

South Cambridgeshire District Council

Responses to the Examining Authority's second written questions and requests for information (ExQ2)

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

Deadline 5

19 February 2024



Response to ExA's Second Written Questions (ExAQ2)

This document sets out the response to the Examining Authority (ExA)'s Second Written Questions and requests for information (ExQ2) by South Cambridgeshire District Council (SCDC). The table below sets out the topic, question number and SCDC's response.

Q.no	Directed to	Question	SCDC Response
1. GENERAL AND CROSS-TOPIC QUESTIONS			
1.2	Applicant, IPs	<p>Policy The National Planning Policy Framework was revised on 19 December 2023. Do you consider this to have any implications for the application?</p>	<p>The revised NPPF at paragraph 145 amends the approach to Green Belt review through plan making. The previous NPPF required consideration of whether exceptional circumstances existed that justified revising boundaries when preparing a local plan. The revised NPPF in this paragraph states now that there is <u>'no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated'</u> (our underlining). The earlier NPPF by contrast stated at para 142 that "strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary". However, the updated 2023 NPPF also confirms that 'Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances</p>

			<p><i>are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process'.</i></p> <p>SCDC and CCC will have to consider any implications of this change to the NPPF for the GCLP as it moves forward. However, it is not apparent that the changes (i.e. that there is no requirement to review or change Green Belt but leaving this as an option) would objectively alter the Councils' position. It would be difficult to envisage, given the constraints around Cambridge, circumstances where consideration of options for a sustainable development strategy for Greater Cambridge would not involve consideration of the merits of an option involving release of Green Belt land on the edge of Cambridge, and whether justification for such release by way of any exceptional circumstances exist. This would, in particular, need to involve taking full account of the high level of the assessed need for jobs and homes. As such the Councils' approach as presented to ISH3 and set out in the post hearing written submissions still remains appropriate and relevant.</p> <p>SCDC and CCC also note that Government published Strengthening Planning Policy for Brownfield Development on 13 February 2024 for consultation (Strengthening planning policy for brownfield development - GOV.UK (www.gov.uk)). The document sets out how planning support for brownfield development can be supported and</p>
--	--	--	---

			<p>incentivised through changes to national planning policy. Changes to the NPPF are proposed “to make clear that when considering planning applications, local planning authorities should give significant weight to the benefits of delivering as many homes as possible, especially where this involves land which is previously developed”. This would strengthen the existing emphasis on making as “much use as possible of previously-developed or ‘brownfield’ land” (NPPF para 123) and gives even greater national planning policy support to enabling and bringing forward the regeneration of the NEC area through the relocation of the CWWTP.</p>
1.7	Cambridge City Council (CCC)	<p>Local Impact Report (LIR) Please clarify whether the number ‘325’ presented in para 6.99 of your LIR [REP2-043] should instead reflect the number ‘1,425’ presented in para 6.35?</p>	<p>This question raises implications for both the SCDC and CCC LIRs.</p> <p>The ExA is correct in that the figures referred to in this section relating to the number of homes that could come forward if the CWWTP remains in situ in both the SCDC and CCC LIRs should be the same at 1,425 homes. On further consideration of the text at paragraph 6.99 however both SCDC and CCC agree that other text is in fact unclear and potentially misleading in its reference to “ <i>c. 1,100 dwellings proposed by the NECAAP for the sites surrounding the CWWTP</i>” not being “<i>deliverable because of the odour impacts</i>” and the paragraph should be simplified. It is proposed to delete unnecessary text in paragraph 6.99 and add new text at para 6.34</p>

			<p>where the NEC proposals are initially addressed, to explain the distribution of homes more clearly with the addition of a new map.</p> <p>SCDC and CCC therefore confirm that para 6.99 of both the amended CCC LIR the amended SCDC LIR, should be amended as follows (note that the SCDC LIR already includes the updated figure of 1,425):</p> <p>“6.99 As detailed previously, the existing CWWTP constrains the types of development that would be considered acceptable in the surrounding area due to the odour impact emanating from the operation of the plant. Should the CWWTP remain in situ, this would limit development on the surrounding land affected by the odour extents to less sensitive uses such as industrial and, where a higher amenity can be achieved, office and other commercial uses. As a result, c. 1,100 dwellings proposed by the NECAAP for the sites surrounding the CWWTP would not be deliverable because of the odour impacts. Only sites located outside of the odour extents would be capable of supporting new residential development – this would amount to some 325 <u>1,425</u> dwellings across NEC at most (see Map 1 above). However, in the absence of the regeneration of the wider NEC area and the provision of a higher quality environment, it is uncertain whether the landowners would continue to support residential development in favour of other more suitable uses such as office and lab space.”</p>
--	--	--	---

