The Planning Inspectorate
The Square Temple Quay
Bristol
Avon
BS1 6PN

Our ref: AC/2023/131789/01-L01
Your ref: WW010003

Date: 20 November 2023

Dear Sir/Madam

CAMBRIDGE WASTE WATER TREATMENT PLANT RELOCATION - THE EXAMINING AUTHORITY'S WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION (EXQ1)

Thank you for your letter of 24 October 2023. Please find our response to the written questions and requests for information below:

2.20 - Need NEP
It is our understanding that the need for the proposed development is principally to accommodate Greater Cambridge Planning to advance the existing site as a strategic development allocation in the Greater Cambridge Local Plan. However, relocating the existing site gives an opportunity to have a bigger, upgraded works that can handle a greater quantum of wastewater to serve the needs of Greater Cambridge. The new site will be subject to obligations made under the WINEP.

5.14 - Comments on updated information submitted by the Applicant
We have been unable to review the additional information or changes made to these documents. However, we are supportive of the comments made by Natural England.

5.34 - Otter habitat
It is not clear why the three watercourses which were not accessible to allow checks for otter use have been ruled out as being potentially suitable for otter, without checks being carried out. Appendix 8.9, page 8 2.5.3 (Otter baseline technical appendix) states that *WB001, WB012, WB020 (adjacent to the River Cam where the treated effluent discharge outfall to the River Cam (the outfall) will be located) were inaccessible and therefore not searched for otter signs ("Very dense vegetation, steep banks, deep water and silt inhibited access")*. The report then goes on to say, *'Provided that pre-construction checks are carried out to identify any new activity, this inaccessibility to all areas should not be considered a significant limitation'*. However, it is not clear how pre-construction checks will be carried out if the sites are inaccessible. The very dense vegetation may provide ideal lying up sites for otter.

It is recommended that an Ecological Clerk of Works is present during any works which will impact these watercourses, if pre-construction checks cannot adequately be carried out.

5.38 - Review of ES Chapter 8 Biodiversity appendices
When the applicant applies for a flood risk activity permit from us, they will need to include all the ecological information relating to the mitigation measures (including the supporting ecological information). This will then form part of the permit. This needs to be submitted with the permit application in sufficient detail for us to determine the application.

The proposed works in the area of the outfall, but not covered by the permit, are satisfactorily secured by the CoCP Part A.

5.46 - Computer modelling of storm discharges and normal river flow
We consider that the suggested Computational Fluid Dynamics modelling could be secured through a Requirement of the dDCO given that the 3D Velocity Mixing Model report (Appendix 20.5 of ES) concludes that there is no cause for concern that the new outfall would lead to erosion in the river.

5.47 - Control of effluent load and water quality
The Water Framework Directive (WFD) Regulations 'no deterioration' obligation means that discharges from the proposed Waste Water Treatment Plant (WWTP) will be permitted to ensure that river quality in the Cam, as a minimum requirement, will not deteriorate from the current or planned quality.

The benefit may come from having new and more efficient treatment technologies in place upfront, rather than retrofitted, as well as the opportunity to incorporate and manage storm storage more effectively and in line with the legislative requirements to reduce storm spillages so that they do not discharge above an average of 10 rainfall events per year by 2050.

5.59 - Impact on Wicken Fen Ramsar / Fenland Special Area of Conservation
We consider that the proposed development is highly unlikely to have significant effects upon Wicken Fen via a groundwater pathway given the distance from the proposed development.

15.2 - Consents, permits and licences
Based on the information provided, we have no reason to believe that any operational pollution control permits, flood risk activity permit, licences, or other relevant consents would not subsequently be approved if the development was consented.

15.3 - NPSWW
We consider that subject to assessment there are no relevant issues that cannot be adequately regulated through the permitting process.

15.5 - Monitoring
We do not regard such monitoring as essential. The applicant has advised that no demolition or below ground works are required during decommissioning. From the information presented within the Outline Decommissioning Plan (AS-051) the works do not pose a high pollution risk to soils or groundwater.

15.6 - Licences, permits and decommissioning
The Applicant is in effect proposing a phased and managed retreat from the existing WWTP, Sludge Treatment Plant (STP) and Combined Heat and Power (CHP) at Cowley Road, Cambridge, whereby decommissioning and surrender will only commence once the new CWwTP commissioning is complete.

The Applicant acknowledges the requirement to surrender their legal permissions with the us and correctly refers to our Surrender Guidance (RGN9) in this regard. Furthermore, it is noted the Applicant will seek pre-application advice from us at the appropriate stage of decommissioning.

We have reviewed the Applicant's Outline Decommissioning Plan [AS-051] [Revision No.3 dated September 2023] against the Applicant's earlier Outline Decommissioning Plan [Revision No.2 dated April 2023] on which our previous review comments submitted dated 19 July 2023 were based. We confirm that we remain satisfied with the latest revision of the Outline Decommissioning Plan [AS-051] and reiterate the need for all aspects within the Outline Decommissioning Plan to be detailed within the full decommissioning plan.

