

Cambridge Waste Water Treatment Plant Relocation Project
Anglian Water Services Limited

Applicant's comments on Deadline 5 Submissions

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1 Introduction

1.1 Introduction

This document provides Anglian Water Services Limited (the Applicant) comments on the submissions received at Deadline 5 for the Cambridge Waste Water Treatment Plant Relocation Project (CWWTPRP).

This document does not seek to respond to every submission made at Deadline 5 (19th February 2024) or to repeat matters which are already set out in documents available to the examination – rather its purpose is to address any new concerns which may have arisen, correct any omissions or provide signposting of clarification were deemed necessary.

The Applicant has reviewed the submissions from the following parties and believes that it has already addressed the points raised in previous deadline submissions, through the Applicant responses in the most recent examination hearings and in response to ExQ2's issued on the 31st of January 2024:

- Liz Cotton - Responses to ExQ2 [REP5-133] (A response to [REP5-132] is provided below).
- Nigel Seamarks [REP5-134] Applicant's comments on any submissions received at Deadline 5

2 Applicant's comments on any submissions received at Deadline 5

2.2 Cambridgeshire County Council [REP5-117]

Carbon

The Applicant has discussed with CCoC their comments on ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP4-026]. CCoC has confirmed that Chapter 10 Carbon [REP4-026], the outline Carbon Management Plan (oCMP) [REP4-064] and provision of the Design Code [REP4-085] along with the updated GHG Calculations [REP4-062], now adequately assess the estimated impacts from carbon emissions and sufficiently capture the proposed mitigation measures, including monitoring and reporting.

Both parties acknowledge that securing offsets can be challenging but the Applicant has provided details of certified schemes which can ensure that the project would be operationally Net Zero.

Confirmation has been sought and provided by the Applicant to clarify the figures presented in paragraph 3.7 CAR.01 and CAR.02 of the updated Design Code (App Doc Ref 7.17)[REP5-109]. This wording will be added for Deadline 6 and this latest position with CCoC is reflected in the SoCG (App Doc Ref 7.14.4) [REP5-096] in table 3.3 and will be provided at Deadline 6.

Lighting Design Strategy

The Applicant notes the recommendations made by Cambridgeshire City Council regarding the naming of the County Wildlife site and has amended the Lighting Design Strategy (App Doc Ref 5.4.2.5) at paragraph 4.2.20 to include the full name of the Low Fen Drove Way Grasslands and Hedges CWS. The updated document will be provided at Deadline 6. Regarding Cambridge City Council's view that there is inconsistent wording between the Lighting Design Strategy [REP4-048] and the Applicant's Response to ExA Hearing Actions [REP4-087]. The Applicant does not believe the wording is inconsistent – the Applicant's response to ExA Hearing Actions (REP4-087) confirms it is not within the Applicant's powers to ensure a dark corridor along the County Wildlife Site, but that it will commit to not increasing lighting levels to the dark corridor to maintain its characteristics in line with the Lighting Design Strategy [REP4-048].

Noise and Vibration

The Applicant has discussed the concerns raised on the assessment of the emergency generators within ES Chapter 17 Noise and Vibration (App Doc Ref 5.2.17) [AS-036]. A technical note has been prepared to assess the use of temporary generators. This assessment of emergency generators -will be -included within ES Chapter 17 (App DOC Ref 5.2.17) with the updated provided at Deadline 6.

2.3 Cambridge City Airport [REP5-123]

Fruit bearing trees

It is understood that Cambridge City Airport is expected to be relocated between 2027-2030. This would be in advance of planting reaching maturity and bearing fruit. In addition, the detailed Wildlife Hazard Management Plan would be prepared in consultation with the operators of Cambridge City Airport. Under Requirement 24 of the draft DCO, the detailed plan would be approved by the relevant planning authority and developed in consultation with the operators of the airport prior to operation of the Proposed Development.

2.4 Fen Ditton Parish Council [REP5-125]

DCO V7 [REP4-003] Sch 14 Part 18

The Applicant will remove the word “operational” from Part 18 of Schedule 14 in relation to the parking spaces in the final dDCO to be submitted at Deadline 7.