			<p>SCDC and CCC also propose that further text be included at paragraph 6.34 of both LIRs where the issue of dwelling numbers is first addressed, to explain the distribution and breakdown of the 8,350 homes allocated in the NECAAP, and in particular to clarify how many homes are assumed on the CWWTP site itself and the adjoining City Council owned land. It also clarifies the number of homes that are enabled by the relocation of the CWWTP. A new Map 0 is proposed to illustrate the distribution of homes. The changes proposed are as follows:</p> <p><u>“6.34 The vast majority of the proposed allocation of 8,350 dwellings in the NECAAP are constrained by the presence of the CWWTP. There are a total of 6,925 homes within the odour contours that would be enabled by the relocation of the CWWTP. The areas identified for residential development are shown on the land use plan in the NECAAP as Figure 11 [Appendix 1 GCSP-7]. The NEC Typologies Study and Development Capacity Assessment (December 2021) [Appendix 1, GCSP- 19] includes Appendix A: Site Assessment Table that sets out the land parcels proposed for new homes. The distribution of housing is also shown on Map 0 below for completeness. The CWWTP site itself would accommodate 3,700 homes, whilst the adjoining land owned by the City Council would accommodate 1,800 homes, such that land being brought forward jointly by the Applicant and the City Council would deliver a total of 5,500 homes. The latest information</u></p>
--	--	--	--

			<p>on the area constrained by the odour contours as it affects the CWWTP is the Odour impact assessment for Cambridge Water Recycling Centre October 2018 [Appendix 1, GCSP-20] together with the December 2020 Addendum Report – Updated odour dispersion modelling for Cambridge Water Recycling Centre [Appendix 1, GCSP-20a], which is evidence prepared to support the NECAAP and refines the 400m consultation area in the Minerals and Waste Local Plan 2021, Policy 16 [Appendix 1 no.41]. Odour contours C98, 1-hour = 3, 5 and 6 ouE/m³ are identified as areas where residential development would be at risk of odour impact. The odour contours as they were in 2016 are shown in Fig 10 of the 2018 report [Appendix 1, GCSP-20]. The contours in Figure 1 of the Addendum Report – Updated odour dispersion modelling for Cambridge Water Recycling Centre [Appendix 1, GCSP-20a] are for 2013 and were a worst-case scenario and cover a slightly smaller area in the updated modelling. Under either scenario, the majority of the NEC area where residential development is envisaged in the NECAAP lies within the odour contours. <u>A further 1,425 homes are allocated on land lying within the odour contours that would be enabled by the relocation of the CWWTP (Cowley Road Industrial Estate - 450; Chesterton Sidings (part) – 350; Cambridge Business Park – 500; and Merlin Place – 125 homes (noting that planning permission was granted for Merlin Place, subject to a S106 agreement, at the Joint Development Control</u></p>
--	--	--	---

			<p><u>Committee on the 24th January 2024 for employment development rather than residential)).”</u></p> <p>A new Map, “Map 0”, appended to this document is proposed to be included below, which shows the distribution of all the allocated homes more explicitly.</p> <p>For completeness SCDC and CCC request that a further amended version of their LIRs be allowed to be submitted that incorporates these changes.</p>
<p>2. PRINCIPLE (INCLUDING POLICY AND LEGISLATIVE CONTEXT, NEED AND ALTERNATIVES) 3. AGRICULTURAL LAND AND SOILS 4. AIR QUALITY</p>			
<p>N/A</p>			
<p>5. BIODIVERSITY</p>			
<p>5.10</p>	<p>Applicant, NE, SCDC</p>	<p>LERMP and wider connectivity</p> <p>Please provide an update on any progression regarding the wording and scope of the LERMP [REP4-056] in respect of wider connectivity concerns and on-going management measures for protected species.</p>	<p>Connectivity to and from the surrounding area will be through a series of footpaths, cycle ways and horse-riding routes. The new facility will not be providing public parking; however, the site will be permeable form existing PRoW. Therefore, the Applicant maintains their assertion that no increased pressure on statutory protected sites (such as Stow Cum Quy Fen SSSI) will result.</p>