15.9 - Review of Appendix 20.8
We have not had the opportunity to review the latest digital ConSim model files. Such a review, if undertaken, would consist primarily of loading and running the models to confirm that the set-up, parameterisation and results are consistent with those reported within Appendix 20.8. From the information presented within Appendix 20.8 the modelling appears to be robust and the conclusions are supported by the results and are defensible.

15.13 - Review of additional information provided by the Applicant in response to ExA's Procedural Decision
AS-089/90 - The Waterbeach Water Recycling Centre (WRC) has now been considered within the risk assessment. The applicant has advised that no below ground works are proposed at this location, hence the potential risks to controlled waters are low, which is a reasonable assessment in our opinion.

AS-091/92 - The results of all analyses are now legible and accreditation information has been supplied. We understand that U corresponds to UKAS accredited hence these analyses are acceptable. We note that MTBE was tested for in groundwater.

AS-093/94 – we have no additional comments to those in our Relevant Representation.

AS-095, AS-096 and AS-097 – we consider these reports are acceptable.

AS-098 – we have no comments to make on this report.

19.5 - Assessment
19.7 - Data
19.11 - Permits
19.12 - Permits
19.13 - Assessment
19.20 - NPSWW
21.30 - Permitting and benefits

We are unable to discuss information that has been submitted to us through the permit applications until they have been Duly Made. We will update the ExA as soon as is possible.

19.22 - Localised odours
The proposed relocation of the STC and directly associated CHP within the proposed WWTP will be regulated as an Installation as opposed to a Waste Operation which is currently the case. Installations are required to adopt Best Available Techniques (BAT) which should afford higher levels of control to prevent or, where that is not practicable, to reduce odour emissions. In addition, betterment should be brought about through advances in design and technology as well as improvement in the overall site layout of infrastructure and plant. We would expect the Applicant, as part of a competent permit application, to detail how their proposed Installation will meet BAT supported with a detailed Odour Management Plan (OMP).

We are unable to comment on the wider WWTP and how any odour from that process will be controlled. Thus is a matter for Environmental Health to consider.

21.5 - WINEP guidance
This is unknown. However, we believe that the proposed site has been constructed to accommodate a future phosphate limit tighter than the current Technically Achievable Limit (TAL) of 0.25mg/l, should this be required in future to enable the waterbody to achieve 'Good' status under the WFD Regulations. This information was obtained separately to the proposal assessment, and therefore had no bearing on our initial assessment of the proposal.

21.8 - Mitigation
In our opinion the proposed mitigation, which includes a programme of water quality monitoring and measures to limit potential water pollution to the Black Ditch and Quy Fen is acceptable.

21.9 - Assessment
Yes. The assessment has been carried out based on the Dry Weather Flow (DWF) envisaged from the proposed development, which includes the effluent from Waterbeach.

21.10 - Monitoring and mitigation
In our view monitoring of Wilbraham Fen is not necessary. This receptor is located >2km from the proposed development site. Any temporary changes to groundwater levels are likely to be very small and insignificant relative to natural variations.

21.12 - Review of hydraulic modelling
We have not undertaken a detailed review of the hydraulic modelling as we consider that the hydrology used in the modelling is out-of-date and therefore the outputs of the modelling are not considered suitable for use in the Flood Risk Assessment (FRA). Given that the hydraulic modelling outputs form the basis of the FRA, we have not given our acceptance to the FRA or its conclusions.

We understand that the hydraulic modelling is currently being updated by the Applicant, following the provision of our new River Cam model. As soon as we

receive this updated model, we will undertake a detailed review of the model and advise whether it is suitable for use in the FRA.

The FRA will need to be revised to reflect the outputs of the revised modelling and to demonstrate that there will be no increase in flood risk elsewhere. Please note that we will be unable to accept any revised FRA until the modelling has been accepted as suitable for its intended use.

21.16 - Review of ConSim models
Please see our comments under 15.9.

21.36 - Benefits
As the FRA has not assessed the impact of the proposed development on combined sewer flooding, the suggested benefits cannot be verified. Please note that combined sewer flooding is not within our remit, so we would not be the appropriate Authority to give our views on the suggested benefits. However, the Lead Local Flood Authority (LLFA) may wish to comment on these suggested benefits.

21.40 - Assessment clarification
This statement relates to comments made subsequently within RR-013. It appears that the applicant has already been asked to address the matters in question.

21.41 - Water supply
We note that the domestic water supply to the proposed site for domestic/sanitary use of staff operating the site, is to come from Cambridge Water. On the assumption that Cambridge Water already supplies the domestic supplies to the existing Milton WRC site, the applicant should set out how domestic demands will vary between the existing and proposed sites (if at all). We would expect the domestic water consumption of the new site to be at the highest possible standard of fixtures and fittings and go beyond the standard 110 l/h/d. Your question about the proposed WRC having increased capacity and whether this changes our view of the domestic requirements depends on whether the larger capacity site requires a proportionate increase in domestic supply (e.g. are more people required to operate it) and if so, whether this can be offset through higher water efficiency than at the present site. If the applicant can demonstrate that the domestic supplies required do not increase over what is presently used, then we would not raise any further concerns.