Action Points EV-007v Points 31 & 32 (Parking & Staff)

The number of car parking spaces applied for in the dDCO is correct and includes the Applicant's likely realistic scenario of staff members and visitors attending the WWTP in any normal working day.

The Applicant recognises the point raised by FDPC regarding the 2:1 ratio. This was not a correct representation of the parking provision proposed. The parking proposed is for a 1:1 ratio with the inclusion of spaces for our network technician vans, visitors and other members of the workforce based at the proposed works that are the same as the quantum as those currently working at the existing WWTP.

The Applicant has corrected an inconsistency in the Project Description (App Doc Ref 5.2.2) where 2No disabled spaces were omitted from a table. All other references were correct.

Action Points EV-007v Points 93 (supplemental watering of planting)

The Applicant had already considered utilising final effluent (FE) as a source to water to water the planting on the Earth Bank. The utilisation of FE outside of the water treatment process is not currently a permitted activity under discharge permits controlled by the Environment Agency. The Applicant is willing to further explore this suggestion. The Applicant's position was stated at the previous issue specific hearings (3 & 4), as well as in Appendix H of the Applicant's responses to ExA Hearing Actions (App Doc Ref 8.20) [REP4-087].

As described in Appendix H (App Doc Ref 8.20) [REP4-087], planting on artificially created earth bunds, embankments and cuttings is frequently carried out on projects such as new roads, railways and housing developments. Ideally planting should be watered in times of prolonged drought during the early years but there are many examples where planting on slopes and earth bunds has been successful without any watering. On the Wadesmill and

Stoke Hammond by-pass schemes, for example, new plants were not watered at all but by year 5 of operation, the planting on both schemes had grown well and required thinning rather than replanting.

Applicant's revised Landscape and Visual Assessment (REP4-032) (Table 2-6 Tall Structures)

The Applicant has included within the Design Code [REP6 7.17] LAN.02 securing measures to both guarantee the minimum 5m height above existing ground level as well as the 6m horizontal strip on top of the earth bank. The Applicant also notes its plans to plant organic screening in the enabling phase of the proposed development as well as significant planting once the earth bank is created that will provide screening above the 5m high earth bank

Action Points EV-007v Points 91 and 92 - Lowering of Tall structures

The Applicant took due consideration during the design process to reduce the heights of the tallest structures. Initially the height of the digesters was 26m above existing ground level (as described in the Applicants second consultation documentation), but is now just over 20m above existing ground level (as described in the dDCO and Project Description). This has been achieved by creating the greatest base to height ratio possible without jeopardising process efficiency or operational reliability. In addition to reducing the height of the structure on its own, the whole of the Sludge Treatment Centre area has been lowered into the ground by 1.5m further reducing its relative height compared to existing ground levels.

As discussed in previous representations and at the ISH4, there are a number of different constraints restricting the further lowering of the tallest structures. These include, maintenance and safety, regarding workforce accessing those structures during planned maintenance and operation, and ground water, with respect to protection from flood risk as well as floatation considerations. There is also a significant carbon, time and cost consideration in further lowering the structures. To ensure the proposed WWTP is Industrial Emissions Directive (IED) permit compliant, tank and equipment integrity must be easily inspected, and issues resolved in a timely manner. This means that a near surface design is preferable to one that is buried, or in a deeply buried area.

2.5 Conservators of the River Cam [REP5-130]

The Applicant and the Conservators have held a further discussion to seek to agree the Protective Provisions and the resolution of the issue regarding the compensation for the loss of officer's time. This discussion is ongoing. The final position between the parties will be recorded at Deadline 7.

2.6 Liz Cotton [REP5-132]

Liz Cotton has confirmed the details redacted in this Representation. The Applicant confirms it will include that property in its monitoring of septic tanks in the Poplar Hall area. The Code of Construction Practice Part B has been updated in Section 3.2 to include reference to Red

House Close as per Issue Specific Hearing 4 Action Point 41 (see 8.25 Applicants Response to ISH4 Actions).

