

Date: 12 March 2024
Our ref: 469186
Your ref: WW010003
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BY EMAIL ONLY

Dear Sir / Madam

WW010003 Cambridge Waste Water Treatment Plant Relocation Project
User Code: 20041036

Natural England's pre-ISH4 update

Submitted prior to the Examining Authority's Issue Specific Hearing 4 (ISH4), which has a scheduled date of 13 March 2024

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

For any further advice on this consultation please contact the case officer Catherine Duerden via email at [REDACTED]@naturalengland.org.uk and copy to consultations@naturalengland.org.uk.

Yours faithfully

Janet Nuttall
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Natural England's pre-ISH4 update

PART I: Natural England's pre-ISH4 update for the Examining Authority.
PART II: Natural England's updated key issues (starting on page 3)

Part I:

Natural England's pre-ISH4 update for the Examining Authority

This is an update following our review of Deadline 5 submissions, structured in the order of the Examining Authority's Issue Specific Hearing 4 (ISH4) agenda. We also provide an update to our Relevant Representations [RR-015] key issues in Table 1.

ISH4 Agenda item 3. Agricultural land and soils

- Outline Soil Management Plan

Natural England is mostly satisfied with the Outline Soil Management Plan (oSMP) [REP5-060], however, we have highlighted the following unresolved matters to the Applicant and are awaiting a response:

1. Haul route requirements within the South Cambridgeshire Adopted Local Plan 2018 Policy CC/6: 'Construction Methods' (3) have not been addressed within the oSMP.
Policy CC/6 (3) relating to haul routes says:
Any temporary haul roads must:
 - c. Be agreed with the Local Planning Authority;
 - d. Be located, designed and landscaped in such a way as to avoid any adverse impacts on existing residents and businesses;
 - e. Have an agreed methodology for where they cross public rights of way; and
 - f. Include provision for the cleaning of vehicle tyres to avoid the deposition of mud / debris on the public highway and the generation of dust.

We have requested confirmation from the Applicant about whether these points are already covered within other DCO documents. If they are not, we recommend that the oSMP is updated to comply with this Policy.

2. Section 5.3 of the oSMP does contain information about the weather and conditions in which soil can be handled, but Natural England has advised that this is insufficient.
The Applicant should specify within the oSMP that soil handling will not take place from Oct-March (inclusive) and that a green/crop cover will be established during this time to help dry out soils and protect them from erosion over winter. Permission would have to be obtained from the relevant Mineral Planning Authority (Cambridgeshire County Council) to deviate from this requirement. This is in order to comply with section 2.4 of Natural England's guidance note '[Planning and aftercare advice for reclaiming land to agricultural use](#)' (updated April 2022).
3. The Institute of Quarrying's methodology for testing when soils are suitably dry to handle needs to be included or specifically mentioned within the oSMP. This is also recommended in section 2.4 of Natural England's guidance note '[Planning and aftercare advice for reclaiming land to agricultural use](#)' (updated April 2022). The method can be found within Table 4.2 of Supplementary Note 4 (Soil Wetness) in the Institute of Quarrying's [Good Practice Guide for Handling Soils in Mineral Working](#)

4. Clarification is needed in oSMP paragraph 5.4.4 about when soil reconditioning practices can and cannot take place, particularly in relation to soil wetness. The soil reconditioning section (5.4.4) refers to working with soils when wet, which confuses the message given in oSMP paragraph 5.3.2 about only handling soils in a sufficiently dry and friable state. It is recognised that 5.4.4 is a method for drying the soil, but clarification is needed about the conditions in which this is acceptable, and when it should be left untouched, because it is too wet, for example.

ISH4 Agenda item 4. Biodiversity

- Potential recreational pressure on Stow-cum-Quy Fen SSSI

Deadline 5 submissions have not altered Natural England's position on matters relating to topic 4 of ISH4, specifically the potential recreational pressure on Stow-cum-Quy Fen SSSI. Please see our responses to ExQ2.5.5 and ExQ2.5.10 [REP5-128] for our latest comments and suggested solutions.

