statement set out above, and supports the delivery of Government objectives as recognised by the allocation of HIF grant.

Qualifying Request

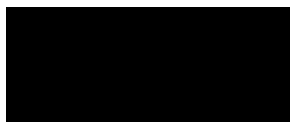
Anglian Water requests that this submission be considered as a “qualifying request” as defined in section 35ZA(11) of the Planning Act 2008 and that a direction be made pursuant to section 35(1) of the Act for the CWWTPR to be treated as development for which development consent is required.

The Secretary of State may make a direction pursuant to section 35(1) of the Act if any of the criteria in section 35(2) are met. It is considered that the project satisfies the requirements of section 35(2)(a)(i) and (b) of the Act because the development is a waste water project and is located in England, and is of national significance for the reasons set out above.

For the avoidance of doubt, there is nothing in the Act which would prevent the making of a section 35 direction even if the development to which the direction falls within the scope of section 14(1), and this request does not ask the Secretary of State to make any determination on that issue.

⁵ The Thames Tideway Tunnel is the only other project in the field of waste water to be apply for development consent and that was a project which was specifically named in the Waste Water NPS. As such the question of whether it was a NSIP under s29 Planning Act 2008 did not arise.

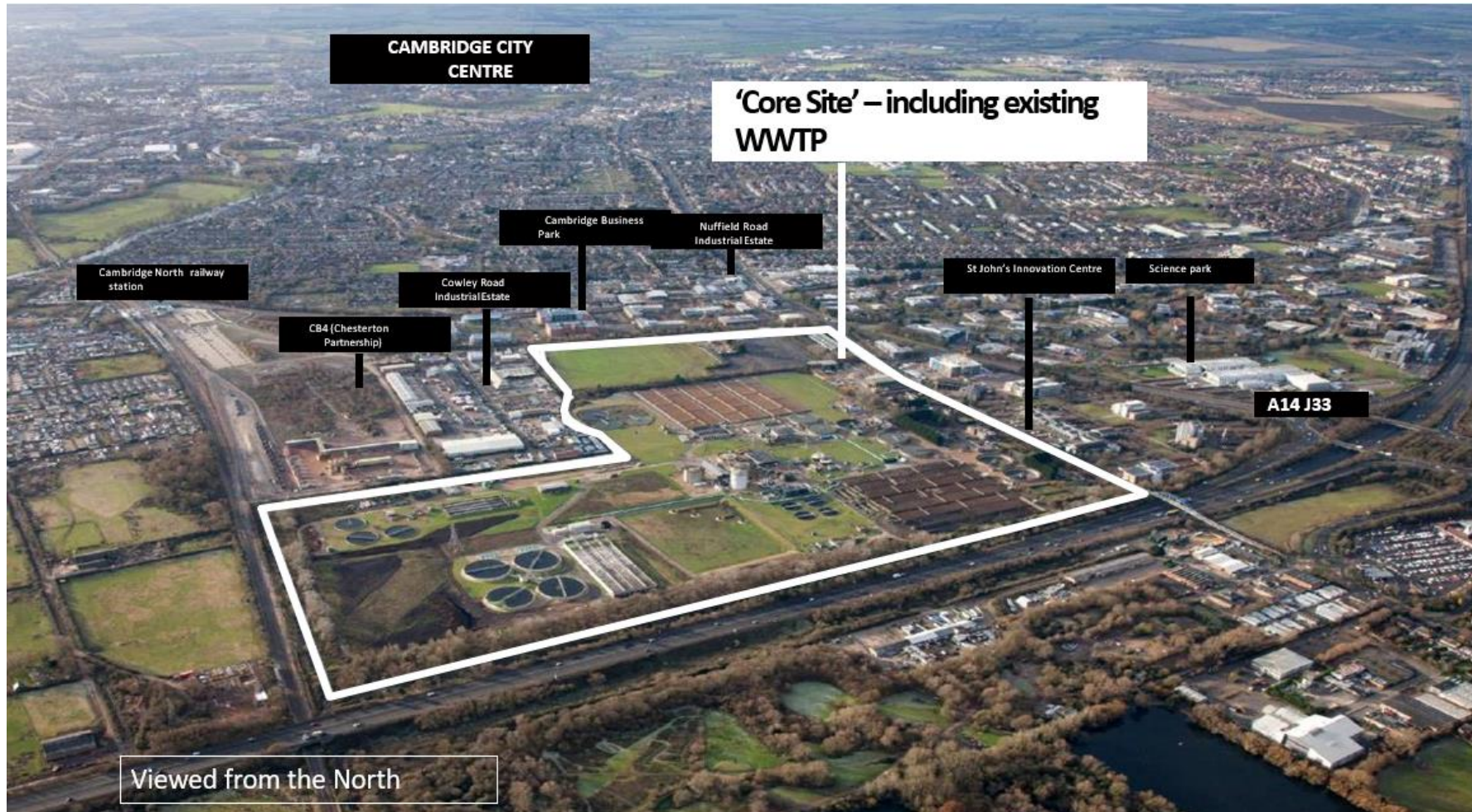
Yours sincerely



Alex Plant
Director of Strategy & Regulation
Anglian Water Services Limited

APPENDIX 1

Photograph: Relationship between the CWWTP site and the city of Cambridge



APPENDIX 2

Policy Statement: Extension Of The Nationally Significant Infrastructure Planning Regime To Business And Commercial Projects (2013)



Department for
Communities and
Local Government

Major infrastructure planning: extending the regime to business and commercial projects

Summary of responses and government response

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Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

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Introduction

1. On 6 September 2012, the Prime Minister and Deputy Prime Minister set out a major package of reforms to housing and planning to help create the conditions for economic growth. This announcement included a commitment to extend the nationally significant infrastructure regime to business and commercial projects which has now been achieved through the Growth and Infrastructure Act 2013, which received Royal Assent on 25th April 2013.
2. The extension of the regime to business and commercial projects will enable developers of certain projects to 'opt-in' to the nationally significant infrastructure planning regime, where the projects are of national significance. The benefits of the nationally significant infrastructure planning regime includes statutory timetabling which ensures that a decision will be made within 12 months from the start of the examination, and the 'one stop shop' approach to development consent – a Development Consent Order automatically removes the need to obtain several consents that would otherwise be required for development including planning permission, Green Belt consent, Listed Building consent and Ancient Monument consent. A Development Consent Order may also remove the need to obtain other consents on a case by case basis.
3. Applicants will also be able to benefit from the new Consents Service Unit which will improve co-ordination and communication between the Planning Inspectorate, applicants and consenting bodies. This Unit is intended make the consents process more efficient, whilst retaining the technical expertise with consenting bodies such as the Environment Agency and Natural England.
4. On 22 November 2012, the Department for Communities and Local Government published a consultation seeking views on the detail of the above proposals which, following Royal Assent, need to be taken forward via secondary legislation. In particular, the consultation asked for views on:
 1. a proposed list of development types.
 2. whether thresholds should apply and, if so, whether those in the consultation document were appropriate?
 3. our assessment of the factors that the Secretary of State would need to take into account.
 4. whether retail projects should not be a prescribed business or commercial project?
 5. whether a National Policy Statement (or Statements) should be prepared for the new business and commercial category; and
 6. whether there were any other comments on the proposals.

5. The consultation document also included at Annex A the following table which set out proposed types of development and possible thresholds.

Annex A: Proposed types of development and thresholds

| Type of Development | Where the project meets the following threshold |
|--|--|
| Offices and research and development facilities | Over 40,000m ² gross internal floorspace |
| Manufacturing and processing proposals | Over 40,000m ² gross internal floorspace |
| Warehousing, storage and distribution | Over 40,000m ² gross internal floorspace |
| Conference and exhibition centres | Over 40,000m ² gross internal floorspace |
| Leisure, tourism and sports and recreation | Area – over 100 hectares Sports Stadia where the seating capacity is a minimum 40,000 seats |
| Extractive industries (mining and quarrying). Including proposals for: Deep mined coal Onshore oil and gas extraction Other mining and quarrying proposals | All proposals over 500 tonnes per day for petroleum and 500,000 cubic metres per day for gas over 100 hectares |
| Mixed-use development including, for example, mixed-use business parks. (Mixed-use includes one or more of the above uses but does not include housing development or where retail is a main use.) | Over 100,000m ² floorspace |

6. The consultation was aimed at a range of partners including developers, businesses, residents' associations, environmental groups, local authorities and planning bodies. The consultation related to England only.
7. The consultation closed on 7th January 2013. We are grateful to the organisations and individuals who took time to respond and have now considered all the responses that were received. This document sets out the Government's response and next steps towards implementation.

Outcome of the Consultation

Overview of responses

8. We received one hundred and six responses to this consultation, from a range of local government, private/commercial sector, professional/trade bodies voluntary organisations and individuals.

Table of respondents

| Respondent | Total no. of respondents | % of total respondents |
|-----------------------------------|--------------------------|------------------------|
| Local government, parish councils | 42 | 40% |
| Non Departmental Public Body | 6 | 6% |
| Private / commercial sector | 14 | 13% |
| Professional / trade body | 24 | 23% |
| Voluntary sector | 10 | 9% |
| Individuals | 8 | 7% |
| Political organisation / MPs | 2 | 2% |
| Totals | 106 | 100% |

Summary of the Government response

9. A summary of the Government's response following consultation is set out in the box below with further detail from paragraph 9 onwards.