2.7 Save Honey Hill Group [REP5-135]

SHH48 Response to Strategic Whole Life Carbon Assessment 7.5.2 Rev 02 [REP3-042] and to Applicant's Response to Written Representations Section 9 in 8.13 [REP2-037]

We note that in paragraph 1.3 of their comments SHH states: "Our considered view is that this assessment still overstates the differences in emissions between the two locational scenarios, although we accept that these are still likely to be higher if housing is not provided on the core NEC site and takes place at a location further from the City." If the assessment considered the delivery of 5,600 houses at both the core NEC site and the counterfactual site, then the same relative difference in emissions would be found, which is what this assessment aims to identify.

Aspect 1

In response to Aspect 1, which states that 'The Applicant is unable to demonstrate that the Preferred Option for operation, gas to grid or similar, is feasible.'

The Applicant received confirmation from Cadent Gas during discussions in 2022 that there was sufficient capacity for biomethane from the proposed CWWTPRP to be exported to them. Confirmation of grid capacity is set out and agreed in the SoCG with Cadent Gas, which is due to be agreed and signed. The Applicant's Response to Relevant Representations [REP1-078] also confirms that the Applicant has engaged with Cadent Gas and confirmed with them that the local medium pressure gas network can receive the enhanced biomethane proposed to be produced on the proposed WWTP.

Total natural gas demand in the UK is predicted to decline over time with the UK's Sixth Carbon Budget indicating a 70% reduction from 2020 to 2050, with residential demand reducing to zero between 2047 and 2050 (Climate Change Committee, 2020). However, the remaining 2050 demand in the Sixth Carbon Budget, mainly for power generation and industrial uses, is still much higher than the total possible biomethane production that could be achieved by the UK by that date. This indicates that there would be sufficient demand for biomethane from the proposed WWTP until at least 2050.

Under the mid-point scenario in the SCA report, i.e. the CHP option, emissions associated with the relocation of the WWTP were estimated to be ~71,000 tCO₂e and emissions from upgrading the existing WWTP were ~18,000 tCO₂e. However, as explained in the SCA report, Aspect 1 has a relatively insignificant effect on the overall emissions. The difference in emissions between the proposed relocation project and a reasonable counterfactual is largely driven by housing-related embodied carbon emissions (Aspect 2) and commuting-related operational carbon emissions (Aspect 3).

Aspect 2

To compare these housing developments on a like-for-like basis, the Applicant assumed that the same unit types will be delivered at both the core NEC site and counterfactual site, i.e. the mix of studio, one, two and three bed properties. This therefore means that the calculations are based upon the same number of residents being housed at both sites. The only difference between the sites is that the units are delivered at a higher density at the core NEC site due to its more central location. The residential GIA is therefore significantly reduced at the core NEC site compared to the counterfactual site, which largely drives the difference in embodied carbon emissions that is identified in this assessment.

As stated in previous responses, socio-economic and demographic attributes are not accounted for in this assessment. Even if they were included, however, the Applicant does not consider that it would be driving a notable or tangible difference; any socio-economic uplift identified here would simply be displacing the equivalent difference from elsewhere. Furthermore, even if any differences in socio-economic or demographic attributes between the sites were accounted for, then the Applicant considers that they would have an insignificant impact on the emissions given that it would affect operational carbon emissions, which make up a relatively insignificant 2% of total Aspect 2 emissions.

Lastly, as has been noted in the SCA report, the same embodied carbon factors for housing and associated infrastructure were used for both the proposed and counterfactual site. This is likely to produce a conservative estimate of the difference in emissions, given that, in reality, the NEC site is a brownfield site and will therefore likely have a significantly lower infrastructure investment requirement than the counterfactual site.

Aspect 3

The NEC site is Cambridge's last major brownfield site, which makes it unique with regards to its close proximity to the City of Cambridge and major public transport links. There are no viable like-for-like alternative locations for housing within the built up area of Cambridge that could deliver housing in line with the scale and timeframe of this relocation project. A generic suburban settlement that has characteristics broadly in line with the sites on which the same number of new homes could feasibly be delivered, e.g. Northstowe, was therefore chosen as a reasonable counterfactual.

