

## CWWTPR DCO Examination

SHH 61

## Submission by Save Honey Hill Group

## SHH Comments on Responses to Examining Authority's Second Written Questions (ExQ2) by the Applicant, Cambridgeshire County Council and South Cambridgeshire District Council (REP5-111, REP5-118, REP5-122)

2 April 2024

These are SHH's comments on Responses made to the Examining Authority's Second Written Questions (ExQ2). Where relevant, reference is also made to other SHH documents or other submissions.

Response made at D5 Document and Question Reference	SHH Response	References to SHH or Other Submissions
<p><b>REP5-111 Applicant's Responses to ExQ2</b></p> <p><b>1.2 NPPF</b></p>	<p><b>NPPF Para 7</b> The Applicant's reference to achieving sustainable development through enabling the release of a brownfield Site, ignores the fact that a key part of the site is not vacant, and in order to do so the PD will decommission a fully functioning and future proofed WWTP and build a new one in open, previously undeveloped Green Belt with, in NPPF terms, extensive environmental cost, notably carbon and significant harm to the purposes of the Cambridge Green Belt that serves to protect the character and special qualities of the City of Cambridge.</p> <p>The site selected for the PD by the Applicant was identified, in the Final Site Selection, among the three sites shortlisted, as having the <b>most</b> significant impact in terms of purpose of Green Belt, landscape and historical assets that at best mitigation measures would be able to reduce the RAG rating from Red to Amber (CWWTP Stage 4 Final Site Selection Appendix B Environmental Assessment; Appendix J Green Belt Study).</p> <p>In relation to the revised NPPF and Ministerial statements referenced by the Applicant, both statements assert the Government's commitment to protecting the Green Belt. It is described as 'vital for preventing urban sprawl and encroachment on valued countryside'. The emphasis on the use of brownfield is described as 'a preference to the erosion of Green Belt Land'.</p>	<p>CCC REP5-114 SCDC REP5-120 SHH 51 REP5-136 SHH 50 REP5-135</p>