Development types, associated thresholds and factors that the Secretary of State will need to take into account when considering when a project is nationally significant

- The Government has concluded that developers of nationally significant projects falling within the following broad descriptions of development should generally be able to use the nationally significant infrastructure planning regime:
 - Offices and research and development
 - Manufacturing and processing
 - Warehousing, storage and distribution
 - Conference and exhibition centres
 - Leisure, tourism and sports and recreation
 - Aggregate and industrial minerals
- The Government intends to bring forward draft regulations by October 2013.

- Proposals for new coal development and oil and gas development will not be included in the new business and commercial category. This position will be kept under review.
- The Government does not intend to set statutory thresholds through the accompanying secondary legislation but intends to publish a policy document setting out the factors that the Secretary of State will take into account including indicative thresholds.
- The Government intends to clarify in the policy document how it will exercise its powers in Greater London with regard to the role of the Mayor.

Whether retail should be a prescribed form of business and commercial development

- The proposal not to include retail as a prescribed form of development in the accompanying regulations was widely welcomed by respondents. The Government plans to maintain that position.

Whether a National Policy Statement, or Statements, should be prepared for business and commercial development

- The Government considers that the case for a National Policy Statement, or Statements, for business and commercial development is not strong. The Government will keep this position under review.

Other policy issues raised

- The Government maintains the view that responsibility for planning for housing should remain with local authorities and that the current policy and legal position should be maintained.
- A range of other detailed issues were raised as part of the consultation response and the Government's response to these issues is set out in the remainder of this document.

Key issues and Government response

10. The sections below set out a summary of the responses received to each question within the consultation document and the Government's response and proposed way forward.

Question 1. Do you agree that the proposed list of development types set out at Annex A should be prescribed in regulations in order to make them capable of a direction into the nationally significant infrastructure regime?

11. The Government set out in the consultation document a proposed list of development types which could be included within the new category of business and commercial projects, including office development (including research and development sites), manufacturing, warehousing, conference and exhibition centres, tourism, leisure and sports and recreation proposals, and major mixed-used developments and technically complex, nationally significant developments such as certain types of mining operations. The Government sought views on whether respondents agreed with this proposed list.

12. A wide range of responses were received to this question. 41% of respondents agreed with the proposed list of development types set out in the consultation and welcomed the opportunities that this new category of business and commercial development could provide for the construction sector and the potential boost to economic growth. A number of respondents welcomed the Government's proposals to speed up the planning system to support growth.

13. 54% of respondents raised concerns about the proposed list of development types. Some of these questioned the extent to which office block developments, leisure centres and warehousing could be classed as 'nationally significant'. One response suggested that 'only if the development of an exhibition centre the size of the NEC' or a 'very large' leisure, tourism and sports facilities 'such as Wembley or those used for the Olympics' should be considered as nationally significant.

14. Some of the responses received commented that the proposed expansion of the nationally significant infrastructure regime was unnecessary, as local authorities were already providing a good service to developers of business and commercial projects. A number of local authority respondents said that the proposal to extend the nationally significant infrastructure regime to business and commercial schemes was contrary to the Government's localism policy.

15. A number of respondents commented on the proposed extractive industries category. Some respondents, whilst supportive of the opt-in nature of the proposals, also acknowledged that the minerals planning regime worked well and that the minerals industry had a good working relationship with

minerals planning authorities. CBI Minerals said that they ‘strongly supported the proposals’ but commented that it was appropriate for the ‘majority of minerals applications to continue to be dealt with by the Minerals Planning Authorities.’ Other respondents suggested that the current proposed minerals type should be extended to include related facilities for minerals extraction, such as facilities for their processing, storage and rail and wharfage distribution.

16. A small number of respondents were concerned about the inclusion of some forms of minerals and, in particular, to the inclusion of coal and shale gas. The Loose Anti Opencast Network argued that coal should be treated differently from other minerals, for reasons including planning blight and the proposed phase out of coal for power generation purposes. The Town and Country Planning Association were concerned that including coal, oil and gas within the business and commercial category raised questions about the Government’s commitment to addressing climate change.

17. Some respondents suggested other development types which could be included within the list of development types, such as motorway service areas. A small number of respondents also suggested that housing and retail development should also be included in the prescribed list of development types. The Government’s response on these issues is set out below.

Government response

The Government welcomes the responses received and recognises that, in most cases, developers will continue to want to work with the relevant local council to take forward business and commercial developments, particularly where they already have a good working relationship with the council.

However, the Government believes that it is positive to offer the choice of using the nationally significant infrastructure regime for the largest, most significant and complex schemes. The nationally significant infrastructure regime offers a number of important benefits including tight statutory timetabling and a ‘one stop shop’ approach to consents. It is right that developers should be able to request to opt-in to this regime where this is appropriate.

The Government proposes to bring forward draft regulations for approval in the Autumn to enable nationally significant business and commercial projects to use the regime. The Government has concluded that developers of nationally significant projects falling within the broad development types set out in the consultation document should generally be able to use the regime, with the following exceptions:

- After considering the concerns expressed about the inclusion of proposed coal schemes, the Government has decided that planning applications for new coal schemes should normally remain with the local minerals planning authority. The Government therefore does not intend to include such projects in the prescribed categories of business and commercial projects.

- After considering the responses received and comments made during the passage of the Growth and Infrastructure Act, the Government has concluded that applications for planning permission for onshore oil and gas schemes, including any future planning proposals for shale gas development, should not be included in the new business and commercial category but will keep this under review. Shale gas extraction has yet to take place at a commercial scale in this country and, as it develops, the Government will ensure that an effective planning system is in place, with the necessary guidance in place by July 2013. Applications for planning permission for onshore oil and gas should therefore normally remain with minerals planning authorities for determination.
- The Government has considered whether it is necessary to prescribe in Regulations mixed-use development as a type of development. However, as the Growth and Infrastructure Act 2014 provides for developments which are a project on their own, or part of a project, we have concluded that it is not necessary to prescribe mixed-use as a specific type of development. Mixed-use projects may come forward that consist of one or more of the other prescribed types of development that the Government will set out in Regulations.

Question 2. Do you think that thresholds should apply and, if so, whether those in column 2 of the table at Annex A are appropriate? If not, how should these be changed?

19. In addition to the types of projects set out in Annex A of the consultation document, we also sought views on whether thresholds should apply for each of the development types and, if so, whether those proposed in the consultation were appropriate.

20. We received a wide range of responses to this question. 38% of respondents agreed that thresholds should apply and many respondents noted that it was important that the thresholds were set at an appropriate level to ensure that only nationally significant developments could potentially use the nationally significant infrastructure regime.

21. A number of respondents agreed with the thresholds proposed in the consultation document. Others suggested that specific thresholds should be considered further – for example, a number of respondents suggested increasing the thresholds for different categories of development to ensure they captured only the very largest developments.

22. Respondents representing London interests commented that the proposed thresholds in London would be too low and would potentially capture 'routine' development, particularly in the City of London. A few respondents were concerned that the thresholds in some instances were too high, for example for new sports and leisure developments.

23. There were a range of detailed comments from a number of respondents on how the thresholds for minerals industries should be set, including proposals to focus more on the importance or rarity of the particular mineral, or to design the thresholds around the tonnage of minerals produced by a particular development.
24. A small number of respondents argued that the proposed process for determining whether or not a project is of national significance was too complex (i.e. they would have to be of a type prescribed in secondary legislation, they would also have to be above a specific threshold and the Secretary of State would have to determine whether they were of national significance). They argued that this process should be made simpler and less bureaucratic.
25. 44% of respondents did not agree with the proposed thresholds for the different types of development proposed in the consultation. A number of these respondents provided detailed comments on the thresholds proposed, in many cases similar to those outlined above – for example, arguing for thresholds to either be increased or changed in order to respond to specific issues. Others did not agree in principle with the expansion of the nationally significant infrastructure regime to business and commercial development.
26. 18% of respondents did not comment on this question.

Government response

Given the very wide range of views on whether thresholds should apply and whether these have been set at the right levels, the Government believes a simpler approach is needed. The thresholds set out in the consultation document had also led to some confusion about the policy aim with some respondents appearing to believe that projects above the thresholds would either qualify for the regime or be referred in automatically. This was not the Government's intention.

The purpose of the proposed thresholds was to set a bar, above which the Secretary of State would consider requests from developers. The Government has no intention of automatically removing the planning responsibility for nationally significant business and commercial developments from local planning authorities, unless a request is made by a developer and the Secretary of State is satisfied the project is one of national significance.

As indicated above, in the response to Question 1, the Government intends to set out in regulations the types of development that could potentially be directed into the Planning Act regime. However, in response to the range of consultation responses, the Government no longer intends to include statutory thresholds within those regulations.

The Government does, however, recognise that, for some, the establishment of thresholds can provide clarity and will help parties to understand the range of projects that might be directed into the regime. The Secretary of State therefore proposes to publish a policy document setting out the indicative thresholds and other factors that the Secretary of State will take into consideration. The Secretary of State will not generally expect to receive requests for a direction for development below the indicative thresholds.