For clarity, Natural England requires minor updates to the relevant sections of the ES and LERMP to reflect that the recreational pressure impact of the Proposed Development's PRoW enhancements, in combination with wider housing development, is currently uncertain. The documents also need to mention that a 'Combined Recreational Group' (CRG) has been established to take a partnership approach to investigating and progressing this matter in collaboration with stakeholders and developers. See our ExQ2 responses for suggested wording and placement. This is for completeness and to ensure the ES is entirely robust.

Natural England welcomes the Applicant's proposal to add '*a contribution to the administration cost of the wider recreational group to help get this established*'; and, '*a contribution towards management/survey of the wider area. These funds managed via the group*' to the section 106 agreement. We agree that this approach is realistic and proportionate. We are not asking for the Applicant to do anything else, other than reference 'the group' (Combined Recreational Group – 'CRG') and why it has been convened (to take a precautionary approach to address the remaining uncertainties raised by stakeholders), within the ES/LERMP.

In reply to the Applicant's response to ExQ2 [REP5-111] questions 5.3-5.7 and 5.9, Natural England's view is that the remaining uncertainties are relevant to the DCO application as opening the bridleway will facilitate / enhance the pathway for visitors (and therefore potential impacts) to the SSSI from new housing development, but also from the existing local communities and the new CWWTP facility itself.

We are satisfied, however, that the newly convened 'Combined Recreational Group' (CRG) would provide the solutions to this issue, as explained in our ExQ2 response. For reassurance, we are not asking the Applicant to conduct any more surveys. The survey and assessment work required to address the uncertainties should be undertaken by specialists using approved methodologies and best practice and should be commissioned by the CRG through a tendering process. The division of any costs of this work (and mitigation measures, if needed) between the Applicant and developers would be discussed and agreed between the parties at the appropriate time, once quotations have been obtained. It is likely that these agreements would then be secured through s.106 agreement(s) with the appropriate Local Authority.

We hope that this makes our position clear. As agreement has not yet been reached with the applicant, we leave it to the Examiner's discretion as to whether further action is needed.

ISH4 Agenda item 6. Water Resources

- Outline Water Quality Monitoring Plan

Natural England has reviewed the submitted Outline Water Quality Monitoring Plan (oWQMP) [REP5-083] and can confirm that all our issues relating to Water have been resolved. If there are concerns during post construction, we will comment and request further monitoring at that time, as invited by the Applicant.

Natural England will not be attending ISH4, but if your Authority have any specific questions for Natural England which are not answered by this update or our ExQ2 submission, we will be happy to provide written responses.

Natural England's pre-ISH4 update

Part II: Natural England's updated key issues

Part II of these Representations updates and where necessary augments Part II of the Relevant Representations. It summarises all the significant issues ('red' and 'amber' issues) which, in our view remain outstanding and includes our advice on pathways to their resolution where possible. Part II also shows 'green' issues which have been agreed since our Relevant Representations [RR-015] (subject always to the appropriate requirements being secured adequately).

Natural England will continue engaging with the applicant to seek to resolve these concerns throughout the examination. Natural England advises that the matters indicated as 'red' and 'amber' will require consideration by the Examining Authority during the examination.

Natural England's pre-ISH4 update, Part II, Table 1

Table 1: Natural England's updated key issues					
NE key issue ref from RR-015	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber/Green
International designated sites					
1	HRA		Resolved.		Green
National designated sites (biodiversity and geodiversity)					
2a	Stow-cum-Quy Fen SSSI recreational pressure	O	Partly resolved. See our above update and answers to ExQ2.5.5 and ExQ2.5.10 [REP5-128].	Amendment to ES/LERMP to reference the 'Combined Recreational Group' and that it has been set up to take a precautionary approach to address the remaining uncertainties.	Amber
2b	Black Ditch water quality monitoring	C/O	Resolved.		Green

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2c	Monitoring & mitigation strategy and CEMP	C/O	Resolved.		Green
2d	Groundwater monitoring	O	Resolved.		Green
2e	Wilbraham Fen SSSI groundwater	C/O	Resolved.		Green
2f	Downstream flood levels	C/O	Resolved.		Green
2g	Water resources	C/O	Resolved.		Green
Protected species					
3a	Water vole & bat licences	C/O	Resolved. Natural England has provided LONIs for water vole and bats but requires amendments to the method statements when the licence applications are formally submitted. We defer to the LPA for comment on any other species matters.	Water vole licence application amendments to be included in formal licence application submission. Amendment of the bats licence application to be included in formal licence application submission.	Green
3b	Badger licence	C/O	Resolved.		Green
3c	Entire scheme species mitigation	C/O	Resolved.		Green