			<p>Management for protected species will be through a combination of habitat creation and installation of roosting/resting/hibernating features. The number of suitable retained trees for bat and bird box instalment is low, therefore, there is a higher concentration of deadwood brash piles, hibernacula, and bee banks on the bund. Newly planted trees will require time to reach a suitable hight for bird and bat box installation.</p> <p>SCDC recommends that future management plans include a bat and bird box installation plan once newly planted trees have reached a suitable size. There is a single retained tree that has bat roost potential; the current plans show that a pathway will lie adjacent to the tree; however, the LERMP [REP4-056] has stated that this pathway will be altered.</p> <p>In conclusion, SCDC has no further issues regarding connectivity or protected species management as set out within the LERMP [REP4-056] from an Ecology or Biodiversity perspective.</p>
5.15	CCoC, SCDC	<p>Securing BNG</p> <p>Do you consider that the DCO and supporting documents adequately secure 20% BNG for all unit types?</p>	<p>The Biodiversity Net Gain (BNG) Report [AS-163] states that 20% BNG will be achieved, with all habitat and hedgerow BNG achieved within the order limits and river habitat BNG achieved through a combination of on and offsite provision. Requirement 25 does provide security that issues such as river</p>

			habitat BNG provision will be resolved prior to works commencing. This is acceptable to SCDC.
5.16	EA, NE, CCoC, SCDC,	<p>Reedbed</p> <p>Please confirm whether you still consider the introduction of a reedbed system at the proposed outfall necessary (noting that it is the Applicant's stance that it would not be feasible owing to permanent changes to the existing public right of way and existing ditch, and that the sizing of a reedbed to offer meaningful energy dissipation and water treatment function for the size of the catchment area would be in the order of 90 hectares [REP1-078]).</p>	<p>If the provision of a reedbed system is impractical given the design requirements and other constraints, then it is not practical to insist one is created. The provision of a reedbed system was suggested as a way of dealing with both the lack of 20% BNG and trading issues for river habitat BNG units.</p> <p>By purchasing offsite river habitat units, the Applicant will be able to deal with both the above issues. Therefore, SCDC is satisfied and has no further comments to make.</p>
5.21	SCDC	<p>Mitigation</p> <p>You requested [RR-004] further clarification regarding Table 2-8 of ES Chapter 8 which details the maximum design envelope for biodiversity assessment – do you consider that this has been addressed by the Applicant's subsequent submissions, including in updated versions of ES Chapter 8 (including [REP4-024])? If not, please clearly set out your concerns and how they could be resolved.</p>	<p>SCDC considers that the subsequent submission [REP4-024] is adequate to address its concerns.</p>
5.22	SCDC	<p>Mitigation</p>	

		At D4 [REP4-094] you state that Details regarding potential riverbed scour during flood events have not been submitted as yet and is a concern as excessive scour can impact both aquatic and riverbank habitats. Additional Computational Fluid Dynamics (CFD) modelling of the outfall and impacts on riverbed scour are now proposed to be secured through the Design Code [REP4-085]. Do you consider this satisfactory? If not, please set out clearly why and how this could be resolved.	SCDC consider this to be satisfactory.
5.24	SCDC	Invasive non-native species Please provide an update on how all parties are addressing matters regarding invasive non-native species.	This matter is still in discussion, and SCDC will provide an update in due course.
5.28	Applicant, CCoC, SCDC	Bats Please review and provide a comprehensive response to comments from Chris Smith [REP4-098]	Building and structural Survey WWTW - To the best of SCDC's knowledge, demolition of the buildings within the current WWTW does not form part of the DCO and therefore are not of material concern to the application. A14 River Cam Crossing – As far as SCDC aware, there are no works planned for this structure. A14 Bridge Horningsea Road - The western parapet is to be replaced with a cycle compliant parapet. This will involve increasing the current height (assumed at 1.1 m) to 1.4 m. The detail of how that is to be

			<p>achieved has not (to the best of SCDC's knowledge) been provided within submitted documents. The verge on the western side of the bridge will also be widened to provide better cycle access.</p> <p>There are no direct works to the features that Mr Smith has highlighted within his report. Temporary disturbance through noise and vibration, as a result of these works, to potential bat roost could be possible; however, given that the bridge is in constant use to vehicles of all sizes, one would assume that any bats that are particularly sensitive to such environmental conditions would avoid roosting in such structures.</p> <p>Potential mitigation measures to remove any residual risk could take the form of timing of works (outside active season) and updating the Code of Construction Practice Part A [REP4-040] paragraphs 7.2.22 - 7.2.28 to include pre-works checks to structures in addition to those indicated for trees.</p> <p>Survey Effort The bat transect survey was designed to assess activity in and around the new Waste-Water Treatment Plant (WWTP), activity surveys were undertaken at the current WWTP and the A14 River Cam Bridge; however, works in this area will be limited. With likely impact to commuting and foraging bat limited to temporary impacts from construction lighting around the new outfall north of the bridge. Paragraph 7.2.28 of the Code of Construction Practice Part A [REP4-040] states that a temporary</p>
--	--	--	---