	<p>The Applicant’s claim that freeing a brownfield site for housing development and that the exercise is highly sustainable, and a key consideration as a planning benefit, might go by the letter of some of the NPPF guidance, but in this case, not the spirit. The Government’s impetus on ‘gentle’ densification, urban development and use of brownfield is as a means to protect the Green Belt from development and minimise carbon emissions, which the PD will not.</p> <p>The Ministerial Statements referenced by the Applicant are in the context of determining vital infrastructure e.g. water is in place to enable future development in Cambridge to come forward, including those in the existing Local Plans that are stalled by water supply shortages. The Applicant’s promotion of this as an endorsement of the PD is tempered by the 24 July 2023 statement also noting that the PD remains ‘subject to planning permission’.</p> <p><b>NPPF Para 60-63</b> The Councils in their LIRs (REP5-114; REP5-120) have identified there is capacity for homes at North East Cambridge without the relocation of the WWTP and SHH has demonstrated there is ample capacity in the GCLP amongst existing and other proposed strategic sites to accommodate the number of homes identified in the GCLP First Proposals for build out beyond the plan period post 2041. All of the strategic sites will include integrated sustainable transport and other measures.</p> <p>Further, as submitted by SHH (REP5-136) at 1.2, the revised NPPF has removed the requirement of a 10% buffer in LPA’s housing calculations. In the case of the GCLP First Proposals (FP) this means a reduction of 4,440 homes to those calculated and allocated; this removes the requirement of the 3,900 homes allocated for build out at NEC in the GCLP FP plan period to 2041 and creates provision to accommodate some housing from the LPA’s revised OAN which is as yet to be identified as deliverable within Greater Cambridge in the plan period.</p> <p>SHH has referenced the LPAs own reports, along with current planning applications and approvals that demonstrate a high investment demand at North East Cambridge for commercial development including R&amp;D life sciences on sites immediately adjacent to the existing WWTP (SHH 50 REP5-135 at 6.25,6.33). North East Cambridge will continue to develop and make a significant economic contribution at a local and national level without the requirement of a relocation of the WWTP.</p>	
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	<p><b>NPPF Para 145</b> SHH does not accept that if the DCO is not approved it would be necessary for an additional new strategic site to be identified in the Green Belt, or otherwise to accommodate the quantum of housing proposed for North East Cambridge to meet its development needs in the GCLP FP. Further, as above, any housing development in Greater Cambridge over and above the homes proposed in the GCLP FP is yet to be established as deliverable on sustainability grounds.</p> <p><a href="#">CWWTPR Stage 4 Final Site Selection Appendix B Environmental Assessment</a>  <a href="#">CWWTPR Stage 4 Final Site Selection Appendix J Green Belt Study</a></p>	
<p><b>1.4 Ministerial Statements</b></p>	<p>SHH draws the ExA’s attention to the most recent publication on the Government’s Vision for Cambridge 2040 (The Case for Cambridge, March 2024). Here a distinction between the GCLP and the Government’s vision for an additional 150,000 homes for Cambridge extending beyond 2050 is made.</p> <p>The Cambridge Development Group (CDG), noted in the Ministerial statements referred to by the Applicant, is intended to support delivery of the existing and emerging GCLP to 2041. The emphasis will be on enabling the provision of strategic infrastructure eg water and sustainable transport to allow the full build out of the existing plans to 2031 and any further housing development sites proposed in the emerging GCLP.</p> <p>The emphasis on ‘acceleration’ of plans, and overcoming barriers to development delivery, relate to the provision of strategic infrastructure to enable the quantum of housing delivery already committed and proposed to come forward. In addition, changes to the plan making process (Levelling Up and Regeneration Act 2023) are intended to speed up the process by which Local Plans are produced and taken through the examination process.</p> <p>The relevance of the Government’s Vision for Cambridge to the Examination of the PD is that the proposed developments at North East Cambridge in the GCLP are <b>not</b> singled out over and above any of the strategic sites in the GCLP FP for ‘acceleration’. Further, that the GCLP including the proposals for North East Cambridge (NECAAP), if the DCO is approved, remains subject to future Examination.</p>	<p>SHH 21 REP2-066 SHH 50 REP-135</p>

	<p>The Councils are yet to understand how the Government’s intention for 150,000 additional homes in Cambridge extending beyond 2050 will interplay with the GCLP and OAN (GCLP Timetable Review (TR) March 2024). It is clear however that this quantum of housing, which represents a <b>doubling</b> of all the existing housing in Greater Cambridge as at 2021, and more than <b>three times</b> that proposed in the GCLP to 2041 (GCLP FP). This will inevitably require development land areas that are beyond those identified in the Local Plans current or emerging. Further, any development at North East Cambridge, either in full as a result of a relocation of the WWTP or, in part without a relocation, will make no contribution of significance to this aspect of the Government’s Vision for Cambridge</p> <p>The City Council and SCDC have recently undertaken a review of the GCLP timetable in consideration of the implications of a number of factors including the Vision for Cambridge and concluded it will not be possible to submit the GCLP for examination under the current plan making system. It is anticipated a submission under the new planning system could be in Autumn 2025 (GCLP TR).</p> <p>The implications of this change in the GCLP timetable for the PD is that, in the meantime, planning applications within the North East Cambridge area will continue to come forward ahead of the NECAAP or GCLP (GCLP TR March 2024). As is evident from these applications and submitted by SHH (REP2-066 at 6.3; SHH 50 REP-135 at 6.33) developers’ priority is to create commercial and R&amp;D space. This introduces further uncertainty about the deliverability of the number of homes proposed within NECAAP and thus planning benefits the Applicant promotes.</p> <p><a href="#">The Case for Cambridge March 2024</a>  <a href="#">Greater Cambridge Local Plan Time-Table Review (GCLP TR) March 2024 SCDC Cabinet Meeting Agenda Notes Item 14 pg 261-260</a></p>	
<p><b>6.7 Installation of solar power generation</b></p>	<p>The Applicant intends to install solar panels if the highly uncertain Biomethane Export Option is pursued. In SHH’s view, the Applicant should also commit under the CHP Option to the installation of the maximum practicable solar power, to offset the net carbon emissions from CHP operation by export of surplus electricity and to deliver ‘on site net zero’.</p>	