Operational commuting emissions account for a significant proportion of the difference in emissions between the proposed development and counterfactual. These emissions are based on Bioregional's strategic spatial options modelling tool, which was used by Greater Cambridge Shared Planning to inform the Greater Cambridge Local Plan 2041. This tool uses best available evidence and data to account for a range of variables, including travel mode and distance, to produce a transport emissions per home figure for several location categories.

In light of the above and in response to SHH's comments at paragraphs 5.2 and 5.3, the Applicant points out that the scale of the difference in emissions between the Proposed Development and the counterfactual are such that emissions under the mid-point scenario for the Proposed Development (~1.4M tCO₂e) are significantly lower than emissions under the zero carbon policies scenario for the counterfactual (~1.6M tCO₂e). As the Applicant has

outlined in previous responses and in the SCA report, the assumptions made in this assessment, which are inevitable in a high-level assessment of this kind, introduce a degree of uncertainty to the results. However, given that a range of scenarios have been built into the assessment and given the scale of the difference in emissions between the proposed relocation project and a viable alternative that has been identified, the Applicant considers that its overarching conclusion is reasonable and should be given appropriate weight in the planning balance. The Applicant notes that in paragraph 1.3 of their comments SHH states: *"Our considered view is that this assessment still overstates the differences in emissions between the two locational scenarios, although we accept that these are still likely to be higher if housing is not provided on the core NEC site and takes place at a location further from the City."*

SHH52 Review of Environmental Statement Chapter 10 Carbon Rev 04 [REP4-027] and Conclusions about Carbon Emissions and Mitigation Proposed

2.4 i): To explain why tCO₂e/ML increases for proposed WWTP compared to existing, the carbon estimate for the proposed WWTP has been prepared in accordance with EIA guidance and hence uses a 'reasonable worst case' in terms of assumptions for the predicted performance of the proposed treatment plant. This will ensure that required plant performance standards (including final effluent quality and carbon emissions limits) are safely achievable. The proposed WWTP assumptions are also based on higher expected flows to treatment and additional treatment steps. A key component of operational carbon emissions is the power usage for the various proposed wastewater and sludge treatment process equipment, which have been based on reasonable worst case assumptions and the additional treatment processes used in the proposed WWTP. In contrast, the carbon estimate for the existing plant uses actual operating data (and hence based on the current lower flows and fewer treatment stages). Furthermore, the existing plant has benefited from the experience of its operators who continue to optimise a plant's performance during operation. It is also notable that a most of the increase in tCO₂e/ML for the proposed plant is associated with the higher power demand forecasts for the proposed plant compared to the existing plant. For the ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP4-026], the carbon emissions for the both the proposed and existing plant emissions are based on a 2028 grid power emissions factor (published by the UK Government). As the power grid decarbonises further, future grid power emissions factors will also reduce and hence any difference in carbon emissions between the proposed and existing plants reduces significantly. Based on the UK Government's current grid emission factors forecasts, the proposed plant (Alternative Option CHP model) would have a lower total tCO₂e/ML than the existing plant by 2030.

2.4 ii): The Applicant's response to ExQ2 6.1a) [REP5-111] confirms that, in response to Hearing Action Point 36 from ISH3 [EV-007v], the Applicant amended ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP4-026] to present a "do-nothing" baseline and the Delivery Milestone Zero (DMO) as an alternative design stage. The top row of Table 2-2 (including reference to Anglian Water's construction carbon models) was removed as construction baseline emissions are now zero, therefore no models are used in the construction baseline.

