

# **South Cambridgeshire District Council**

## **Issue Specific Hearing 1 (ISH1) Action Points**

**Application by Anglian Water Limited for an Order Granting  
Development Consent for the Cambridge Waste Water Treatment  
Plant Relocation project (CWWTPR) (ref: WW010003)**

### **Deadline 1**

20<sup>th</sup> November 2023



## Table of Contents

ACTION POINT NO. 7 .....	3
ACTION POINT NO. 8.....	3
ACTION POINT NO. 11.....	3
ACTION POINT NO. 14.....	4

## **ACTION POINT NO. 7**

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**Directed to: Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District (SCDC)**

**Question:**

*Confirm whether Natural England and the Environment Agency would be consulted on Requirements 10 and 11.*

**Answer:**

South Cambridgeshire District Council would defer to Cambridgeshire County Council who will be the main respondent for the Discharge of Requirements in consultation with CCC and SCDC.

## **ACTION POINT NO. 8**

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**Directed to: Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District (SCDC)**

**Question:**

*Discuss and come to a conclusion on how the discharge of requirements would work should they relate to land which crosses administrative boundaries. Clarify definition of 'relevant planning authority' in Article 2, noting that this may be CCoC, CCC, SCDC (or a combination of these).*

**Answer:**

Cambridgeshire County Council (CCoC) who will be the main respondent for the Discharge of Requirements in consultation with CCC and SCDC.

## **ACTION POINT NO. 11**

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**Directed to Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District (SCDC)**

**Question:** *Applicant - Review Schedule 17 5 regarding the disapplication of the Community Infrastructure Levy (CIL) and provide further justification for its disapplication for the Gateway Building and workshop.*

**Question:** *CCoC, CCC, SCDC - confirm whether the disapplication of CIL, including for the Gateway Building and workshop is acceptable, noting the current absence of a CIL charging schedule, or whether any other relevant s106 obligations in this regard would be appropriate.*

**Answer:**

South Cambridgeshire District Council would not seek any S106 contributions for the Gateway Building as it is not a community building.

**ACTION POINT NO. 14**

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**Directed to Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District (SCDC)**

***Question:***

*Provide update regarding the s278 agreement and impact on protective provisions.*

**Answer:** This is a matter for Cambridgeshire County Council as the highway authority.

# **South Cambridgeshire District Council**

## **Issue Specific Hearing 2 (ISH2) Action Points**

**Application by Anglian Water Limited for an Order Granting  
Development Consent for the Cambridge Waste Water Treatment  
Plant Relocation project (CWWTPR) (ref: WW010003)**

### **Deadline 1**

20<sup>th</sup> November 2023



## TABLE OF CONTENTS

ACTION POINT NO. 5.....	3
ACTION POINT NO. 7.....	5
ACTION POINT NO. 9.....	5
ACTION POINT NO.10.....	8

## **ACTION POINT NO. 5**

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**Directed to Applicant, Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District Council (SCDC)**

**Question:**

*Provide views on how the ExA should avoid prejudicing the outcome of the emerging Local Plan and Area Action Plan (AAP) examination processes when attributing weight to those documents, bearing in mind any unresolved objections in relation to either the principle or detail set out in those docs.*

**Answer:**

1. The ExA is asked to refer to paragraphs 6.107 to 6.110 of the SCDC and the City Councils LIRs as well as the answer below. In addition, these same Councils would note that the ExA has raised the issue of 'prematurity' in this context in its First Written Questions (see question 2.11) and the ExA's attention is drawn to the Councils answer to that question.
2. Insofar as District and City Council's role, the NECAAP and the emerging Greater Cambridge Local Plan has been drafted to ensure that a plan-led approach to regeneration of the NEC area can be provided by the Councils should the DCO for relocation of the CWWTP be granted. The draft provisions of these proposed plans are therefore obviously consistent with a decision in future to grant the DCO. If the Secretary of State were to decide not to grant the DCO then the Proposed Submission NECAAP would not be able to be taken forward and the emerging Greater Cambridge Local Plan strategy will clearly have to be revisited and there would be a need to identify and allocate other strategic scale site(s) within Greater Cambridge to meet the area's need for housing and employment. If the decision is made to grant the DCO the NECAAP and draft GCLP will continue through the statutory process.
3. As the District and City Council (the Councils) have understood the question, the ExA appears to be concerned about the application of these emerging plans and the draft policies therein to this DCO application when carrying its task under the Planning Act 2008. In particular the Councils understand that the ExA is concerned about the implications of attributing weight to any of the draft policies when they have yet to be examined by an Independent Inspector in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
4. The Councils understand that the exercise the ExA is to carry out under section 104 and 105 of the Planning Act 2008 clearly does not apply the same approach as a local planning authority's decision or a Secretary of State's under the Town