<b>6.12 Carbon reduction benefits</b>	The Applicant has still to explain why, on a per megalitre of effluent basis, the proposed WWTP is unable to achieve greater operational carbon efficiency than the existing works.	
<b>7.11 Outfall design and footpath width</b>	<p>Following ISH4, SHH understands the intention of the outfall design is for the finished ground level of the outfall structure to be unobtrusive and the proposed mitigation measures of top soil and grass to integrate the structure into the existing environment. It is also understood there is no intention or any need to re-route the existing natural footpath which follows a 'desire line' nor to change its character.</p> <p>However, it remains the case that the drawings provided at APP-027 4.13.3; 4.13.4 and parameters set for the outfall do not provide SHH with confidence this will be achieved or that the mitigation measures will be effective in preventing significant adverse visual impact/change to the character of this stretch of riverside and PROW into the longer term.</p> <p>APP-027 4.13.4 shows a grey line extending from under the A14 bridge to the south running over the top of the concrete outfall structure and to the north. This line is in keeping with the existing PROW which follows, as described by the Applicant, a 'desire line'.</p> <p>The fence line is marked to the east, but not the ditch which lies between the footpath and fence line and is of some width, taking natural reeds and ditch edge into account. It is unlikely, given the drawing showing the curved edge of the A14 bridge structure, that the existing footpath/ desire line runs any further to the east of the line shown. In fact, in order not to traverse over the structure at all, according to this drawing, the desire line of the existing footpath would need to run from the corner of the A14 bridge, which it does not.</p> <p>SHH note the visualisation provided by the Applicant in the Design Code and the DAS of the proposed outfall is from the towpath on the west bank and this shows an almost invisible structure. This is, SHH believe, an unrealistic vision, which will not be achieved if the engineered structure extends to the full 0.5m above 4.3m AOD allowed by the parameters. Our request is for these parameters to be reduced to 0.2m above the design level of 4.3m AOD ie for the 4.5m AOD maximum height parameter to prevail.</p>	APP-027 SHH 56 REP5-135