21.42 - Water Framework Directive
The modelling undertaken for this application was based on models designed to inform PR19 (AMP7) decisions. Although, the PR19 model suggests the phosphate status in the River Cam may change from ‘Poor’ to ‘Moderate’ with a proposed limit of 0.4mg/l, this may not be true under the new model designed to inform PR24 decisions due to updates that include ‘Pollution Pays’ considerations. We are currently in discussion with Anglian Water concerning proposed P limits for PR24 at the existing site, as their proposed 0.4mg/l does not appear to improve the watercourse to ‘moderate’ status for phosphate. For the proposed site, any permit limit set will ensure there is no deterioration from the current or planned quality.

In our opinion, the proposed development is unlikely to have significant detrimental WFD impacts on either the Cam and Ely Ouse Chalk or the Cam and Ely Woburn Sands Groundwater Bodies. Discharges of pollutants (including priority substances) to these bodies are not proposed and mitigation measures to prevent accidental

inputs will be implemented.

21.43 - Monitoring
Following our Relevant Representation, we have since had discussions with Anglian Water and accepted their argument that any impact on Wilbraham Fens due to dewatering would likely be negligible. Therefore, we agree that monitoring is not required.

21.47 - Flood risk
Yes, we agree with the Applicant's approach to applying climate change allowances within the FRA with regard to fluvial flood risk. The approach the Applicant has taken is based on all elements of the development located in Flood Zones 2 and 3 being classed as 'Water Compatible' development. If this flood risk vulnerability classification is considered acceptable then the use of the 'central' climate change allowance of 9% (as shown in table 2-2 of the FRA) is also acceptable. If, however, the whole development is deemed to be classed as 'Essential Infrastructure' then the 'higher central' climate change allowance of 19% should be applied. The hydraulic modelling undertaken to support the FRA uses a 20% climate change allowance, which we consider to be appropriate whether the outfall and other elements located in Flood Zones 2 and 3 are classed as Water Compatible development or Essential Infrastructure.

Please note that it is not within our remit to determine the flood risk vulnerability of the development.

Please also note that we are waiting for a revised hydraulic model to be submitted to us for review and this is likely to include different climate change allowances based on our new River Cam model. As such, the climate change allowances used within the FRA regarding fluvial flood risk are likely to change in the subsequent revised FRA.
We accept that consideration of the 'credible maximum scenario' may be overly conservative for elements of Water Compatible infrastructure located in Flood Zones 2 and 3, as stated in paragraph 2.1.17 of the FRA.

21.55 - Water supply
Our position for the Greater Cambridge area is that it is likely we will object to current and future planning applications for major development accompanied by an Environmental Statement unless the applicant has undertaken an assessment of the proposed development's potential impact on water bodies under WFD and demonstrated the risks can be mitigated or removed.

In November 2021, in our capacity as a regulator, we issued guidance to the water companies on the sustainability reductions to current abstraction licences that would be required to prevent deterioration of water bodies. The reductions in the licensed quantity of water required to prevent deterioration have resulted in significant reductions to licensed headroom available. This means the water company's assessments of water availability in its Water Resources Management Plan 2019 (WRMP19) need to be reviewed and any previous surpluses are likely to be significantly reduced. If this is the case, there are likely to be water deficits until new alternative sources of water are available. Therefore, some of the growth included in the adopted 2018 Cambridge City and South Cambridgeshire local plans based on

WRMP19 may be reliant on unsustainable sources of water, because the water used for growth risks causing environmental harm.

We are currently assessing Cambridge Water Company's Statement of Response and revised draft WRMP24 and along with other organisations we will provide feedback on the plans. The outcome of this review will influence our position on this issue aswell as inform us if the required changes to licences have been included and sufficient water supplies are available for growth and the environment.

21.59 - Review of additional information
We strongly advise that discussions about water abstraction or impoundment licences are started as soon as the requirements are known and not left until the standard 3 months before they are required.

Dewatering is mentioned as a required activity for the site. But, it is not covered in Section 4.3 Licences and Permits. Dewatering is now a licensable activity and whilst there are some exemptions to this, we would expect the applicant's environmental statement to consider any requirement for dewater abstraction licences and make the case as to why the proposed activities qualify from the licensing exemptions. If licences are required, we strongly advise that these are discussed with the EA as soon as possible.

Should you require further clarification please do not hesitate to contact me.

Yours faithfully

Neville Benn
Planning Specialist
Sustainable Places
[redacted]
[redacted]
Direct e-mail [redacted]@environment-agency.gov.uk