and Country Planning Act 1990. In addition, local plan policies relevant to the area within which a DCO application applies do not have the same status under the Planning Act 2008.

5. The Councils are of the opinion that the draft NECAAP and GCLP can both be given considerable weight as important and relevant considerations under sections 104 or 105 of the Planning Act 2008 when considering this the DCO application (see LIR paragraphs 6.107-6.110). This is because of their up-to-date evidence base and the work and analysis to date and therefore what the documents and their conclusions in effect represent.
6. In addition, the draft NECAAP is being prepared in accordance with the adopted 2018 Local Plans policies, in that it establishes the *"amount of development, site capacity, viability, timescales and phasing of development"* as required of the preparation of an Area Action Plan for the site within the extant Local Plan policies.
7. In this context, the AAP is less about the principle of redevelopment and more about consideration of the amount and type of development that could be realised should relocation of the CWWTP take place. Such considerations are informed by evidence base studies, community engagement, and responses to consultation.
8. As addressed in the LIR, the Councils have in fact already given their in-principle commitment to delivery of the NECAAP and have approved the Regulation 19 version of the AAP as being sound and ready for consultation if and when the DCO is approved and, subject to the results of that consultation, the plan that they would intend to adopt subject to the requirement for independent examination.
9. The Councils consider therefore that the ExA can in carrying out its task under the Planning Act 2008 and in making its recommendations to the Secretary of State attribute weight to the draft NECAAP and GCLP and what they represent as important and relevant considerations without that involving any prejudice somehow to the examination process of the emerging policies in both plans.
10. As noted above, should the Secretary of State determine to grant the DCO application, the NECAAP will proceed to publication, formal submission and examination. In those circumstances the Councils have a high degree of certainty that the NECAAP will be found deliverable and sound although clearly the Inspector appointed to examine the NECAAP will have to consider any



objections and relevant issues raised. This exercise will not be prejudiced by the ExA in examining this DCO taking into account all the evidence that is before the examination of what has given rise to the NECAAP especially in the context of the adopted Local Plan.

## **ACTION POINT NO. 7**

**Directed to: Applicant, Homes England, CCC**

**Question:**

*To provide a document which sets out the Housing Infrastructure Fund application, the agreed arrangements and conditions, as well as the Master Development Agreement.*

**Answer:**

1. This question is directed to the City Council and landowner and promoter of redevelopment of the land around the CWWTP. The City Council as local planning authority was not party to the HIF application or any agreement arising from it.

## **ACTION POINT NO. 9**

**Directed to: Applicant, Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District Council (SCDC)**

***Question: Regarding certainty of the delivery of housing that you envisage would be facilitated by the relocation of the WWTP, detail any efforts to acquire necessary land and interests (including leases and rights over or under land), whether by negotiation or by compulsory purchase, which have taken place. Clarify how land assembly would sit in the timetable to achieve the required start on site of March 2028. Also, provide emerging Local Plan / AAP housing delivery trajectory rates for the development which is envisaged to take place on the existing WWTP site.***

**Answer:**

1. The ExA is asked to refer to paragraphs 6.37-6.48 of the SCDC and the City Councils' LIRs as well as the answer below.
2. The land ownership in the NEC area is shown on Figure 6 of the Proposed Submission NECAAP [**Appendix 1, GCSP-7 of the LIR**]. Of the total 8,350 new homes proposed by the draft NECAAP, 5,500 homes are to be accommodated on

the existing CWWTP site and neighbouring City Council owned land (shown together as Plot E on Figure 6). Neither site requires land assembly to enable redevelopment.