			<p>lighting strategy will be developed in accordance with guidance from the Institution of Lighting Professionals (ILP). SCDC notes that there is an undated guidance document now available (September 2023) from the ILP and would suggest that wording within the Code of Construction Practice Part A [REP4-040] is updated to show this.</p> <p>There is no minimum required time for a transect survey, only that a representative number of habitats are surveyed and that the start time is appropriate to the surveys you are undertaking (please see updated Collins (2023), section 8.2.14-8.2.28). Section 2.9.5 of Appendix 8.7: Bat Technical Appendix [APP-092] explains that the current WWTP and A14 Cam River Bridge transects were short, and therefore they did not extend to 60 minutes after sunset, and that in the professional opinion of the Ecologist this did not impact the overall results. The only area identified where a possible permanent impact could arise was north of the A14 eastbound slip road where additional lighting is to be installed between the junction and the new access. The results of the surveys show no myotis sp. or barbastelle bat calls were recorded in this area (see figure 8.48 [REP2-019]). Therefore, light sensitive bats are not using this road; recommendations made by the ILP and Bat Conservation Trust (BCT) should be followed to reduce attraction to night flying invertebrates (see Guidance Note 08/23 from the BTC and ILP). There is scope within the County Highways “Street Lighting Development Specification” to incorporate elements</p>
--	--	--	---

			such as K values equal or lower than 2700 and peak wavelengths above 550 nm to remove any residual impacts.
6. CARBON EMISSIONS AND CLIMATE CHANGE MITIGATION AND ADAPTATION			
6.4	CCoC, SCDC, CCC	<p>D4 updates</p> <p>Do you consider that the updates to ES Chapter 10 [REP4-026], the outline Carbon Management Plan (oCMP) [REP4-064] and provision of the Design Code [REP4-085] adequately assess the impacts from carbon emissions and sufficiently capture the proposed mitigation measures, including monitoring and reporting? Please set out clearly any outstanding concerns or comments regarding the aforementioned documents, with justification for this and suggested solutions.</p>	<p>SCDC and CCC considers there still to be some gaps in the carbon emissions and mitigating measures set out in the outline Carbon Management Plan but recognises that this is due to the difficulty in quantifying carbon emissions and appropriate mitigating measures when there are still a number of assumptions and possible outcomes for the project. Section 3.7 of the Design Code [REP4-085] addresses these issues and although this is light on detail, the code commits to transparent engagement with various stakeholders at key milestones. As such SCDC and CCC's concerns are met although it will be important that the additional 15% 'aspirational' carbon reduction becomes an achievable target as the project progresses through the various milestones set out in the Design Code.</p>
6.5	SCDC	<p>D4 updates</p> <p>Do you consider that the updates to ES Chapter 10 [REP4-026], the oCMP [REP4-064] and provision of</p>	<p>As per the response to Q.6.4 (above), there are many uncertainties associated with this project in relation to</p>

		the Design Code [REP4-085] sufficiently address your comments [REP4-094] regarding the ability to allow for design refinement and carbon data updates?	carbon however SCDC consider the measures set out in the updated documents allow for accurate updates to ensure the scheme achieves the required carbon outcomes.
6.6	CCoC, SCDC	<p>BREEAM</p> <p>Do you consider that BREEAM excellent rating for the Gateway Building and Workshop is satisfactorily secured through the Design Code [REP4-085] and dDCO [REP4-003]? If not, please set out justification for this stance and what changes could be made in order to resolve this matter.</p>	<p>Section 3.4 Building Performance point PER.01 states that the Gateway Building and the Workshop Building should achieve a BREEAM Excellent Rating, in line with local planning requirements.</p> <p>SCDC recommend that this section states that these buildings 'MUST' achieve 'BREEAM Excellent' rather than 'should'.</p>
6.7	Applicant, SCDC	<p>South Cambridgeshire Local Plan Policy CC/3</p> <p>Your summary of ISH3 oral submissions [REP4-094] states that: The commitment to achieve Net Zero operational emissions, along with the installation of a 5.6MWp solar PV array on site (providing 19% of the sites power demand), should ensure compliance with SCDC Local Plan policy CC/3.</p> <p>However, the dDCO does not secure a minimum MWp for solar panels (as per Schedule 14, Part 22). Given that there would be no guaranteed solar panel provision if the Proposed Development were consented, does this change your stance regarding compliance with SCLP Policy CC/3?</p>	<p>This would have an impact on our stance on policy compliance with SCDC Policy CC/3. The scheme includes a number of low carbon technologies which are highly likely to reduce the carbon emissions of the scheme in excess of the 10% required by policy, but the carbon savings achieved by the various technologies have not been clearly mapped out in the same way that the impact of the suggested solar PV array has. The Applicant will need to provide clear carbon modelling to demonstrate the impact of the various low and zero carbon technologies to be included in the scheme in the absence of solar to comply with Policy CC/3.</p>
7. COMMUNITY			