The Secretary of State does not intend to set thresholds specific to Greater London. He will, however, clarify in the policy document that he will not generally expect to receive requests for a direction for projects that would not also be capable of a direction to the Mayor under the Town and Country Planning (Mayor of London) Order 2008 as a project of potential strategic importance. The Town and Country Planning (Mayor of London) Order 2008 can be found here: <http://www.legislation.gov.uk/uksi/2008/580/contents/made>.

The Government's intention is that the indicative thresholds will be broadly comparable to those set out in the consultation document with the exception of the threshold for minerals. We received a large number of responses which suggested that the threshold, set at 100 hectares, was too low, in particular for aggregate minerals. We therefore propose to increase it to 150 hectares for aggregate and industrial minerals.

Question 3. Do you agree with our assessment of the factors that the Secretary of State would need to take into account when considering whether a project is nationally significant?

27. The consultation document set out proposals for the factors that the Secretary of State would need to take into account when considering whether a project was nationally significant. The proposals included:
- The physical scale of the proposed development or project;
 - The possible impacts of the proposed development or project, particularly if it has significant effects beyond their immediate locality;
 - The location of the proposed development or project and whether that gives rise to substantial cross-boundary or national controversy;
 - The potential economic impact where a proposed development may have significant impact on economic growth;
 - For proposed minerals extraction, the rarity and importance of the mineral; and
 - Whether issues of national security or which involve foreign Governments are involved.
28. 41% of respondents agreed with our proposals for the factors that the Secretary of State would need to take into account when considering whether a project is nationally significant. We received a wide range of specific suggestions, including suggestions around adding further considerations, such as health, transport or environmental impacts or the complexity or urgency of a particular project.
29. The Planning Officers Society commented that the proposed factors seemed generally appropriate but they were concerned about the final proposed category 'as this could, unwittingly, capture non-nationally significant projects (e.g. diplomatic function facilities)'. The Royal Town Planning Institute however, commented that a scheme which raised issues of national security was self-evidently of national impact.
30. 35% of respondent did not agree with the proposed factors and raised concerns over whether the proposed criteria were potentially too broadly drawn and questioned whether location or size or scale should be considered a factor in determining whether a project is nationally or not. A number of respondents commented that the sort of development that could potentially be within the proposed development types and thresholds would be of regional rather than national significance.
31. We also received responses which suggested that the types of development, their associated thresholds and the factors that the Secretary of State would need to take into account when considering whether a project was nationally significant, should be simplified. Our response on this issue is set out above in the Government's response to Question 2.
32. 24% of respondents did not respond to this question.

Government response

The Government proposes to revise the factors involved in establishing national significance, in light of the responses received and will publish these in a policy document with the indicative thresholds as referred to above.

In light of comments received, the Government proposes to remove the specific reference to the interests of foreign governments. It agrees that the involvement of foreign governments will not necessarily indicate that a scheme is of national significance. For matters relating to diplomatic premises the Secretary of State will continue to have the power to call-in applications made under the Town and Country Planning regime should that be necessary. The Secretary of State also has the power to call-in, for his own determination, planning applications, which raise matters of national security.

The policy document will be set out alongside the draft Regulations in October 2013.

Question 4. Do you agree that retail projects should not be a prescribed business or commercial project?

33. We set out in our consultation that the Secretary of State was minded to exclude retail development from the list of types of projects to be included in the regulations. This was because the Government has clearly set out their town centre first policy in the National Planning Policy Framework – making clear that ‘local planning authorities should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality’¹ and through the Government’s response to the Mary Portas Review².
34. 53% of respondents supported this approach. They welcomed the strong message from the Government about the importance of the town centre first policy and the important role that local authorities play in ensuring the health of their local high streets. Responses from local authorities generally agreed with this proposal asserting that local authorities are ‘best placed to assess the local impacts of any retail scheme’.
35. 9% of respondents did not agree and argued that retail should be a prescribed types of development included in the new business and commercial category. These responses generally came from members of professional trade associations and businesses. They considered retail developments to be ‘as significant as any other commercial development in

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

² <https://www.gov.uk/government/publications/high-streets-at-the-heart-of-our-communities-government-response-to-the-mary-portas-review>

promoting growth'. Further arguments included recognition of the possible job opportunities that would result with retail developments.

36. 38% of respondents did not comment on this question.

Government response

The Government recognises the important role that retail developments can play in securing economic growth and that many retail developments do form part of much wider projects which could be of national significance.

However, given the strong support for the proposal in the consultation document, the Government does not intend to include retail-led development as a prescribed form of business and commercial project. The National Planning Policy Framework, and our response to the Portas Review, both set out the Government's position with regard to ensuring the vitality of town centres. The Government believes it is appropriate that large retail-led developments normally remain with local planning authorities for determination.

The Government recognises that many developments may include an element of retail as part of the overall project. The Secretary of State will therefore consider requests for a direction where retail is not the primary element but is associated development.

Question 5. Do you agree that Government should not prepare a National Policy Statement (or Statements) for the new category of business and commercial development?

37. We received a range of responses to this question, with 35% of respondents agreeing with the Government's proposed approach. Those who agreed that a National Policy Statement would not be required pointed to the range of issues which would need to be covered in a National Policy Statement if it were to include all the business and commercial types of development and the potential additional layer of bureaucracy that this would add. A number of respondents also commented that the existing policy framework, including the National Planning Policy Framework, would be sufficient.

38. 42% of respondents disagreed with the proposal not to have a National Policy Statement or Statements for this new category of development. Those who disagreed with the Government proposal highlighted a number of concerns, including the lack of a clear policy framework for decision-making; the importance of Parliamentary scrutiny of National Policy Statements; and concern about the Government's commitment to National Policy Statements more generally. One respondent suggested that a "light touch" version of a National Policy Statement should be prepared.

39.23% of respondents did not comment on this question.

Government response

The Government takes the view that the reasoning for not having a National Policy Statement, or Statements, for business and commercial development remains strong. The Government therefore does not intend to prepare a National Policy Statement, or Statements but will keep this position under review.

The Government is also clear that National Policy Statements remain a crucial element of the nationally significant infrastructure regime, providing the decision-making framework for nationally significant infrastructure projects. National Policy Statements remain central to the Government's planning reforms because they provide clarity of policy and predictability for those wishing to invest in new infrastructure. There is no question of Government moving away from their commitment to National Policy Statements. Thus far, the Government has designated National Policy Statements on Energy, Ports, and Waste Water. The Government also intends to finalise the Hazardous Waste National Policy Statement shortly.

The National Planning Policy Framework is aimed primarily at local authorities – both in relation to plan making and decision making. The Framework does, however, state that it may be an important and relevant consideration when determining applications for nationally significant infrastructure projects. What is an important and relevant consideration is a matter for the decision maker to determine on a case by case basis. The National Planning Policy Framework will also have fed through to local plan policies so, where there is an up-to-date local plan, that is also likely to be an important and relevant consideration.

Question 6. Do you have any other comments on the proposals that you would like to make?

40. **Housing:** There was strong support for the exclusion of housing as a prescribed form of business and commercial development. The majority of respondents acknowledged the central role of local authorities when making decisions on planning applications for housing development.

41. A small number of respondents disagreed with the proposal to exclude housing from the regime with particular referring in particular to mixed-use development. Some respondents expressed concern that many schemes, which would otherwise be considered of national significance, will not be able to access the regime if they include a small element of housing and that many large schemes rely on the housing element to secure the necessary finance.

Government response

Planning for housing and the determination of planning applications for housing development is a primary role of local councils and the Government does not consider it appropriate to remove this responsibility from them. The Government has taken a number of steps to make clear the role of local councils in planning for housing including through the National Planning Policy Framework.

The Planning Act 2008 already bars dwellings from being consented as “associated development” alongside a nationally significant infrastructure project. The Growth and Infrastructure Act 2013 additionally sets out that the Government may not prescribe housing as a form of business and commercial development.

Given the strong support for the exclusion of housing from the nationally significant infrastructure planning regime and the Government proposes to take no further action in this respect.

120

42. **Statutory nuisance:** A small number of respondents also questioned the interaction with the statutory nuisance regime expressing concern that a wide range of schemes could potentially enjoy immunity under Section 158 of the Planning Act 2008, from claims of nuisance. The Noise Abatement Society expressed concern that there would be ‘no intrinsic right for neighbours for protection from noise or other disturbance or unhealthy emissions from development’.

Government response

The Government has considered whether extending the regime to new categories of business and commercial development raises additional concerns about the defence of statutory authority. It has concluded that there are no new issues with respect to the construction phase of a project, but there may be additional features to consider with the resulting development, especially if it is to be mixed-use.

However, Section 158(3) of the Planning Act enables the defence of statutory authority to be disapplied, either in whole or in part (for example, once the development is built), and on a case by case basis. The Secretary of State for Communities and Local Government will consider carefully whether the defence of statutory authority should be disapplied in whole or in part for any particular proposal.

43. Local authorities fees: A number of local authority respondents raised concerns about the loss of fees that they would experience if a business and commercial application was made through the nationally significant infrastructure regime rather than through the local planning authority.

