

## Cambridge Waste Water Treatment Plant Relocation Project – Written Summaries of Oral Representations Made by CCoC at Issue Specific Hearing 4 [ISH4] and responses to Actions

This document summarises the oral representations made by Cambridgeshire County Council (**CCoC**) at the Issue Specific Hearing 4 (ISH4) on 13<sup>th</sup> and 14<sup>th</sup> March 2024 in relation to the application for development consent for Cambridge Wastewater Treatment Plant Relocation Project (the Scheme) by Anglian Water Services Limited (the Applicant). This includes the action points and further updates.

This document does not purport to summarise the oral submissions of parties other than CCoC and summaries of submissions made by other parties are only included where necessary in order to give context to CCC and submissions in response, or where CCoC agreed with the submissions of another party and so made no further submissions themselves.

**Table 1.2. Written Summaries of Oral Representations made at ISH4 on 13<sup>th</sup> and 14<sup>th</sup> March 2024**

Note responses to the actions above include a number of matters the County Council provided oral representation to at ISH4 that are not repeated below. The responses to the ISH4 actions should be read in conjunction with additional information provided below.

Agenda Item and Actions	Cambridgeshire County Council's Submission
<p><b>2 dDCO Action 13</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ <i>R13 (archaeological investigation mitigation strategy) and matters around flexibility, as raised by Cambridgeshire County Council (CCoC);</i></li> </ul> <p>ACTION 13 – Applicant / Cambridgeshire County Council (CCoC) - Liaise regarding the framework archaeological investigation mitigation strategy to address's CCoC's concerns regarding flexibility.</p> <p>CCoC and the Applicant are seeking to make changes to the Archaeology Investigation Mitigation Strategy before the close of the Examination.</p>
<p><b>4 Biodiversity</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ <i>Potential recreational pressure on Stow-cum-Quy Fen Site of Special Scientific Interest</i></li> </ul> <p>Cambridgeshire County Council accepts Anglian Water's approach to deal with mitigation for Stow-cum-Quy SSSI through contributions to the set-up and delivery of a wider Recreational Group, for which the applicant, local authorities and Natural England will be stakeholders. This is subject to S106 for wider Recreation Group to secure contributions to set up and baseline survey / mitigation.</p> <p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ <u>Mitigation and management of protected species and habitats</u></li> </ul> <p>Cambridgeshire County Council met with Anglian Water on 27<sup>th</sup> February and 8<sup>th</sup> March to discuss outstanding issues. Changes to be submitted by the applicant at Deadline 6 to address outstanding matters.</p>

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	<p>The Statement of Common Ground submitted at Deadline 6 reflects matters are now agreed subject to various submissions at deadline 6.</p> <p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ <u>Biodiversity Net Gain</u> S106 ask from CCoC.</li> </ul> <p>Requirement 25 means there is a need for the County Council as the relevant authority to monitoring the delivery of BNG. The County Council seeks that BNG reports are submitted to the County Council in years 1, 2, 3, 4, 5, 10 and every 5 years (for a minimum of 30 years) and that adequate funding is provided to allow the Council to review these documents and secure remedial action (if/when required). A S106 is sought to secure this funding and monitor BNG. ▲</p> <p>Note the Applicant is currently drafting a S106 to include a contribution for BNG monitoring.</p> <p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ <u>Low Fen Drove Way Grasslands and Hedges County Wildlife Site.</u></li> </ul> <p>The County Council has discussed this issue with Anglian Water and updates to the Lighting Design Strategy are agreed and to be submitted a t Deadline 6.</p>
<p><b>7 Land Quality</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 Policy 5; and</li> </ul> <p>Re Policy 5 of M&amp;W Plan. Mineral Safeguarding Areas</p> <p>CCoC position is as set out section 9.1 onwards of the LIR and the response to ExA Q2 at 15.1. In summary:</p> <p>Mineral Safeguarding Areas (MSAs) are identified on the Policies Map for mineral resources of local and/or national importance. Policy 5 (Mineral Safeguarding Areas) of the Plan states the Mineral Planning Authority must be consulted with the exception of certain developments listed from (a) to (h), not applicable in this instance. Development within MSAs which is not covered by the above exceptions will only be permitted where it has been demonstrated that: (i) the mineral can be extracted where practicable prior to development taking place; (j) the mineral concerned is demonstrated to not be of current or future value; (k) the development will not prejudice future</p>