7.8	Applicant, CCC, SCDC	<p>To CCC and SCDC:</p> <p>a) SCDC's comment at point 17 of [REP3-060] (CCC has made the same comment) questions links with Wisbech College rather than other more local / sustainable institutions, such as the Cambridge Regional College. The Applicant has provided an explanation for this at [REP4-086]. Are you happy with these arrangements in light of this explanation?</p>	<p>SCDC are satisfied with the explanation for this arrangement and can see that Wisbech College do offer a wider range of engineering and construction courses and apprenticeships. However, CRC do offer similar, and it would be advantageous for Anglian Water (and local people) to explore opportunities with collaborate with both if possible.</p>
7.14	Applicant, Save Honey Hill Group (SHHG), SCDC	<p>Recreational pressure / parking</p> <p>In [REP2-063] SHHG states (point 7.25c) that <i>This answer is illogical. The reality is that the applicant is creating c70 ha of open access woodland and grassland with paths close to the edge of Cambridge replacing an area of open arable land. It is clearly the case that this will be a popular destination for walking and other recreational pursuits and significant numbers of users will come by car. The Applicant appears not to be committing to making appropriate physical provision on its land in the even that, for example, nuisance parking or damage starts to occur.</i></p> <p>a) Please set out your view on whether the provision of car parking for walkers would encourage people to come to the area by car and increase the risk of 'nuisance parking';</p> <p>b) The Applicant is proposing a section 106 agreement [REP3-044] in relation to vehicle car</p>	<p>a) SCDC believes that provision of car parking for walkers would encourage nuisance parking. SCDC does not consider the facility to be a destination and therefore discourages the addition of public parking.</p> <p>b) SCDC does not have any objection to a S106 agreement in relation to vehicle parking.</p> <p>c) SCDC believes that the overall benefit of the enhanced walking, cycling and equestrian routes will outweigh the potential negative impacts of the development. The facility should not be seen as a destination, and the enhancements should be seen as a benefit to existing users within surrounding villages.</p>

		<p>parking. Please provide your comments on this, including whether and why you consider that the proposed measures would be successful or not; and</p> <p>c) If additional walkers are attracted by new / enhanced walking opportunities created by the Applicant, provide your view as to whether impacts such as 'nuisance parking' and damage should weigh negatively in the overall planning balance? If not, why not?</p>	
8. COMPULSORY ACQUISITION (CA) AND TEMPORARY POSSESSION (TP)			
8.13	Applicant, CCC, SCDC	<p>Funding Please provide an update regarding how the identified shortfall in funding for the proposed WWTP would be met, and if not yet determined, the likelihood of this happening before the close of the Examination.</p>	<p>The City Council in its landowner capacity has separate legal representation to its other statutory capacities. The City Council as landowner will respond to this matter separately through the Applicant.</p>
9. DESIGN			
9.1	CCoC, SCDC, CCC, any other IPs	<p>Design Code Please confirm whether you are satisfied with the submitted Design Code [REP4-085], and if not, set out the reasons for this.</p>	<p>SCDC is generally satisfied with the Design Code. However SCDC question the limits of LAN.04 requiring ONLY UK native species. Considering the changing climate and requirements of BNG, diversification may be necessary, straying from strictly native species to naturalised or naturalising species.</p>