Government response

As set out in the Growth and Infrastructure Bill Impact Assessment, we only expect a very small number of applications to come forward via this route. If local authorities can determine applications quickly and offer a high quality service, applicants of nationally significant projects are likely to only choose the infrastructure planning route if it still offers other benefits which the local authority cannot provide (such as the one stop shop, which will be useful where multiple consents are required).

Should a proposed business and commercial development be directed into the nationally significant infrastructure planning regime, it is open to local authorities to recover costs (under Section 93 of the Local Government Act 2003) for pre-application advice they provide. This can be formalised within a Planning Performance Agreement.

44. Speed of decision making: A number of respondents questioned whether the nationally significant infrastructure regime would be a quicker route for developers and commented that the majority of planning applications were determined promptly by local planning authorities.

Government response

The Government recognises that local planning authorities can and often do offer an excellent and timely service to developers and in many cases, the developer will choose to continue with the local authority planning route.

However, the nationally significant infrastructure regime offers a number of key benefits– in particular, a statutory one year timetable from the point at which the application goes to examination and the ‘one stop shop’ approach.

In some cases, the nationally significant infrastructure regime will offer a more attractive option for developers. Fundamentally, this will be a choice for developers to weigh up on a case by case basis.

45. The Aarhus Convention: A small number of comments were received which questioned whether the proposals to extend the nationally significant infrastructure planning regime to business and commercial projects were compliant with the Aarhus Convention.

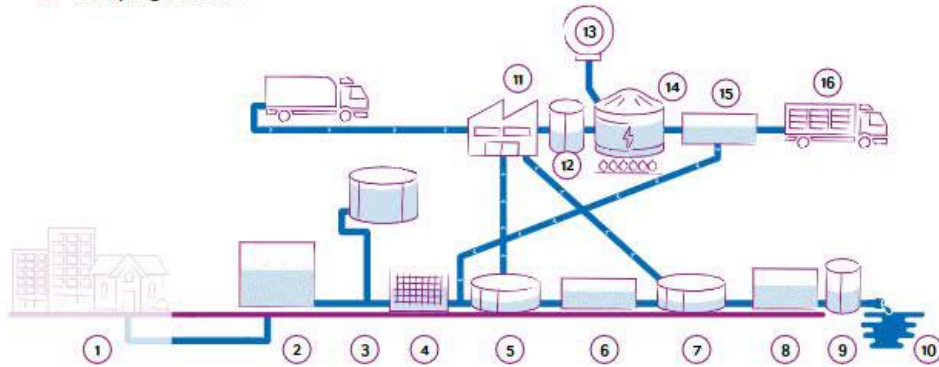
Government Response

The Government does not consider that extending the nationally significant infrastructure planning regime to business and commercial projects will conflict with the requirements of the Aarhus Convention. Information about projects is available at the pre-application stage and throughout the decision making process; there are a number of opportunities for representations by those who wish to make them; and there is a process for judicial review of decisions.

APPENDIX 3

Flow Diagram of Waste Water Treatment Process

1. Incoming sewer
2. Pumping station
3. Storm storage and settlement tank
4. Preliminary treatment (screening and grit removal)
5. Primary settlement
6. Biological treatment
7. Final settlement
8. Tertiary Treatment
9. Pumping station
10. Outfall to watercourse
11. Sludge reception
12. Enhanced pre-digestion treatment
13. Biogas storage for renewable energy generation
14. Anaerobic digestion
15. Post-digestion treatment and de-watering
16. Treated sludge biofertiliser



Appendix 2: Letter dated 17 December 2020 responding to a request by the Secretary of State for further information pursuant to section 35A(3) of the Planning Act 2008



**Anglian Water
Services Ltd**
Lancaster House
Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

Tel 01480 323000
www.anglianwater.co.uk

Rt Hon George Eustice MP
Secretary of State for Environment, Food and Rural Affairs
Seacole Building
2 Marsham Street
London
SW1P 4DF

Sent by Email only, care of: [REDACTED]@defra.gov.uk and [REDACTED]@defra.gov.uk

17 December 2020

Dear Secretary of State

Request for Direction by the Secretary of State pursuant to Section 35 of the Planning Act 2008 – The Cambridge Waste Water Treatment Plant Relocation Project

I refer to your letter of 11 December 2020 requesting further information pursuant section 35A(3) of the Planning Act 2008 (the 2008 Act) and write on behalf of Anglian Water Services Limited (Anglian Water) to provide the information requested. This letter is submitted pursuant to section 35A(4) of the 2008 Act and is done so within the required 14 day period.

In responding, I have used the same numbering as set out in your request:

1. The relevant Area Action Plan/Local Plans being referenced in the request letter

- i. The latest version of the North East Cambridge (NEC) Area Action Plan (AAP) is the **Draft Regulation 18 NEC AAP** which was published jointly by Cambridge City and South Cambridgeshire District Councils for consultation in July 2020. Responses received by the Councils in the consultation are currently being analysed and it is expected that member engagement and regulatory approval of the Regulation 19 NEC AAP for pre-submission consultation and submission to the Secretary of State for independent examination will be secured in Autumn 2021 but publication and consultation delayed until after the Cambridge Waste Water Treatment Plant Relocation (CWWTPR) DCO is determined (expected late 2023).

The link to the latest NEC AAP July 2020 document on Greater Cambridge Shared Planning's website is

<https://consultations.greatercambridgeplanning.org/document/213>

- ii. The latest version of the Greater Cambridge Local Plan (Regulation 18: Issues and Options 2020) including the Sustainability Appraisal of Issues and Options (December



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Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6XU
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No. 2366656.

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2019) can be found at <https://greatercambridgeplanning.org/emerging-plans-and-guidance/greater-cambridge-local-plan/>.

- iii. The adopted Cambridge Local Plan 2018 (Policy 15 and corresponding Policy SS/4 of the South Cambridgeshire Local Plan 2018) identifies the existing Waste Water Treatment Plant site for redevelopment for high quality mixed-use development primarily for employment use as part of the 'Cambridge Northern Fringe East' Area of Major Change (now North East Cambridge or NEC). Links to the adopted Cambridge City Local Plan 2018 and the South Cambridgeshire Local Plan 2018 documents respectively are:

<https://www.cambridge.gov.uk/media/6890/local-plan-2018.pdf> and
https://www.scambs.gov.uk/media/12740/south-cambridgeshire-adopted-local-plan-270918_sml.pdf

The detail of the total amount of development, site capacity, viability, timescales and phasing of development in NEC are to be established through the preparation of an AAP to be developed jointly between Cambridge City Council and South Cambridgeshire District Council, and involving "close collaborative working with Cambridgeshire County Council, Anglian Water and other stakeholders in the area".

"Exploration in respect of the viability and feasibility of redevelopment of the Cambridge Water Recycling Centre to provide a new treatment works facility either elsewhere or on the current site, subject to its scale will be undertaken as part of the feasibility investigations in drawing up the AAP. If a reduced footprint were to be achieved on the current site, this could release valuable land to enable a wider range of uses. Residential development could be an option, subject to appropriate ground conditions, contamination issues and amenity and air quality" (paragraph 3.5).

Both adopted plans for Cambridge and South Cambridgeshire for the period 2011 to 2031 have a joint housing target of 33,500 at 1,675 per annum. However, their approvals were predicated on an early review to adequately address housing need which the Councils committed to commence before the end of 2019, with submission of a new Local Plan (the Greater Cambridge Plan) to the Secretary of State for examination anticipated by the end of Summer 2022. That review process has now started.

- iv. An explanation of how these plans interact with/support each other and this project is provided in the note at **Appendix 1** ('Savills DP Policy Note 141220').

2. The importance of the relocation project to the strategic growth of Cambridge

The importance of the relocation project to the strategic growth of Cambridge is best summarised in the Housing Infrastructure Fund (HIF) Business Case prepared by Cambridge City Council which in its 'Project Summary' states:

The National Infrastructure Commission's 2017 report emphasised national prioritisation of the Cambridge – Milton Keynes – Oxford growth arc in advancing UK prosperity. Greater Cambridge has the potential to underpin this prioritisation as the fastest growing city economy in the UK (2018 Irwin Mitchell) with Greater Cambridge demonstrating a blended employment growth rate of 3.3% (CPIER, 2018), double ONS GB 2010-16 average rate. Inclusive growth is, however, an acute challenge for the area, with under-supply of housing and house prices more than thirteen times the average salary, putting prosperity at risk. With the Combined Authority commitment to doubling the area's Gross Value Added over 25 years [as set out in its Devolution Deal], the challenge is to ensure the growth in housing stock matches the area's ambitious plans for economic growth.



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The relocation of the CWRC [Cambridge Wastewater Recycling Centre] is the basis for transformation of CNFE [now NEC] to support Greater Cambridge's continued sustainable growth and help meet the ambition of Cambridgeshire and Peterborough Combined Authority to double GVA by reinforcing Cambridge's position as a global centre of excellence for research, development and business success. CWRC relocation would release scarce land for development, facilitate housing on public and private land and reduce pressure for major housing development elsewhere in Greater Cambridgeshire.