3. Of the 2,850 homes remaining, there are two areas where 975 homes are proposed to be located where it is possible that CPO powers could be needed to be utilised if agreement cannot be reached:
  - a) Cowley Road Industrial Estate – 450 homes
  - b) Employment sites south of the Cambridgeshire Guided Busway either side of Milton Road – 525 homes
4. The Cowley Road Industrial Estate is identified for 450 new homes and is located directly south of the existing CWWTP and is heavily constrained by the existing odour emissions from the CWWTP operation. The industrial estate occupies a total area of 6.76ha, comprising of circa 24 individual land parcels of varying sizes. Current occupiers include Veolia's Recycling Centre and Stagecoach's bus depot.
5. The draft NEC AAP promotes the Cowley Road Industrial Estate for mixed use redevelopment, providing for the replacement and intensification of the same amount of industrial use and floorspace in the area immediately adjacent to the aggregate's railhead, with light industrial, office and residential provision in the areas further removed from the aggregate's operation.
6. Due to the fragmented land ownership, existing lease arrangements, and the likely need to relocate existing businesses to facilitate redevelopment, only 100 homes are proposed to come forward within the plan period to 2041 on Cowley Road Industrial Estate. The majority of the smaller land plots are in the ownership of the City Council and can be assembled to optimise the development opportunity. The other plots are reasonably large and can come forward as individual redevelopment proposals. To support such a proposition, the Councils have prepared a Commercial Advice and Relocation Strategy (December 2021) **[Appendix 1, GCSP-21]** to further inform the delivery assumptions underpinning the provision of mixed-use redevelopment of these existing industrial sites. As such, it is anticipated that land assembly requiring the use compulsory purchase powers could be required to deliver the housing allocation provided for on the Cowley Road Industrial Estate.
7. The employment sites south of the Cambridgeshire Guided Busway on either side of Milton Road are identified for 525 homes. The car sales garage on Milton Road, identified as Plot H within Figure 6 of the NECAAP **[Appendix 1, GCSP-7]**, is already allocated in the Cambridge Local Plan (Policy M1, **Appendix 1, GCSP-4**) for housing. This site is now in single private ownership with a willing landowner

(Brockton Everlast) who is actively seeking to bring forward this site for redevelopment. As stated previously, this site is not constrained by odour extents from the existing CWWTP operation and is allocated for 75 dwellings within the NECAAP.

8. The same developer has also acquired the site directly opposite on the eastern side of Milton Road, known as Trinity Hall Farm Industrial Estate (shown as Plot I on Figure 6 of the NECAAP [**Appendix 1, GCSP-7**]). This site is proposed to be retained for employment uses, with both the landowner and Councils seeking intensification of commercial floorspace through redevelopment.
9. The Nuffield Road Industrial Estate, identified as Plot K on Figure 6 of the NECAAP [**Appendix 1, GCSP-7**], is proposed to transition from industrial to residential use, making provision for 450 dwellings. Plot K occupies a land area of 4.16ha comprising of circa 9 individual land parcels of varying sizes. The entire area is currently constrained by the odour extents from the existing CWWTP operation, which would prevent redevelopment for residential use if the existing CWWTP remains in situ. As such, the NECAAP [**Appendix 1, GCSP-7, Figure 45**] anticipates only a modest provision of 150 dwellings to come forward across the Nuffield Road Industrial Estate over the plan period to 2041.
10. While each of the individual land parcels within the Nuffield Road Industrial Estate is capable of being brought forward for redevelopment on their own, there are likely to be benefits, in terms of layout and optimising the development opportunity, if sites were assembled. To this end, the City Council is a major landowner within the estate and has, through its 'in-principle' agreement (see Paragraph 6.48 below) indicated a willingness, through disposal or acquisition (including use of CPO powers), to facilitate the redevelopment opportunity of the Nuffield Road Industrial Estate being realised. The grant of the DCO and the relocation of the CWWTP will remove the existing odour constraint, and the regeneration of the wider NEC area is likely to provide the further catalyst needed to accelerate the market and will have the effect of bringing forward the Nuffield Road Industrial Estate for redevelopment.
11. With respect to the remaining 1,875 homes, these are allocated through the NECAAP [**Appendix 1, GCSP-7, Figure 45**] to strategic land parcels that are in single ownership that already have willing landowners active in bringing forward their sites for redevelopment. No land assembly is required for any of these strategic sites to realise housing delivery.
12. As part of demonstrating the deliverability of the Proposed Submission NECAAP, while there is limited expectation that the Councils would need to use their CPO powers to facilitate the delivery of new housing across NEC, both have already

formally given their in-principle commitment to the delivery of the NEC AAP with the use of these powers if necessary.