10. DRAFT DEVELOPMENT CONSENT ORDER (dDCO)			
N/A			
11. GREEN BELT			
11.1	SCDC	Notwithstanding that you disagree with the Applicant's view in respect of whether certain elements of the Proposed Development would constitute inappropriate development (e.g. proposed access road and outfall), are you otherwise satisfied / agree with the contents of the Applicant's Green Belt Assessment [APP-207]? If not, please explain the reasons for this.	SCDC is generally satisfied with the Applicant's Green Belt Assessment [APP-207] but would defer the assessment of harm to Cambridge Green Belt to the ExA as the determining authority.
11.2	SCDC	You address SCLP Policy NH/8: Mitigating the Impact of Development In and Adjoining the Green Belt in para 7.16-7.20 of your LIR [REP4-092]. It is unclear whether you imply conflict with the policy as a whole due to the words in para 7.18 or whether you imply compliance with the policy as a whole due to the words in para 7.20. Please clarify, and also set out whether you are satisfied that the Applicant's landscape proposals, associated documents and dDCO requirements would demonstrate the 'suitable mitigating measures' you refer to.	<p>SCLP Policy NH/8: Mitigating the Impact of Development In and Adjoining the Green Belt relates to development that is both appropriate or inappropriate. When considering inappropriate development (which the proposal is) the approach adopted is that required under the NPPF and as reflected in SCLP Policy S4 (see below). SCDC considers that this policy is relevant to the exercise of the assessment of harm arising which would then be weighed against any findings of very special circumstances and whether they are sufficient to outweigh the harm to the Green Belt harm.</p> <p>SCDC at 7.18 of the LIR that <i>"The proposal would have an adverse effect on the rural character and</i></p>

			<p><i>openness of the Green Belt”</i></p> <p>To that degree the proposal conflicts with NH/8 however it is for the ExA to make the final determination which weighs harm against any finding that very special circumstances exist.</p> <p>As noted below SCDC does consider that there are significant benefits as detailed in the SCDC LIR (updated) REP 4-092 that <u>could</u> amount to very special circumstances.</p> <p>If the determination is made that there are very special circumstances then SCDC consider that Policy NH/8 could be treated as complied with subject to the mitigation as set out by the Applicant.</p> <p>SCDC would reiterate the point that if this proposal was an application under the TCPA 1990 it would be for the County Council to make this assessment and decision.</p>
<p>11.3</p>	<p>SCDC</p>	<p>The ExA notes that whilst not mentioned in your LIR, SCLP Policy S/4: Cambridge Green Belt, is likely to be relevant to the application. Please clarify your views on compliance with this policy.</p>	<p>SCLP Policy S/4: Cambridge Green Belt is indeed relevant to this application and its omission from the Local Impact Report was erroneous.</p> <p>Policy S/4 sets out that a Green Belt will be maintained around Cambridge defining the extent of the urban area as shown on the Policies Map. It confirms that new development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.</p>

			<p>As confirmed in the LIR which assesses the DCO against the NPPF Green Belt policy the proposal represents inappropriate development in the Green Belt therefore to that degree the proposal conflicts with this policy and triggers the need for the Applicant to demonstrate very special circumstances sufficient to outweigh the harm to the Green Belt by way of inappropriateness and any other harm (see SCDC LIR updated [para 7.11] [REP 4-092].</p> <p>SCDC addresses the issue of very special circumstances from the benefits of the proposed development at 7.13 to 7.15 (updated) REP 4-092. The determination of whether these benefits constitute very special circumstances which are sufficient to outweigh the harm assessed are matters for the ExA.</p>
12. HEALTH			
12.2	Applicant, SCDC	CCC,	<p>Mental Wellbeing Impact Assessment</p> <p>The Applicant has prepared a Mental Wellbeing Impact Assessment (MWIA) [AS-077] which does not identify potential significant effects that require further MWIA.</p> <p>To CCC and SCDC:</p> <p>Are you satisfied with mitigation measures in relation to potential mental health impacts being secured by way of the CoCP Parts A and B [REP3-026 and</p>
			<p>SCDC is satisfied with the mitigation measures in respect of mental health impacts being secured by way of the CoCP Parts A and B [REP3-026 and REP3-028] and the Community Liaison Plan [AS-132].</p>

		REP3-028] and the Community Liaison Plan [AS-132]? If not, please suggest how the mitigation measures should be secured.	
12.3	CCC, SCDC	<p>Equality – Gypsies, Roma, Travellers</p> <p>In its response to ExQ1.12.6 [REP1-079] the Applicant states that it was advised to communicate with the Gypsy, Roma and Traveller population via the Traveller Liaison Officer.</p> <p>a) Is the Traveller Liaison Officer (TLO) a Council employee?</p> <p>b) Could the TLO confirm that consultation has been undertaken on behalf of the Applicant and whether or not any feedback was given by the Gypsy, Roma and Traveller population?</p> <p>c) Should future consultation / liaison with the Gypsy, Roma and Traveller population be carried out via the TLO?</p> <p>d) To address the comments at 12.27, 12.28 and 12.30 of CCC's LIR [REP2-043], what measures should be included in the CLP?</p>	<p>a) SCDC can confirm that the Traveller Liaison Officer (TLO) is a SCDC employee.</p> <p>b) The SCDC TLO can confirm that consultation of the Gypsy, Roma and Traveller population has been undertaken on behalf of the Applicant. However, feedback has been very low.</p> <p>c) SCDC recommends that future consultation of the Gypsy, Roma and Traveller population be carried out via the TLO.</p> <p>d) N/A</p>
13. HISTORIC ENVIRONMENT			
13.7	SCDC	<p>Effects</p> <p>Regarding para 9.37 of your LIR [REP4-092]</p>	<p>a) ES Chapter 13 [REP4-030]. sets out the assessment of effects in relation to the operation and maintenance of the proposed WWTP. This includes the landscaping proposals, final effluent pipeline, the new outfall transfer tunnel and the</p>