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	<p>extraction of the mineral; or (l) there is an overriding need for the development (where prior extraction is not feasible).</p> <p>In considering criteria (i) to (l) there are two relevant safeguarded areas one of chalk and one of sand and gravel. Below is a description of each and CCoC's assessment as it applies to criteria (i) to (k).</p> <p>In relation to Chalk safeguarding: it can be reasonably argued that the Applicant does comply with criterion (i) of the policy. Chalk is abundant within the south of the County, to the point of having little to no value at this present time; except where the chalk is of a particular quality or has specific properties, for which specialist quarries have established themselves. The Applicant is proposing to use material extracted within the development, and this is likely the best outcome that can be achieved in relation to the chalk resource. There is unlikely to be a market for additional chalk being extracted at this time, and any additional extraction would result in a depression in the landform which may result in other concerns or the importation of material to fill the void.</p> <p>In contrast, the sand and gravel, does have value and there may be a market for it. The area of the development within the sand and gravel mineral safeguarding area is the transfer pipe. As set out in the Applicant's Mineral Safeguarding Calculation, only the Northern section and Southern section of the pipeline is likely to encounter sand and gravel; the other sections are either too deep in the case of the Transfer tunnel or only encountered sand and gravel in one of the boreholes related to the Outfall pipeline. There may be some limited scope for prior extraction, but given the quantity of sand and gravel likely to be extracted (assuming it varies between 1 and 1.4 metres as per the Applicant's report over a distance of 6,483 metres), and the requirement for material to backfill the pipeline, it would suggest that complete prior extraction is unlikely to be feasible, as the void would then need to be filled with other material. Any partial extraction is likely best addressed through any waste management plan, so the material can be screened and sorted. It is on that basis the CCoC is content that criterion (l) have been satisfied in the respect that complete prior extraction is not feasible, and that partial extraction can be addressed through a waste management plan.</p> <p>Criteria (l) states Development within MSAs will only be permitted where it has been demonstrated that there is an overriding need for the development (where prior extraction is not feasible). Should the ExA be of the mind there is an overriding need for the development, Policy 5 would be satisfied.</p> <p>Had CCoC been the determining authority for the proposed development, an assessment of the need and what weight to give to it have been undertaken and this would have been part of the</p>
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	<p>planning balance. The decision on whether there is an ‘overriding need’ for the development would have included, but not been restricted to, the benefits that would be realised or enabled by the development, any national considerations, and the impact upon the local economy. The judgement would have also considered the cost of, and scope for, developing outside the MSA, or meeting the need for it in some other way. The consideration of the term ‘not feasible’ in (I), could include viability reasons. In its determination, if CCoC were the authorised determining body, various parties would have been consulted to inform the deliberation and help reach a conclusion. However, as CCoC is not the determining authority in this instance, the assessment and weighting given to need has not been undertaken and therefore we are unable to provide the ExA with a position statement or a conclusion on the ‘overriding need’ for the development.</p>
<p><b>8 Noise and Vibration Action 42 and 43</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ Scoping out of emergency generators from the noise assessment</li> </ul> <p>We are happy that the emergency generators have been assessed, but need time to review the report just submitted and will consult with Environmental Health colleagues before giving a view.</p> <p><b>ACTION 42</b> – Update SoCG with CCoC to reflect the agreed position on emergency generators being scoped out of the noise assessment.</p> <p>CCoC is satisfied with the briefing provided of how the impact of the emergency generators has been considered and why is has been scoped out of Chapter 17 of the Environment Statement, Noise and Vibration (App Doc Ref 5.2.17) [REP5-042]. The Applicant has confirmed the briefing note will be included in the updated Chapter 17 at Deadline 6.</p> <p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ Effects from temporary odour control measures and scrubbers;</li> </ul> <p><b>ACTION 43</b> – for the Applicant, Update SoCG with SCDC to reflect the agreed position on noise and vibration effects from temporary odour controls / scrubbers. Please note this matter is in the CCoC and Applicant SoCG at Deadline 6.</p>

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<p><b>9 Traffic and transport Action 46</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>○ Responses to outstanding points on page 17 of [AS-179], including in relation to CA10 and CA13 and whether a final agreed schedule could be submitted by the Applicant / included in the SoCG with CCoC.</li> </ul> <p>Discussed with applicant's representatives 13-3-24 – agreed in broad terms the layout of the development access at CA10 and appropriate protections for existing NMUs on Low Fen Drove Way.</p> <p>ACTION 46 – SoCG to be updated to reflect agreed position on mitigation documents / add updated schedule.</p> <p>The Applicant has provided further information to CCoC of the accesses. CCoC is currently reviewing these and will provide an update and Deadline 7 and be reflected in the signed SoCG.</p>
<p><b>11 Community</b></p>	<p><i>Agenda sub bullet</i></p> <ul style="list-style-type: none"> <li>● Public rights of way (PRoW) / permissive paths, including: <ul style="list-style-type: none"> <li>○ Clarification of which routes would be PRoW and which would be permissive paths (with reference to LERMP [REP5-062]).</li> </ul> <p>CCC welcomes the decision for the new bridleway connecting Low Fen Drove Way to Station Road, Stow cum Quy to be permanent. All other new paths across land to be acquired by the Applicant are understood to be permissive only.</p> </li> <li>○ How permissive paths would be secured. <p>It is understood that the proposed permissive paths will cross land that will be in the ownership of the Applicant. Ultimately it is at the Applicant's discretion as to how access is facilitated. CCC requests engagement from the Applicant to ensure minimum access requirements (such as the width, surfacing, and any gates) are achieved for the relevant permissive paths, and also that the Applicant enters into Permissive Path Agreements with CCC so that the extent of public access rights are clear and can be published for the benefit of the wider community.</p> </li> <li>○ Whether a 30-year period for permissive paths would be sufficient to mitigate effects. <p>Permissive access is not considered to offer robust mitigation for the development, as such access can be withdrawn by a landowner. Hence mitigation of the impact of the development for NMUs</p> </li> </ul>

	has included the new bridleway as well as a S106 equestrian contribution for measures on the wider network.
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