13. A mirror report to both Councils in October 2021 secured agreement to the principle of disposal, acquisition, and assembly of land if required and necessary to facilitate the delivery of the spatial strategy for the NEC area, including the use of CPO powers (see South Cambridgeshire District Council's Cabinet 19 October 2021 [**Appendix 1, GCSP-37**] and Cambridge City Council's Strategy and Resources Committee 11 October 2021 [**Appendix 1, GCSP-36**]). The in-principle agreement was considered appropriate to help mitigate delivery risks and to give confidence to the market that the Councils would actively intervene if required.
14. In summary, having regard to the above, the Councils are confident that any land assembly required, including if necessary, though use of compulsory purchase powers, will not be an impediment to the delivery of housing within the North East Cambridge area facilitated by the relocation of the existing CWWTP.

## **ACTION POINT NO.10**

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**Directed to: Applicant, Cambridgeshire County Council (CCoC), Cambridge City Council (CCC), South Cambridgeshire District Council (SCDC)**

**Question:**

*Clarify to what extent carbon emissions and the use of Green Belt land were considered during the strategic housing site selection process for the emerging Local Plan preparation?*

**Answer:**

1. The ExA is asked to refer to paragraphs 6.51-6.62 of the SCDC and the City Councils LIRs as well as the answer below.
2. The preparation of the emerging GCLP did not simply take the NECAAP proposals and include them in the Local Plan. Even though the existing CWWTP site is identified in the adopted 2018 Local Plans as an area having potential for development, those 2018 plans do not rely on quantum of development coming from the allocation of the North East Cambridge area. This is because of the uncertainty at that point in the future availability of the existing CWWTP site and uses that might be appropriate and whether they were deliverable.

3. The work on the new Greater Cambridge Local Plan looked afresh at the strategic spatial options available for development in Greater Cambridge and assessed the benefits and disbenefits of those spatial locations. The outcome of that assessment is an important part of understanding why the Councils place such significance on the planning benefits of the NEC site in the development strategy for the emerging Local Plan.
4. A number of development quantum and spatial options were tested at each stage of the plan making process so far, to ensure that all reasonable strategic spatial options were tested and considered and that an understanding of the different impacts and implications informed the choice of the preferred development strategy for Greater Cambridge.
5. Spatial options included:
  - a) Densification of existing urban areas
  - b) Edge of Cambridge: Non-Green Belt
  - c) Edge of Cambridge: Green Belt
  - d) Dispersal: New settlements (previously established and entirely new)
  - e) Dispersal: villages
  - f) Public Transport Corridors
  - g) Supporting a high-tech corridor by integrating jobs and homes (focusing homes within the Rural Southern Cluster which is home to a significant cluster of high tech and life science businesses)
  - h) Expanding a growth area around transport nodes (focus on A428 corridor – location of proposed East West Rail and rapid transit bus route)
6. As noted above, the North East Cambridge site, within which the CWWTP lies, is the last remaining strategic scale brownfield site within the urban area of Cambridge, and therefore the only opportunity to provide significant housing in the urban area of Cambridge that has long been recognised as the most sustainable location for development in the Cambridge area and the evidence supporting the GCLP confirms this is still the case as set out below.
7. The only potential development site on the Edge of Cambridge that is not in the Green Belt is Cambridge Airport, which was released from the Green Belt in a previous round of plan making when the other urban extensions to Cambridge were allocated. The Cambridge Airport site was safeguarded in the adopted Local Plans 2018 [**Appendix 1, GCSP-1 and GCSP-3**] as it was still in operation and Marshall has advised that the site was not available at that time. More recently, Marshall has advised that it intends to bring forward the Airfield site for development and has recently secured planning permission in October 2023 to relocate its aircraft operations to Cranfield Airport.