Relocating the CWRC will release the CNFE Core Site, a major brownfield area for 5,600 homes (including 40% affordable) in line with the Cambridge Sustainable Housing Design Guide. It will also remove 'odour zone' restrictions around the CWRC that limit 82 hectares of land to industrial use. This would enable a further circa 3,000 homes to be built on adjacent land and nearby employment sites to more than double employment densities. The new housing in the CNF area will be within walking and cycling distance of thousands of jobs at the Cambridge Science Park, to the Cambridge North railway station, and other public transport. It will be transport net neutral.

The development will also deliver high quality commercial space, with potential to unlock expansion of the Cambridge Science Park and other sites to provide about 1 million sq ft of additional floor space.

The Cambridgeshire and Peterborough Independent Economic Review (CPIER) September 2018¹ (developed by the Cambridgeshire and Peterborough Independent Economic Commission as established by the Cambridgeshire and Peterborough Combined Authority) sets out a robust and independent assessment of the Cambridgeshire and Peterborough economy and its potential for growth, describing the importance of Cambridgeshire and Peterborough to the regional and national economy, considering how it can achieve continued prosperity and high growth rates, identifying what types of infrastructure and other investment would best enable Cambridgeshire and Peterborough to achieve its full growth potential and contribute to regional and national economic growth and setting out policy and planning recommendations.

The Combined Authority area today accounts for only 1.28% of UK population and 1.37% of UK Gross Value Added (GVA), but that understates its importance. We consider that the aim of doubling GVA in this area by 2040 is realistic, and will be achieved in part by attracting knowledge-intensive businesses which would not locate elsewhere in the UK. Success here is of national significance. But it will only be attained if there is more ambition with regard to the development of new housing, and a careful prioritisation of infrastructure projects. In addition, such a stretching target will depend on improved collaboration between all local partners, public and private. (Preface, CPIER)

In a separately commissioned piece of research for the CPIER, the Cambridgeshire and Peterborough Futures (Futures) report considers the impact of different approaches to spatial development and concludes that a dispersal strategy, which seeks to relocate homes and businesses away from city centres is unlikely to be successful, as it is 'agglomeration' – the desire to be near other companies – that attracts companies to the area. "Other options, such as densification, fringe growth, and transport corridors all have potential benefits, and should be pursued to an extent, though none should be taken to its extreme". These strategic spatial options feature strongly in the ongoing assessment work informing the preparation of the Greater Cambridge Local Plan ('GCLP')².

The CPIER economic review has been used to inform the Local Enterprise Partnerships production of its Local Industrial Strategy ('LIS'). CWWTFR falls squarely within at least one of the three priorities for the Cambridgeshire and Peterborough economy set out in the Cambridgeshire and

¹<https://www.cpier.org.uk/media/1672/cpier-report-151118-lowres.pdf>

²<https://scams.moderngov.co.uk/documents/s119709/GCLP%20Development%20Strategy%20Options%20Summary%20Report%20Nov%202020.pdf>



Peterborough Local Industrial Strategy July 2019³, namely to “*Improve the long-term capacity for growth in Greater Cambridge by supporting the foundations of productivity*” by, amongst other measures, investing heavily in housing and delivering transformational transport and infrastructure.

3. HIF funding and the timeline for the project

As I am sure that you will understand, given the confidentiality of the legal agreement with Homes England which secures the HIF funding for the project I am not able to divulge details in this letter. Nevertheless, I have provided references below to publicly available information that confirms that the project benefits from HIF funding. In addition, Cambridge City Council are a grant recipient under the terms of these arrangements which provides a linkage with the planning policy set out above to give confidence around the deliverability of those objectives:

- the MHCLG website confirms that the project has been awarded Forward Funding⁴. The project is listed as the Northern Fringe East lying within Cambridgeshire and Peterborough with HIF Funding of £227m
- On 11 November 2020, Homes England issued a press release publicising that HIF Forward Funding had delivered £1.8bn of investment to projects⁵. The CWWTPr the project was referred to as a case study.
- HIF funding of the project was expressly referred to in the Government’s Spending Review on November 2020 which notes that it provides “£227 million for the relocation of a waste water treatment plant in order to unlock nearly 9,000 homes on a brownfield site”⁶.

As the aim of HIF Forward Funding scheme is to enable infrastructure to be provided to unlock future housing development, Anglian Water are under certain legal obligations to deliver the CWWTPr in order to make the existing site available for redevelopment. Further details on the qualifying criteria of an award of HIF Forward Funding are explained in the DCLG publication “*Housing Infrastructure Fund - Supporting Document for Forward Funding*”⁷

As explained in my letter requesting a Section 35 Direction, Anglian Water are under an obligation to deliver the CWWTPr to enable housing development to start on the existing site from 31 March 2028.

I have copied below the high level project timeline, as presented at our recent meeting, which provides an overview of the programme to enable the delivery of homes on the site vacated to begin.

3

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/818886/Cambridge_SINGLE_PAGE.pdf

4

<https://www.gov.uk/government/publications/housing-infrastructure-fund>

5

<https://www.gov.uk/government/news/government-investment-in-homes-and-jobs-tops-18bn-to-support-a-housing-led-recovery>

6

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938052/SR20_Web_Accessible.pdf

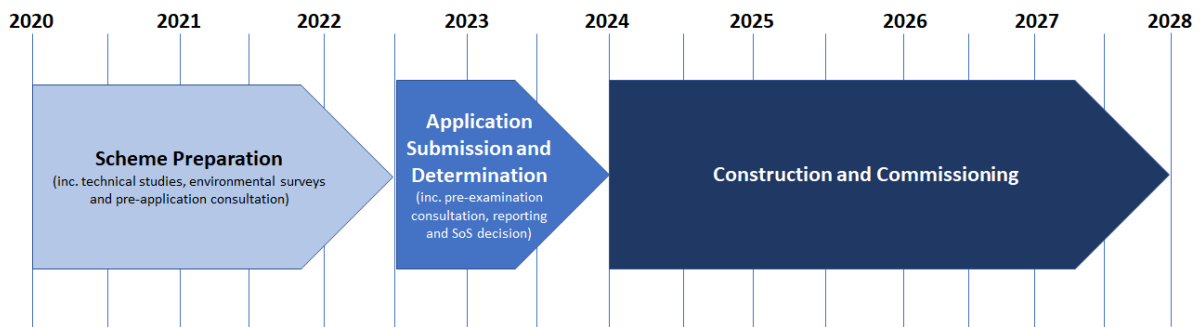
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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/625525/HIF_Forward_Funding_supporting_document_accessible.pdf



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Lancaster House, Lancaster Way,
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Cambridgeshire. PE29 6XU
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In order to meet this challenging timetable and reflective of the intermediate HIF contractual milestones, Anglian Water is currently intending to announce its preferred site for the CWWTPR in January 2021, with a view to submitting its DCO application in the Summer of 2022 following environmental impact assessment, progression of the design and extensive consultation with stakeholders and the local community as required under the 2008 Act. Two formal rounds of consultation are planned for the Summer of 2021, and early 2022 as well as an extensive programme of ongoing consultation through technical working groups throughout that period.

A DCO application submission in Summer 2022 would enable the DCO to be determined by the end of 2023 in accordance with the relevant statutory timescales. This would allow land assembly to be undertaken (using compulsory acquisition powers if needed) to enable work on the CWWTPR to commence in early 2024 to enable the ultimate deadline of March 2028 to be met.

As I explained in the original s35 request, the construction process is complex involving the construction of the new works, transfer tunnels from the existing works, new tunnels or pipelines to intercept flow to the existing works and outfall infrastructure. Once constructed, an extensive process of testing needs to take place to ensure that the new infrastructure is functioning effectively before the existing works can be taken out of service to allow the redevelopment of the existing site. Certainty over the timeframe for the planning process is therefore important to allow Anglian Water to meet its ultimate obligation to make the existing site available for redevelopment by the end of March 2028.

4. Powers available through a Development Consent Order

- i. The need for compulsory acquisition powers would apply to each of the three site options currently under consideration. For each site option, there are multiple owners and occupiers. This consideration affects not just for the main site, but also the related corridors for transfer infrastructure and the outfall location. In addition, Anglian Water would require the certainty of being able to extinguish or interfere with third party rights in existence over these areas. The certainty of compulsory acquisition powers is essential, given the scale of the project, the timing for delivery and the nature of the development – unimpeded land is critical. Whilst Anglian Water does of course, as is required for any promoter seeking compulsory acquisition, intend to seek voluntary agreement where possible, the timing and delivery of the project is such that the availability of compulsory acquisition powers are vital. I understand that there may also be pockets of unregistered land and potentially unknown third party rights.
- ii. It is anticipated that the CWWTPR will interact with the interests of various statutory undertakers. For example:
 - a. all site options will require transfer infrastructure to cross the A14
 - b. all site options will require an outfall to the River Cam
 - c. all site options will require associated infrastructure to cross the local highway network



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- d. all site options are likely to cross the infrastructure of various statutory undertakers, for example electricity and other utilities' pipes and cables, and telecommunications cables
- e. all site options will involve infrastructure crossing the existing railway line running to the east of the current site
- f. all site options are likely to require some improvements to the local highway network. One site option may require works to an existing bridge crossing the A14 at Low Fen Drove Way.

Anglian Water will require powers under the DCO to enable it to undertake these works and in return would expect the DCO to contain protective provisions to ensure that such works are able to be carried out expeditiously, but in such a way that protects the interests of Highways England, Network Rail, the Environment Agency, the Local Highway Authority and other statutory undertakers.