		<p>a) Please provide further justification for your view that the operational effects would be moderate adverse and thus significant (albeit less than substantial); and</p> <p>b) Clarify whether your view on this matter relates to all five designated heritage assets listed in para 4.3.3 of ES Chapter 13 [REP4-030].</p>	<p>new access. SCDC LIR (updated) REP 4-092 para. 9.38 states that the effects on built heritage and historic landscapes of the construction of the proposed development would be a moderate adverse effect. The operation and maintenance of the development does not alter the impacts identified at the construction phase and so remain permanent moderate adverse.</p> <p>b) The view on this matter relates specifically to Biggin Abbey, Horningsea CA, Baits Bite Lock CA</p>
13.8	SCDC	<p>Effects</p> <p>Whilst you disagree with some of the Applicant's reported effects on designated heritage assets, you agree that any harm to their significance would be less than substantial. Accordingly, do you consider that your concerns in this regard would be material to the overall planning balance?</p>	<p>The NPPF 2023 para 205 (in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.</p> <p>Para 9.41 of the LIR states that the level of adverse effects identified through the Applicant's own assessment to the setting of the relevant heritage assets should be measured at the higher end of the less than substantial harm spectrum. The NPPF, in para. 205 makes it clear that the more important the</p>

			<p>asset the greater the weight should be given. There will be a permanent impact on the heritage value of Grade II* Biggin Abbey from the changes within its setting due to the construction of the proposed development, urbanisation of Horningsea Road, increased traffic and the identified landscape mitigation. There will be a permanent adverse impact on the character and setting of Baits Bite Lock and Horningsea conservation areas from the construction and operation of the proposed development. Whilst these affects have been identified as resulting in less than substantial harm, SCDC considers that heritage assets are an irreplaceable resource, and that the identified harm is clearly important and relevant to the Secretary of State's decision and should be taken into account when deciding this application under s104 or s105 of the Planning Act 2008 and weighed against the findings of public benefit from the scheme.</p>
13.10	SCDC	<p>Mitigation / Monitoring</p> <p>Your LIR [REP4-092] at para 9.43 suggests that mitigation measures are monitored during operation, albeit that you are unable to identify mitigation in this regard. The Applicant notes in Table 5-1 of ES Chapter 13 that bunding, planting and lighting control may assist with mitigating adverse effects. These would appear to be secured through relevant requirements of the dDCO and associated documents.</p>	<p>Para 9.43 of the LIR relates to ensuring the Applicant appropriately manages the planting on the bund and the surrounding site to ensure it reaches maturity. Whilst it is SCDC's view that these measures are harmful to the setting of heritage assets, if the landscape is not maintained dead trees and planting would be a worse outcome in terms of setting. SCDC therefore (as set out below) accepts</p>

		What is it specifically you would like to see in addition to this?	that there is nothing more than can reasonably be done by the Applicant.
13.11	SCDC	<p>Mitigation / Monitoring</p> <p>Your LIR [REP4-092] at para 16.15 suggests that construction lighting should be monitored through the CEMP. The CoCP Part A sets out measures for lighting control, as does the Lighting Design Strategy, to be secured by R14 of the dDCO. What is it specifically you would like to see in addition to this.</p>	SCDC is satisfied with lighting control being secured by CoCP and R14 of the dDCO and therefore does not require anything further.
14. LANDSCAPE AND VISUAL			
14.2	SCDC	<p>Assessments</p> <p>Your LIR (including para 8.14) [REP4-092] makes reference to the Greater Cambridge Landscape Character Assessment not having been considered by the Applicant as part of ES Chapter 15 [REP4- 032]. However, it is referred to in Tables 1-2 and 2-4 and in paras 3.1.1 and 3.1.3 of this ES chapter. Please therefore clarify your concern in this regard.</p>	<p>SCDC's concern was based on the exclusion of the GCLCA Character areas as receptors themselves. Primarily Fen Ditton Fen Edge Chalklands: LCA 6A as identified and described within the GCLCA. However, it is clear now that the Applicant team has considered the GCLCA and created bespoke LCAs based on the needs of the development site. LCA 6A identifies specific sensitivities including linear ditches and drains including Fleam Dyke. SCDC is therefore now satisfied with the consideration of various LCAs within the LVIA and their resulting assessments.</p>