8. Testing of the strategic spatial options looked through the lens of the key themes identified for the new Local Plan, which are:
- Climate Change
  - Biodiversity and Green Spaces
  - Wellbeing and Social Inclusion
  - Great Places
  - Homes
  - Jobs
  - Infrastructure
9. Testing included assessments by consultants advising the Councils on a number of the themes. Of particular relevance to the consideration of spatial choices were three assessments where the location of development made a difference to the impact development would have on the theme in question. These are:
- Climate Change evidence
  - Transport evidence
  - Sustainability Appraisal
10. A critical finding of the assessments carried out by the Councils' Climate Change consultants, Strategic spatial options appraisal: implications for carbon emissions [**Appendix 1, GCSP-23**] relevant to determining the First Proposals development strategy, was that "Transport emissions are the deciding factor in the carbon differences between spatial options. These are harder to deal with purely via policies within the Local Plan and are most strongly affected by where development takes place" (page 24, second paragraph). This reflects that whilst development can be built to high carbon standards wherever it is, the impact that travel by private car has on emissions is down to location. The Transport evidence [**Appendix 1, GCSP-26**] (regarding the strategic options and reinforced by testing of the emerging preferred option) helped the Councils to understand how different spatial locations impact on use of the car in terms of mode share and also total travel distance by private car. The Sustainability Appraisal Plan Strategic Spatial Options Assessment [**Appendix 1, GCSP-24**] considered the implications of the different strategic spatial options tested, and later the preferred options.
11. At the strategic options stage, headline findings from these studies, as captured in the Development Strategy Options – Summary Report 2020 [**Appendix 1, GCSP-22** - section 6.2, page 66] identified that Option 1 – Densification of existing urban areas (which included North East Cambridge as its primary location for development) was the best of all options with regard to minimising carbon emissions, had the highest level of active travel and lowest car mode



share, and performed well in the Sustainability Appraisal 2020 [**Appendix 1, GCSP-24** - page 146], as a highly sustainable broad location for additional homes and jobs, relating to its accessibility to existing jobs and services. The findings of these assessments were considered and analysed in the Development Strategy Topic Paper 2021 [**Appendix 1, GCSP-25**] to inform the preferred strategy.

12. To provide a clear and consistent way of selecting the sites to be included in the Preferred Options, guiding principles were identified as follows:

*“The proposed development strategy is to direct development to where it has the least climate impact, where active and public transport is the natural choice, where green infrastructure can be delivered alongside new development, and where jobs, services and facilities can be located near to where people live, whilst ensuring all necessary utilities can be provided in a sustainable way. It also seeks to be realistic around the locational limits of some new jobs floorspace which is centred upon national and global economic clusters”.*

13. In light of the analysis undertaken, the First Proposals 2021 (Preferred Options) of the GCLP included a blended development strategy that focuses growth at a range of the best performing locations in terms of minimising trips by car. With respect to North East Cambridge, the transport evidence [**Appendix 1, GCSP-26**- section 14.3 and Table 13] demonstrated that North East Cambridge is the best performing new strategic scale location for provision of new development within Greater Cambridge. More widely, the Sustainability Appraisal Non-Technical Summary 2021 supporting the First Proposals identified that the S/NEC: North East Cambridge policy would have positive effects for 11 out of the 15 Local Plan SA objectives [**Appendix 1, GCSP-27** – Table 12: Summary of SA effects for preferred policy approaches].
14. The Councils’ position in the First Proposals is that they do not consider that housing needs alone provide the ‘exceptional circumstances’ required in national policy to justify removing land from the Green Belt, which lies on the edge of Cambridge, as part of the emerging Local Plan. This was based upon, having regard to the identification of the proposed emerging strategy that can meet needs in a sustainable way without the need for Green Belt release. This emerging strategy includes identification of Cambourne for a strategic scale expansion in recognition of East West Rail and a proposed station at the previously established new town.
15. As such, within the First Proposals, sites on the edge of Cambridge in the Green Belt were considered individually in order to assess whether there could be any

site-specific exceptional circumstances that could justify release of land from the Green Belt. In all but one case, the Councils have concluded that no such exceptional circumstances exist. The only specific site identified where there may be a case for exceptional circumstances to remove land from the Green Belt is at the Cambridge Biomedical Campus, based at Addenbrookes Hospital and a major location for life sciences, in order to allow this unique international campus to continue to grow.

16. The First Proposals were subject to public consultation in late 2021 and the results of the consultation have been published on the Greater Cambridge Shared Planning website.