2.4 iii): In response to comment on Waterbeach, the Applicant's response to ExQ2 6.11 [REP5-111] confirms that the Waterbeach WRC demolition is not within the scope of the Proposed Development and therefore not within the impact assessment, however, an indicative assessment has been completed that estimates the carbon impact of the demolition of the Waterbeach WRC would be approximately 200tCO₂e. This has been estimated based on the difference in scale of the area and structures within the existing Waterbeach WRC compared to those within the existing Cambridge WWTP. The Applicant's estimate of demolition emissions is now 4,065 tCO₂e (~6% of WWTP emissions and ~0.3% of total emissions for proposed development). The Strategic Carbon Assessment [REP5-085] was updated at Deadline 5 so that the indicative demolition emissions now include the Waterbeach site (see page 8). In response to the comment about sludge transport, the Applicant refers to paragraph 2.7.4 of ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP5-032], which adequately covers the exclusion of sludge transport. For the response to Hearing Action Point 40 from ISH3 [EV-007v], the Applicant provided a clarification to paragraph 2.7.4 of ES Chapter 10: Carbon (App Doc Ref 5.2.10) [REP4-026] to highlight the exclusion of any operational emissions sources that are considered to remain unchanged between the existing site and the Proposed Development, including sludge deliveries. This is in line with the request for a comparison against a baseline of the existing site's operational emissions.

2.4 iv): The Applicant confirms that the assessment of construction carbon totalling 53,000 tCO₂e relates to the Preferred Option DCO Design (as set out in Table 4.1 and Table 4.2 of ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP5-032]). This is compared to an alternative construction model of a pre-value-engineered view. The construction emissions associated with a CHP option have not been presented. A confirmation is also provided under Table 4.10 confirming that for the whole life carbon assessment, "capital carbon emissions for the CHP option has used the same construction carbon assessment as the biomethane production to represent a worst-case position for this option. In reality, less carbon intensive infrastructure would be required for a CHP installation."

2.4 v): The Applicant confirms that the use of 'effect' here is consistent with the other impact assessment chapters and will not be altered. With regard to the significance assessments, the Applicant wishes to clarify that Table 4.7 and 4.8 relate to operation emissions in year 1 only, and are therefore different to Table 4.11, which is for the whole life assessment. Table 4.11 relates to whole life emissions, including construction emissions and hence has a higher significance than just the year 1 operation emissions. The conclusion in Table 4.11 shows a moderate adverse impact, which is rated as significant. This conclusion is applied (rather than "major adverse") because mitigation measures are being taken and emissions are partially mitigated through the Client's design optimisation approach and use of CHP or biomethane production. The Applicant's response to ExQ2 6.10 [REP5-111] confirms the approach taken to assessing significance.

3): In response to section 3 'Carbon Assessment Findings' regarding the overall whole life net impact, the conclusion in Table 4.11 of ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP5-032] shows a moderate adverse impact, which is rated as significant. This conclusion is applied (rather than "major adverse") because mitigation measures are being taken and emissions are partially mitigated through the Client's design optimisation approach and use

of CHP or biomethane production. The Applicant's response to ExQ2 6.10 [REP5-111] confirms the approach taken to assessing significance.

4.1-4.4): In response to section 4 'Setting and Securing Carbon Reduction Commitments', the Applicant confirms that the Design Code [REP5-109] captures the construction carbon requirements by establishing the parameters that must be met in the final detailed design of particular structures and spaces associated with the Proposed Development. The Applicant confirms that their 70% reduction target is aspirational, as stated in the Design Code [REP5-109]. As stated in the Design Code [REP5-109], the design decisions to achieve the current 45% capital reduction presented in ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP5-032] against the alternative DMO design will be secured within the Proposed Development design.

4.5-4.7): In response to section 4.5-4.7 on operational net zero, the Applicant confirms that the Proposed Development is maintaining its position that, if a CHP option is chosen, then carbon offsets will be needed and delivered to secure the operational net zero commitments the project has made. The Applicant confirms that installation of solar is just one of several control measures being taken to reduce operational emissions (currently planning for a solar array estimated to provide up to 19% of the site's power demand). In response to section 4.6 on the impacts of the solar array, reference ES Chapter 10 Appendix 10.2 Outline Carbon Management Plan [REP4-064] which states in paragraph 3.4.5 that the size of solar array is considered the optimal balance of utilising the available land area on the site whilst minimising visual impact and impact on the operational effectiveness of the proposed WWTP. The Applicant refers to the ES Chapter 15 Landscape and Visual Amenity (App Doc Ref 5.2.15) [REP4-032] which confirms that the solar array will be within the earth bank that will surround the proposed WWTP. A Glint and Glare Assessment is provided as ES Appendix 15.4 (App Doc Ref 5.4.15.4) [APP-130]).