- iii. The full extent of highway works and potential diversions/temporary closures is not yet known as this will be further refined as the scheme is finalised and be informed by the conclusions of environmental impact assessment. However, Anglian Water is aware that such measures are likely to be needed in particular to facilitate the construction of the site access, and site construction works which may impact on the public right of way network in the vicinity of each site option. In addition, there is likely to be a particular requirement if Site 3 is chosen to undertake improvement works to the bridge crossing the A14 at Low Fen Drove Way which will require associated closures and diversions.

Anglian Water notes that the timeframe for the making of a direction pursuant to section 35 of the 2008 Act following the submission of this further information is now 28 days from receipt of this information. I would therefore be grateful if you would confirm receipt of this letter and look forward to hearing from you.

Yours sincerely



Alex Plant
Director of Strategy & Regulation
Anglian Water Services Limited



Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6XU
Registered in England
No. 2366656.

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Appendix 1
Savills DP Policy Note



Registered Office
Anglian Water Services Ltd
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6XU
Registered in England
No. 2366656.
an AWG Company

Cambridge Waste Water Treatment Plant Relocation (CWWTPR)

Development Plan Policy Framework Relating to the Cambridge WWTP Relocation



John Bowles
E: [REDACTED]@savills.com
DL: +[REDACTED]
savills.com

Present Policy Context for CWWTPR

1. The adopted Cambridge Local Plan 2018 (Policy 15 and corresponding Policy SS/4 of the South Cambridgeshire Local Plan 2018) identifies the existing WWTP site for redevelopment for high quality mixed-use development primarily for employment use as part of the 'Cambridge Northern Fringe East' Area of Major Change (now 'North East Cambridge').
2. The detail of the total amount of development, site capacity, viability, timescales and phasing of development in NEC are to be established through the preparation of an Area Action Plan (AAP) to be developed jointly between Cambridge City Council and South Cambridgeshire District Council, and involving "close collaborative working with Cambridgeshire County Council, Anglian Water and other stakeholders in the area".
3. "Exploration in respect of the viability and feasibility of redevelopment of the Cambridge Water Recycling Centre to provide a new treatment works facility either elsewhere or on the current site, subject to its scale will be undertaken as part of the feasibility investigations in drawing up the AAP. If a reduced footprint were to be achieved on the current site, this could release valuable land to enable a wider range of uses. Residential development could be an option, subject to appropriate ground conditions, contamination issues and amenity and air quality" (paragraph 3.5).
4. Both adopted plans for Cambridge and South Cambridgeshire for the period 2011 to 2031 have a joint housing target of 33,500 at 1,675 per annum. However, their approvals were predicated on an early review to adequately address housing need which the Councils committed to commence before the end of 2019, with submission of a new Local Plan (the Greater Cambridge Plan) to the Secretary of State for examination anticipated by the end of Summer 2022. That review process has now started (see below).

Historic Policy Position

5. The existing CWWTPR site was initially allocated in the Cambridge City 2006 Local Plan for high density mixed use development as part of the Northern Fringe (Policy 9/6). This Local Plan refers to the allocation being contingent upon the relocation of the CWWTP.
6. The 2018 Cambridge City Local Plan replaced the 2006 Local Plan. The Sustainability Appraisal ('SA') of what is now the adopted 2018 Local Plan was originally undertaken in 2014. This SA confirmed at paragraph 3.12.4 that the 2006 Northern Fringe policy was no longer applicable because the relocation of the CWWTP was found to be unviable, and instead that the site would be taken forward through the Local Plan review and will focus on employment led development around the planned Chesterton Station. Chesterton Station was to be located on Chesterton Sidings within South Cambridgeshire District and the SA confirms that the City would be working with South Cambridgeshire District to ensure co-ordinated policies would be developed. The 2018 Cambridge and South Cambridgeshire Local Plans were then adopted (providing the extant respective Policies 15 and SS/4 referenced above).

7. Cambridge City Council consulted on its Issues & Options for the Northern Fringe East AAP in late 2014. With its accompanying interim SA, it explored four options for development and included reconfiguration of the site (option 3), complete relocation (option 4) and leaving the CWWTP in situ (options 1 and 2). This Issues & Options Report was effectively abandoned due to the Local Plan Examination which became protracted. However, the conclusions drawn from this exercise are referenced in the updated AAP Issues & Options Report 2019 (see below).

Emerging Policy Framework

8. The City Council issued its updated AAP Issues & Options Report in 2019 which deals with the change in circumstances and refers to the submission of a bid for HIF funding and the potential for this to enable the relocation of the CWWTP and unlock development on the site within the plan period (paragraphs 1.15 – 1.17). It goes on to state that the previously allocated Northern Fringe area would be combined with the Science Park and this would constitute the Area Action Plan (now referred to as the North East Cambridge Area Action Plan ‘NEC AAP’). The 2019 SA of the Issues & Options Report records this position (but does not assess options for consolidation or relocation of the WWTP). The non-technical summary does, however, reference the four options explored in the 2014 SA. It confirms (paragraph 1.3) that there was a strong preference for options 2 and 4 but that the Council members considered the cost and challenge of relocating the CWWTP were unfeasible, rendering option 4 impossible to implement.
9. In 2019 Cambridge City Council in partnership with Anglian Water, prioritised by the Cambridgeshire and Peterborough Combined Authority and supported by key stakeholders, applied for and secured Housing Infrastructure Funding (‘HIF’) of £227m to relocate the Cambridge WWTP. The strategic case in support of that award made clear that:

“Relocating the CWRC will release the CNFE Core Site, a major brownfield area for 5,600 homes (including 40% affordable) in line with the Cambridge Sustainable Housing Design Guide. It will also remove ‘odour zone’ restrictions around the CWRC that limit 82 hectares of land to industrial use. This would enable a further circa 3,000 homes to be built on adjacent land and nearby employment sites to more than double employment densities”.
10. In July 2020 Cambridge City and South Cambridgeshire Councils jointly published the Draft Regulation 18 NEC AAP for consultation. Policy 1 in the Draft AAP makes provision for NEC to accommodate 8,000 new homes and 20,000 new jobs, of which some 5,000 homes are to be provided on the existing WWTP site. The AAP strategy to deliver 8,000 new houses is predicated on this relocation.
11. In January 2020 Greater Cambridge Shared Planning (‘GCSP’) consulted on the Greater Cambridge Local Plan (‘GCLP’) (Regulation 18: Issues and Options 2020) including the Sustainability Appraisal of Issues and Options (December 2019). This Joint Local Plan is intended to replace both the adopted Cambridge and South Cambridgeshire Local Plans 2018 and cover the period to 2041. At present no view on the preferred approach to the development strategy for the GCLP has been reached. The Cambridge City Council and South Cambridgeshire District Council Joint Local Plan Advisory Group (‘JLPAG’) met on 24 November 2020 to receive an interim report on the key findings from the evidence work and testing of options undertaken, and the outcomes of the assessment of a range of growth levels and spatial strategy options.

12. Under 'Next Steps – Preferred Option public consultation' – the 24 November 2020 JLPAG report states that studies will continue to be developed towards a Local Plan Preferred Option. The Local Plan Preferred Options public consultation *“is scheduled for Summer / Autumn 2021. This will enable public consultation on the emerging preferred approach to be undertaken, and for the responses to be considered before detailed policies are drafted”*. It will *“include an explanation of the options tested and how they have been assessed to identify proposed preferred options”* and *“will allow the emerging preferred approach to be tested with the public and wider interests prior to confirming the preferred strategy for the Local Plan and the drafting of detailed policy wording in a full draft Local Plan”*.
13. The latest LDS indicates a further GCLP Draft Plan (Reg.18) consultation in Summer 2022. There will then be a Proposed Submission (Reg.19) consultation in Spring 2023 or it will be aligned with the AAP programme with a consultation in Autumn/Winter 2023. The option of GCSP integrating the AAP into the GCLP is under consideration and will be debated probably in late 2021.

Appendix 3: Section 35 Direction dated 18 January 2021



Department
for Environment
Food & Rural Affairs

The Rt Hon George Eustice MP
Secretary of State for Environment,
Food and Rural Affairs

Seacole Building
2 Marsham Street
London
SW1P 4DF

T [REDACTED]
defra.helpline@defra.gov.uk
www.gov.uk/defra

Anglian Water Services Ltd
Lancaster House
Lancaster Way
Ermine Business Park
Huntingdon
PE29 6XU

18 January 2021

DIRECTION BY THE SECRETARY OF STATE UNDER SECTION 35(1) OF THE PLANNING ACT 2008 (AS AMENDED) RELATING TO THE CAMBRIDGE WASTE WATER TREATMENT PLANT RELOCATION PROJECT

By email to the Secretary of State received on 1st December 2020 Anglian Water Services Limited ("the **applicant**") formally requested that the Secretary of State exercise the power vested in the Secretary of State under section 35(1) of the Planning Act 2008 (as amended) ("the **Planning Act**") to direct that the proposed Cambridge Waste Water Treatment Plant Relocation Project as set out in the applicant's email ("the **proposed project**") be treated as development of national significance for which development consent is required.