14.4	SCDC	<p>Bund planting</p> <p>The Applicant has provided some further information relating to the establishment of planting on bunds at Appendix H of its response to hearing Action Points [REP4-087]. Does this (along with the contents of the updated LERMP submitted at D4 [REP4-056], Design Code [REP4-085] and associated dDCO requirements) assist with alleviating your concerns in this regard? If not, please justify your reasons and if possible, provide any suggestions which may assist with overcoming your concern.</p>	<p>SCDC accepts that the Applicant has provided as much consideration as possible to the planting atop the bund to try to ensure the long-term survival of the plants. Whilst it is impossible to be sure that any combination of maintenance and climate will assure longevity and thriving of the plants, it is accepted that the proposals allow for replacement planting in the event of failure. SCDC is therefore satisfied and has nothing further to add.</p>
<p>15. LAND QUALITY 16. MAJOR ACCIDENTS AND DISASTERS 17. MATERIAL RESOURCES AND WASTE</p>			
<p>N/A</p>			
<p>18. NOISE AND VIBRATION</p>			
18.1	Applicant, SCDC	<p>CCC,</p> <p>Assessment - residential receptor sensitivity To the Applicant, CCC and SCDC:</p> <p>a) Given that the extent of impacts from noise are based on a comparison of the potential noise impact compared to the existing noise baseline, and the significance of impact also assessed in relation to the LOAEL and SOAEL (and given that the proposed mitigation measures respond to the assessment</p>	<p>a) The reclassification of the residential receptors to “high sensitivity” as opposed to “medium sensitivity” would provide a consistent classification of residential receptors to environmental assessments submitted to SCDC.</p> <p>b) It is acknowledged that reclassifying the receptor would not result in any further mitigation measures beyond those proposed by the Applicant and therefore SCDC does not consider the findings in the ES referred to will be affected</p>

		findings), to what extent would reclassifying residential receptors as 'high sensitivity' rather than 'medium sensitivity' have on the findings in the ES? b) How would a reclassification of residential receptors to high sensitivity affect the findings of the ES regarding vibration?	
19. ODOUR			
19.4	Applicant, SCDC	To SCDC: Para 13.13 of your LIR [REP4-092] suggests a 'requirement' for an outline commissioning plan. Does the submitted outline commissioning plan [AS-053] address this point? What (if any) additional requirements within the dDCO do you consider are necessary – please provide wording and justification (noting that R9 of the dDCO already includes a requirement for a detailed commissioning plan in accordance with the outline commissioning plan)?	Yes, SCDC can confirm that the submitted outline commissioning plan [AS-053] addresses this point.
19.5	Applicant, SCDC	To SCDC: Do you consider the complaints procedure identified within the application documents to be satisfactory? If not, please provide suggested amendments as appropriate.	Yes, it is recognised by SCDC that the expertise and knowledge of the Applicant and the Environment Agency (the regulator of the Environmental Permit) will supersede any knowledge on an appropriate complaint's procedure.
19.7	SCDC	Control of odour through dDCO and Environmental Permitting:	

		Please confirm whether you require any further clarification from the Applicant regarding control of odour through the dDCO and Environmental Permitting process?	No further clarification is required from the Applicant from SCDC's perspective. It is recognised that the expertise and knowledge of the Applicant and the Environment Agency (EA) (the regulator of the Environmental Permit) will supersede any knowledge on the control of odour than SCDC, and this is appropriate. SCDC is content that it remains an interested party to these discussions.
20. TRAFFIC AND TRANSPORT			
N/A			
21. WATER RESOURCES			
2.13	Applicant, SCDC	<p>BREEAM and water efficiency: To SCDC:</p> <p>Would achieving BREEAM excellent rating achieve the maximum number of credits for category Wat01 of BREEAM, or would this need to be secured over and above BREEAM excellent?</p>	<p>BREEAM 'Excellent' would not guarantee that maximum credits for Wat 01 would be obtained. This would need to be secured over and above the BREEAM 'Excellent' requirement.</p>

Appendix 1: Map 0