	<p>APP-027 4.13.4 shows in the inset a 'path' traversing the outfall structure, almost certainly based on OS map data. There is no reason to suppose this illustration is not intended to represent the PROW 85/6. The cross sectional drawings show a fence to the west of the ditch, which does not exist, as above the fence boundaries the field, not the ditch. SHH are not aware of any proposals to introduce a new fence line; if intended this would impact on the character and amenity value of the riverside area and footpath, in effect closing off a natural ditch and reed habitat.</p> <p>On APP-027 4.13.4, a footpath is shown in the cross section of the final effluent outfall passing to the east of the outfall structure with what appears to be sufficient clearance to allow footpath users when passing in either direction to step to either side. The cross section of the Storm Outfall shows a narrowed path up to the limit of the outfall structure. Here a 1:4 gradient is shown. It is apparent from this illustration the gradient would be obstructive to the footpath user, limiting stepping to either side and will likely result in a new desire path forming, either away from the structure or directly over the top where the gradient is horizontal.</p> <p>The illustrations and drawings are not clear or consistent with one another. They do not provide SHH with confidence that the intentions proposed for the outfall including reinstatement of the existing footpath and mitigation measures to maintain the character of the organic riverside footpath will be achieved.</p> <p>SHH (SHH56, REP5-135) has expressed the view that an assessment of impact and effect on visual amenity from Footpath 85/6 looking north is necessary and that this should reflect the maximum design parameter of the height of the concrete roof.</p> <p>An accurate illustration also needs to show the existing ditch, fencing, alignment of Footpath 85/6, new engineering structures, new river alignment and new reed planting in order to validate the Applicant's assertion, in response to ExQ2, that the structure visible to users traversing FP 85/6 would not be dissimilar to the existing outfall in that only the cap and manholes would be visible and that this can be sustained without exposure or obstruction from the concrete roof into the longer term.</p>	
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<p><b>REP5-118 Cambridgeshire County Council's Response to ExQ2</b></p> <p><b>6.4 Carbon Emissions</b></p>	<p>SHH notes and supports the County Council's objection to the use of carbon offsets to deliver operational net zero and the view that the construction emissions at 53,000 tCO2e are 'very high'. The Applicant has committed to a further reduction in the construction emission target, which SHH believes, as set out in SHH 53, could realistically be set at 34,800 tCO2e.</p>	
<p><b>7.10 Compliance with MWLP Policy 16</b></p>	<p>The County Council's response is partial. It clearly states on the face of the policy that on the grant of approval for a new WWTP, 'the policy principle of a CA is deemed to automatically apply'. The County Council should have offered its view as to whether the approval and creation of a landscaped recreational area, with paths and other facilities, all within that CA, is compatible with the continued unfettered operation of the works.</p>	
<p><b>11.4 Compliance with Green Belt policies</b></p>	<p>SHH made the point clearly at ISH4 that the County Council, which would otherwise have been the determining authority for the proposed development, should have set out, in terms, whether or not the proposed development is contrary to Green Belt (and all other) policies in the local plans and causes significant harm to Green Belt. This would be the normal approach were this a 'called in' planning application or a s78 appeal against non-determination. The County Council cannot leave that judgment to SCDC, which would not be the determining authority.</p>	
<p><b>REP5-122 South Cambridgeshire District Council's response to ExQ2</b></p> <p><b>1.2 Policy</b></p>	<p>It is SHH's view that any planning benefit of the PD claimed by the Councils or the Applicant in relation to the use of brownfield land is false as, in order to release some 40ha of the existing site for housing, a fully functional and future proofed WWTP has to move into open Green Belt on to 90ha of high quality arable land; both of which are protected from development in the revised NPPF (NPPF 2023). Green Belt remains protected from inappropriate development (para 152) and as referenced by SHH (REP5-136) the NPPF now gives greater protection from significant development on agricultural land (Para 181, footnote 62).</p> <p>SHH notes SCDC reference to its written summary of oral submissions at ISH3 (REP4-094) and that its position on Green Belt stands. REP4-094 states that if the DCO were not approved, the Councils would <i>need to look to identify a replacement site for the majority of the 8,350 homes identified in the GCLP First Proposals that are dependent on the CWWTTP being relocated, and in particular that 3,900 homes for the plan period to 2041.</i> The submission goes on to indicate that in the absence of the relocation of the WWTP, a replacement housing site would be needed</p>	<p>SHH 04 REP1-171 SHH 20 REP2-066 SHH 50 REP5-135 SHH 51 REP5-136 SCDC REP4-094</p>

	<p>probably in the Green Belt and the site required would be much larger than the existing CWWTP. SHH disputes this analysis as already set out in evidence.</p> <p>SHH does not accept that a single new alternative site would need to be found to accommodate this number of homes and or that development in the Green Belt would be required over and above that already proposed in the Development Strategy supporting the GCLP First Proposals. As submitted by SHH (REP5-136) at 1.2, the revised NPPF has removed the requirement of a 10% buffer in the LPA's housing calculations. In the case of the GCLP First Proposals this means a reduction of 4,440 homes from those calculated and allocated. At a stroke, this removes the requirement of the 3,900 homes allocated for build out at NEC in the GCLP plan period to 2041. In addition, this change in the NPPF determines that without a relocation of the WWTP and an assumption of some build out of the potential 1425 homes, referenced by SCDC at NEC as not dependent on a relocation of the WWTP, there would remain circa 2,000 surplus allocations in the GCLP FP available to contribute to the revised housing figures published in the Development Strategy Up-date.</p> <p>With regard to the balance of 4,450 homes identified for build out at NEC beyond the GCLP period post 2041, SHH has demonstrated that there are sufficient sites, including a number with permissions, amongst existing and other proposed new strategic sites already included in the GCLP FP to absorb these without requiring identification of a new strategic site or development in the Green Belt over and above that already proposed (REP1-171).</p> <p>Further, in relation to making the most of employment and development potential at NEC, SHH have submitted that without a relocation of the WWTP, the employment development potential remains high and is likely to exceed the employment capacities proposed in the GCLP FP and NECAAP (REP2-066 at 7.14; SHH50 REP5-135 at 6.27 and 6.33).</p>	
<p><b>7.14 Public access and parking</b></p>	<p>The position taken by SCDC on the question of parking and on whether the recreational provision at the site will encourage wider use of the footpath network is illogical. The site will be little used by residents of Fen Ditton and Horningsea arriving on foot. It will attract users from a wide area, including some Fen Ditton and Horningsea residents, if the Applicant allows use of the extensive parking proposed. It is only if that parking is denied that there is likely to be nuisance parking, for</p>	