By email to the applicant sent on 11th December 2020 the Secretary of State formally sought additional information on the request under section 35A(3) of the Planning Act. By email to the Secretary of State received on 18th December 2020 the applicant responded with that additional information.

The Secretary of State has made a decision and wishes to convey that decision.

Having considered the applicant's request and the details of the proposed project, the Secretary of State is satisfied that:

- the part of the proposed project that is requested to be treated as development for which development consent is required either is or forms part of a project in the field of waste water;
- the proposed project is within England; and
- the applicant's request therefore constitutes a "qualifying request" in accordance with section 35ZA(1).

In coming to this conclusion, the Secretary of State notes that the proposed project relates to the construction of a new waste water treatment plant and thus sits within one of qualifying infrastructure fields listed in section 35(2)(a)(i) – waste water - of the Planning Act.

The Secretary of State notes that the applicant describes the proposed project as encompassing the following:

- a waste water treatment plant and sludge treatment centre, described as 'integrated';

- connecting tunnels to convey the waste water and the materials it contains from the existing Cambridge Waste Water Treatment Plant inlet works to the proposed project, including complex construction of new deep and large scale tunnels to be constructed under the A14 and other intervening infrastructure and the interception of existing sewerage systems to divert flows to the new works;
- connecting tunnels or pipes intercepting waste water from Waterbeach New Town to convey it to the proposed project;
- tunnels or pipes taking treated effluent from the proposed project to a discharge point on the River Cam;
- the production of bio-gas through anaerobic digestion for conversion into renewable energies for use on site and/or storage and export,

as set out under the “The Project” in the email. This includes the delivery of any “associated development” (within the meaning of section 115(1)(b) of the Planning Act) and ancillary matters. The proposed project does not include the construction of any dwellings as part of the proposed development.

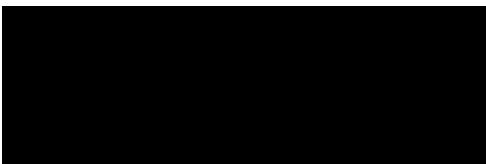
The Secretary of State is of the view that the proposed Development by itself is nationally significant, for the reasons set out in the Annex below.

THE SECRETARY OF STATE HEREBY DIRECTS that the proposed development, namely, the Cambridge Waste Water Treatment Plant Relocation Project, is to be treated as development for which development consent is required. Any development consent order application for the proposed development may also include any matters that may properly be included in a development consent order (within the meaning of section 120 of the Planning Act) including ancillary matters (section 120(3)) and associated development (within the meaning of section 115(2) of the Planning Act).

THE SECRETARY OF STATE FURTHER DIRECTS in accordance with section 35ZA(3)(b) and (5)(b) of the Planning Act that any proposed application for a consent or authorisation mentioned in section 33(1) or (2) of the Planning Act in relation to the NSIP development is to be treated as a proposed application for which development consent is required.

This direction is given without prejudice to the Secretary of State’s consideration of any application for a development consent order which is made in relation to all or part of the proposed project.

Signed by



The Rt Hon George Eustice MP

Secretary of State for Environment, Food and Rural Affairs

18 January 2021

ANNEX

REASONS FOR THE DECISION TO ISSUE THE DIRECTION

The Secretary of State is of the opinion that the proposed development, known as the Cambridge Waste Water Treatment Plant Relocation Project, is of national significance having in particular taken into account that the project will:

- be for a complex and substantial relocation scheme, involving extensive infrastructure works and requiring multiple consents involving various statutory undertakers;
- provide a key contribution to the development of Cambridge, particularly to the North East of the city, and to the investment in waste water infrastructure;
- enable the relocation of the existing Cambridge Waste Water Treatment Plant, the development of that brownfield site, and the development of provision of waste water services to a proposed development at Waterbeach New Town;
- benefit from the application being determined in a timely and consistent manner by the Secretary of State and through removing the uncertainty of applying for numerous separate approvals across multiple local authority areas.

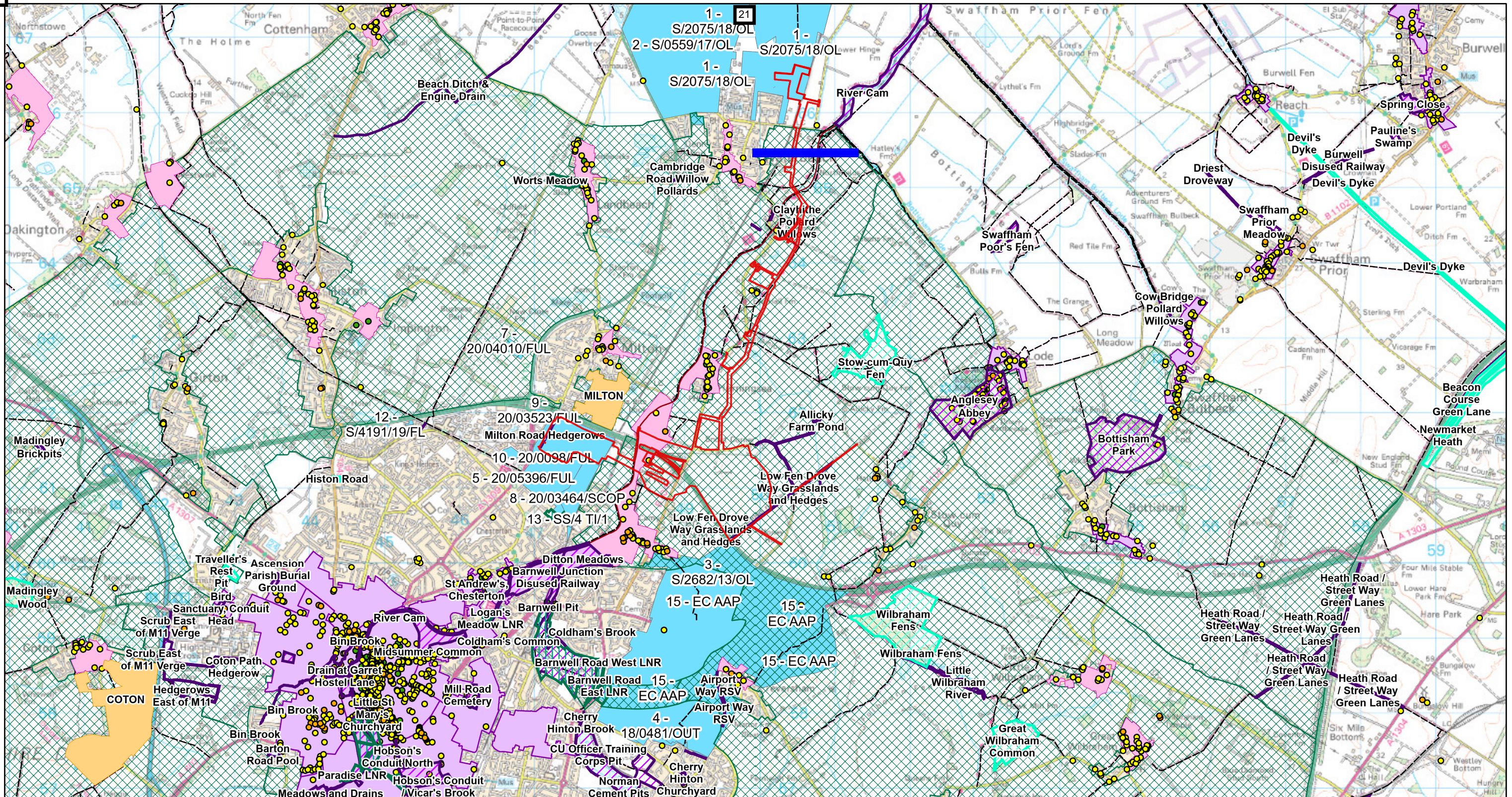
Furthermore, the Secretary of State notes that the proposed project:

- is likely to support growth in the economy through its contribution to the development of North East Cambridge;
- will have an impact across several local authority areas;
- has been granted Housing Infrastructure Funding to ensure its delivery by 31 March 2028;
- will be important to meet government housing objectives; and
- will be of a substantial physical size.

Appendix 4: Local Designations Plan

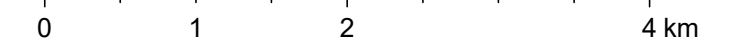
Site Context

22



14

- 12 Proposed Scheme Order Limits
- 12 Local Nature Reserves
- 10 Sites Of Special Scientific Interest
- 11 Country Parks
- 11 Local Wildlife Site - Area
- 17 Listed Buildings
- 18 Grade I
- 19 Grade II
- 19 Grade II*
- 20 Conservation Areas (Greater Cambridge Planning)
- 20 Conservation Areas (Historic England)
- 13 Public Right Of Way
- 13 Green Belt
- Cumulative Effects Assessment Sites



Appendix 5: List of local policies relevant to the Proposed Development

South Cambridgeshire Local Plan 2018

The following policies in the adopted South Cambridgeshire Local Plan 2018 are relevant to the proposed development:

S/1 The vision provides for sustainable economic growth with residents having a superb quality of life in an exceptionally beautiful, rural and green environment.