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3d	Duration of species mitigation management	C/O	Resolved.		Green
Biodiversity net gain					
4a	BNG Metric submission		Resolved.		Green
4b	20% river unit BNG proposal submission		Resolved.		Green
Soils and best and most versatile agricultural land					
5a	Detailed ALC survey for entire area	C	Resolved.		Green
5b	Soil reuse	C	Potentially resolved, awaiting response from Applicant on four outstanding matters relating to the Outline Soil Management Plan (oSMP), (as described in more detail within the above update) specifically: <ul style="list-style-type: none"> 1. Haul route requirements within SCDC's Local Plan 2018 Policy CC/6: 'Construction Methods' (3) are not met within the oSMP. 	<ul style="list-style-type: none"> 1. These may already be covered by other DCO documents, so if the Applicant can direct NE to these documents this issue may be resolved. Otherwise, additions may still be needed to the oSMP. 	Amber

Table 1: Natural England's updated key issues					
NE key issue ref from RR-015	Topic	Issue summary (C) – construction phase (O) – operational phase	NE commentary and advice on further details about the project to enable assessment or further evidence/assessment work required	NE comment on mechanism for securing resolution, e.g. mitigation/compensation	Risk Red/Amber/Green
			<p>2. Specifying that soil handling will not take place from Oct-March (inclusive) and that a green/crop cover will be established to protect soils during this time. Permission would have to be obtained from the Mineral Planning Authority to deviate from this requirement.</p> <p>3. The Institute of Quarrying's method for testing when soils are suitably dry to handle needs to be mentioned within the oSMP.</p> <p>4. Clarification is needed in oSMP paragraph 5.4.4 about when soil reconditioning practices can and cannot take place, particularly in relation to soil wetness.</p>	<p>2. Addition to the oSMP to comply with section 2.4 of Planning and aftercare advice for reclaiming land to agricultural use - GOV.UK (www.gov.uk).</p> <p>3. Addition to the oSMP of details within Table 4.2 of Supplementary Note 4 (Soil Wetness) in Institute of Quarrying Soil Guidance (hubspotusercontent-na1.net)</p> <p>4. Amendment of oSMP para 5.4.4 for clarity.</p>	
5c	RR Appendix 1 soil comments	C	Resolved.		Green
Ancient woodland and ancient/veteran trees					
6	None		N/A		Green

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Other valuable and sensitive habitats and species, landscapes and access routes					
7a	Access enhancement impacts	O	Partly resolved. See our update above and answers to ExQ2.5.5 and ExQ2.5.10 [REP5-128]. The Applicant has set up the 'Combined Recreational Group' to take this partnership approach and has agreed to add ' <i>a contribution to the administration cost of the wider recreational group to help get this established</i> '; and, ' <i>a contribution towards management/survey of the wider area. These funds managed via the group</i> ' to the section 106 agreement. We agree that this approach is realistic and proportionate, but wording is also needed within the ES/LERMP to acknowledge this group's establishment and purpose.	Additional wording within the ES/LERMP.	Amber
7b	LERMP for entire scheme	C/O	Resolved.		Green
7c	Additional documents	C/O	Resolved.		Green
7d	Nature Recovery Network	O	Partly resolved. This may be progressed through the Applicant's ' <i>contribution towards management/survey of the wider area</i> ' as proposed to be included within the	Additional wording within the ES/LERMP.	Amber

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			<p>section 106 agreement. The Applicant has stated that these funds would be managed via the '<i>Combined Recreational Group</i>', which we agree with.</p> <p>As in key issues 2a, 7a and 7e, however, Natural England advise that additional wording is needed within the ES/LERMP to acknowledge this group's establishment and purpose.</p>		
7e	Partnership approach	C/O	Partly resolved. The Applicant has set up the 'Combined Recreational Group' to take this partnership approach, but wording is needed within the ES/LERMP to acknowledge its establishment and purpose.	Additional wording within the ES/LERMP.	Amber
7f	WTBCN & EA	C/O	N/A		Green

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