	<p>example, on Biggin Abbey drive or at the junction of Low Fen Drove Way.</p>	
<p><b>11.1 and 11.2 Green Belt harm</b></p>	<p>SHH submitted in RR-035 that three LPAs had essentially abdicated from involvement in selecting any or the least harmful site in the Green Belt, leaving it to the Applicant alone. In the event, the site selected for the PD by the Applicant was identified in the supporting Environmental Assessment from the three sites shortlisted, as being the one with the most significant impact in terms of purpose of Green Belt, impacts on landscape and historical assets that, at best mitigation measures would be able to reduce the RAG rating from Red to Amber (CWWTP Stage 4 Final Site Selection Appendix B Environmental Assessment; Appendix J Green Belt Study).</p> <p>Similarly, despite SCDC Local Plan having explicit Green Belt policies (and SCDC expending great effort on Green Belt Assessments and on Green Belt protection), SCDC’s response has abdicated responsibility to the ExA to conclude on the degree of harm the PD would have on the Cambridge Green Belt.</p> <p>SHH refers the ExA to the LDA Design, Cambridge Inner Green Belt Boundary Study (2015) supporting the current Local Plans (CLP 2018, SCLP 2018) and Land Use Consultants (LUC) Greater Cambridge Green Belt Assessment (2021) informing the GCLP. Both of these studies are relevant to the parcel of land in question for the PD. As referenced by SHH in RR-035 and REP1-171, these studies conclude any development in the vicinity of the PD would cause High/Very High Harm respectively to the purposes of the Cambridge Green Belt.</p> <p>SHH notes that SCDC states it is ‘generally satisfied’ with the Applicant’s Green Belt Assessment but does not elaborate. SHH has submitted that it disagrees fundamentally with the reasoning and analysis that the Applicant has used in its Green Belt Assessment to reach the overall conclusion of ‘moderate harm’ and has stated the view that the harm should be rated as ‘very high harm’. SHH has provided the ExA with critique and analysis supporting this view throughout its submissions (e.g. RR-035 Section 7; REP1-171 Section 7; REP3-068 7.1-7.7 pg 8-10).</p> <p>SHH notes that while SCDC avoids expressing a professional opinion on the degree of harm the PD would have on the purposes of the Cambridge Green Belt, which is substantial, and fails to assist the ExA on these matters, for example, by referencing in detail its own relevant Green Belt</p>	<p>SHH RR-035 SHH 04 REP1-171 SHH 34 REP3-068</p>

	<p>Studies, it does consider it appropriate to identify the benefits of the PD as ‘very special circumstances’ and then direct the ExA’s attention to its view of these benefits.</p> <p><a href="#">CWWTPR Stage 4 Final Site Selection Appendix B Environmental Assessment</a>  <a href="#">CWWTPR Stage 4 Final Site Selection Appendix J Green Belt Study</a>  <a href="#">LDA Design Cambridge Inner Green Belt Boundary Study main-report 2015</a>  <a href="#">LUC Greater Cambridge Green Belt Assessment Final Report 2021</a></p>	
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