S/2 Sets out 6 key objectives;

- a. to support economic growth and South Cambridgeshire's position as a world leader in research and technology based industries, research, and education, and supporting the rural economy;
- b. to protect the character of South Cambridgeshire, including built and natural heritage, protecting the GB, new development should enhance the area, and protect and enhance biodiversity;
- c. To provide land for housing;
- d. to deliver high quality well-designed development;
- e. to ensure new development provides or has access to a range of services and facilities that support healthy lifestyles and well-being; and
- f. to maximise potential for journeys to be undertaken by sustainable modes.

S/3 Accords with the presumption in favour of sustainable development as set out in the 2012 NPPF.

S/4 Defines the Cambridge Green Belt and states that new development in the Green Belt would only be permitted in accordance with national Green Belt policy.

S/5 Development will meet the needs for 22,000 additional jobs to support the Cambridge Cluster and provide a diverse range of local jobs. The Plan provides for 19,500 new homes.

S/6 Sets out a development strategy for homes and jobs in the following order of preference having regard to the purposes of the Cambridge Green Belt: on the edge of Cambridge, at new settlements, in the rural area at rural centres and minor rural centres. This includes a new town at Waterbeach of 8,000 to 9,000 homes.

S/7 Provides that outside development Frameworks only development for, amongst other things, uses which need to be located in the countryside or where supported by other policies in the plan would be permitted.

S/13 Provides for a review of the South Cambridgeshire Local Plan to commence before the end of 2019.

SS/4 Provides the allocation at Cambridge Northern Fringe East

SS/6 Provides for Waterbeach New Town

CC/1 Concerns mitigation and adaptation to climate change.

CC/2 and **CC/3** Deal with renewable and low carbon energy generation.

CC/4 Concerns water efficiency.

CC/6 Concerns construction methods.

CC/7 Concerns water quality.

CC/8 Concerns sustainable drainage.

CC/9 Concerns flood risk.

HQ/1 Requires high quality design. As appropriate to the scale and nature of the development, proposals must, amongst other things:

- a) preserve or enhance the character of the local rural area and respond to its context in the wider landscape
- b) conserve or enhance important natural and historic assets and their setting, and
- d) be compatible with its location and appropriate in terms of scale, density, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.

NH/2 Permits development where it respects and retains, or enhances the local character and distinctiveness of the local landscape and of the individual National Character Area in which it is located.

NH/3 Provides that planning permission would not be granted for development which would lead to the irreversible loss of Grades 1,2 or 3a agricultural land unless

- i) The land is allocated for development
- ii) Sustainability considerations and the need for the development are sufficient to override the need to protect the agricultural value of the land.

NH/4 States that new development must aim to maintain, enhance, restore or add to biodiversity.

NH/5 seeks to protect sites of biodiversity or geological importance

NH/6 Green Infrastructure

NH/8 States that any development in the Green Belt must be located and designed so that it would not have an adverse effect on the rural character and openness of the Green Belt.

NH/14 Supports development proposals when they sustain and enhance the special character and distinctiveness of the South Cambridgeshire District Council's historic environment.

E/1 Supports employment development on Cambridge Science Park where they enable the continued development of the Cambridge Cluster of high technology research and development companies.

E/9 States, amongst other things, that development proposals in suitable locations will be permitted which support the development of employment clusters, drawing on the specialisms of the Cambridge area in certain specified sectors, along with other locally driven clusters as they emerge.

SC/2 Requires Health Impact Assessment

SC/9 Permits development which includes new external lighting only where it can be demonstrated that lighting and levels are the minimum required for reasons of public safety and security, and there is no unacceptable adverse impact on the local amenity of nearby properties, or on the surrounding countryside.

SC/10 concerns noise pollution

SC/11 Concerns contaminated land.

SC/12 and **SC/14** concern emissions to air including odour.

TI/2 States that development must be located and designed to reduce the need to travel, particularly by car, and promote sustainable travel appropriate to its location. Planning permission for development likely to give rise to increased traffic demands will only be granted where the site has or will attain sufficient integration and accessibility by walking, cycling or public and community transport. Larger developments (over 1 ha) are required to demonstrate that they have maximised opportunities for sustainable travel.

TI/3 Sets out indicative parking standards

TI/8 Concerns infrastructure provision to make schemes acceptable in planning terms.

Cambridge City Local Plan 2018

The following policies in the adopted Cambridge City Local Plan are relevant to the proposal:

Policy 1 concerning the presumption in favour of sustainable development

Policy 2: Spatial strategy for the location of employment development

Policy 3: Spatial strategy for the location of residential development

Policy 4: The Cambridge Green Belt

Policy 5: Sustainable transport and infrastructure

Policy 7: The River Cam

Policy 8: Setting of the city

Policy 15: Cambridge Northern Fringe East and new railway station Area of Major Change

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

Policy 29: Renewable and low carbon energy generation

Policy 31: Integrated water management and the water cycle

Policy 32: Flood risk

Policy 33: Contaminated land

Policy 34: Light pollution control

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

Policy 36: Air quality, odour and dust

Policy 37: Cambridge Airport Public Safety Zone and Air Safeguarding Zones

Policy 55: Responding to context

Policy 69: Protection of sites of biodiversity and geodiversity importance

Policy 70: Protection of priority species and habitats

Policy 81: Mitigating the transport impact of development

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

The following policies are relevant to this application:

Policy 1: Sustainable Development and Climate Change

Policy 5: Mineral Safeguarding Areas

Policy 11: Water Recycling Areas which states:

Proposals for new water recycling capacity or proposals required for operational efficiency, whether on WRAs or elsewhere (with such proposals including the improvement or extension to existing WRCs, relocation of WRCs, provision of supporting infrastructure (including renewable energy) or the co-

location of WRCs with other waste management facilities) will be supported in principle, particularly where it is required to meet wider growth proposals identified in the Development Plan. Proposals for such development must demonstrate that:

(a) there is a suitable water course to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to others;

(b) if a new site, or an extension to an existing site, is less than 400 metres from existing buildings normally occupied by people, an odour assessment demonstrating that the proposal is acceptable will be required, together with appropriate mitigation measures;

(c) if a new site, or an extension to an existing site, it has avoided land within flood zone 3 unless there is a clear and convincing justification not to do so, and the proposal is supported by thorough evidence of sustainability benefits, evaluation of site options and risk management through the application of the sequential and exception tests; and

(d) adequate mitigation measures will address any unacceptable adverse environmental and amenity issues raised by the proposal, which may include the enclosure of odorous processes.

Policy 17: Design

Policy 18: Amenity Considerations

Policy 20: Biodiversity and Geodiversity

Policy 21: The Historic Environment

Policy 22: Flood and Water Management

Policy 23: Traffic, Highways and Rights of Way

Policy 24: Sustainable Use of Soils

Policy 25: Aerodrome Safeguarding

Get in touch

You can contact us by:



Emailing at info@cwwtpr.com



Calling our Freephone information line on **0808 196 1661**



Writing to us at **Freepost: CWWTPR**



Visiting our website at www.cwwtpr.com

Comments Change Report

| # | Change | Comments Text |
|----|----------|--|
| 1 | Modified | Revision No. 0403 16 October September -2023 |
| 2 | Modified | Version No. 0403 Date Approved 30.01.23 Date 1 st Issued 30.01.23 |
| 3 | Modified | 03 29/09/2023 - Update to reflect Procedural Decision 04 16/10/2023 - Order Limit Changes |
| 4 | Modified | Appendix 1 and Appendix 2 respectively. The Secretary of State's s35 direction dated 18 January 2021 , which includes an annex setting out the reasons for the decision to issue the direction , is attached at Appendix 3. 1.7.19 Sections 3 and 6 of this PS set out the matters to which the Secretary of State must have regard when determining a DCO application under either s104 or s105 of the PA |
| 5 | Modified | Image is modified by 58 |
| 6 | Deleted | SiteContext 6/22/2022 ProposedSchemeOrder Limitsat DF3B.1 LocalWildlifeSite-Line Local NatureReserves SitesOf Special ScientificInterest CountryParks LocalWildlifeSite-Area ListedBuildings GradeI GradeII GradeII* ConservationAreas(Greater CambridgePlanning) ConservationAreas(HistoricEngland) PublicRight OfWay GreenBelt CumulativeEffectsAssessment Sites |
| 7 | Inserted | Site Context |
| 8 | Inserted | Proposed Scheme Order Limits Local Wildlife Site - Line Conservation Areas (Greater Cambridge Planning) |
| 9 | Inserted | Local Nature Reserves Sites Of Special Scientific Interest Country Parks Local Wildlife Site - Area Listed Buildings Grade I Grade II Grade II* Conservation Areas (Historic England) Public Right OfWay Green Belt Cumulative Effects Assessment Sites |
| 10 | Modified | Image is modified by 60 |
| 11 | Modified | Image is modified by 60 |
| 12 | Modified | Image is modified by 61 |
| 13 | Modified | Image is modified by 65 |
| 14 | Modified | Image is modified by 82 |
| 15 | Modified | Image is modified by 82 |
| 16 | Modified | Image is modified by 95 |
| 17 | Modified | Image is modified by 96 |
| 18 | Modified | Image is modified by 96 |
| 19 | Modified | Image is modified by 96 |
| 20 | Modified | Image is modified by 96 |
| 21 | Inserted | Image |
| 22 | Inserted | Image |