SHH53 Design Code

The Applicant believes it has now answered all concerns within the Design Code to a satisfactory level so as the Local Planning Authority can hold the Applicant to account and secure the requirements needed to achieve all of the targets, principles and objectives set by itself and others.

Also refer to response to Action Point 36.

SHH54 Comments on Hedgerow Regulations and Tree Preservation Plans 4.8, REP4-021

As explained in ISH4, the Applicant had noted some errors in the delineations of hedgerows and important hedgerows on the Hedgerow Regulations and Tree Preservation Plans (App Doc Ref 4.8) and in Schedule 16 of the DCO. The Applicant has now undertaken a full review of the plans and several amendments have been made and updated plans are submitted at Deadline 6. Where necessary the amendments will be reflected in the Applicant's final dDCO to be submitted at Deadline 7. These are:

- The hedgerows falling outside of the Order limits have been removed from the plans;

- The hedgerow previously identified with an orange line between points H25 and H26 is now to be retained and has been removed from the plans. This will be removed from Part 1 of Schedule 16 in the DCO;
- A new hedgerow previously not identified on the plans is to be removed and this is identified with an orange line between points H29 and H30 on the plans. This will be added to Part 1 of Schedule 16 in the DCO;
- Two important hedgerows are to be removed and are shown with pink lines – between points H25 & H26 and points H27 & H28. These will be added at Part 2 of Schedule 16 in the DCO.

The changes to the removal of the hedgerows will be captured in updated BNG calculations to be submitted at Deadline 7.

It is not correct to state that the Hedgerow Regulations and Tree Preservation Plans (App Doc Ref 4.8) do not identify trees – these plans have always identified some trees which are definitely to be removed and article 25 refers to those.

The Applicant maintains that Article 23 of the DCO is appropriately drafted, is necessary for the delivery of the authorised development and follows other made Orders, as it has previously explained. However, the Applicant discussed the practical implementation of the power, together with the DCO requirements with SHH following ISH4 and it was agreed that the details of the trees and hedgerows to be removed and reinstated, removed, retained or lopped would be provided in the detailed CEMP. This is secured by requirement 9 of the DCO, through the provision of a CEMP which must comply with the measures in the Code of Construction Practice Part A. Paragraph 4.4 of the CoCP has been updated at Deadline 6 to reflect this (App. Doc. Ref. 5.4.2.1 Rev 07).

SHH55 Response to ES Chapter 13 Historic Environment REP4-030 and Tables REP4-067

The Applicant has reviewed the comments made by Save Honey Hill Group on ES Chapter 13 Historic Environment (App Doc Ref 5.2.13) [REP4-030] and Impact Assessment Tables [REP4-067]. Only where omissions or new points have been raised have these been addressed below as per the approach set out in Paragraph 1.1.2.

The Applicant notes the omission of asset HE078, the grade II listed Waterbeach War Memorial from Table 4.3 of ES Chapter 13 Historic Environment (App Doc Ref 5.2.13) [REP4-030]. The asset is reported in ES Appendix 13.4 Historic Environment Impact Assessment Tables (App Doc Ref 5.4.13.4) [REP4-066], as experiencing a negligible temporary adverse impact from the movement of construction traffic, amounting to a reversible slight adverse temporary effect during construction. The asset's omission in ES Chapter 13 Historic Environment (App Doc Ref 5.2.13) [REP4-030] is noted, but does not change the overall reporting of historic environment effects.

The Applicant does not agree with the impacts suggested by Save Honey Hill Group on Wildfowl Cottage (HE042) in points 3.2 and 3.3, and stands by the assessment included in ES Chapter 13 Historic Environment (App Doc Ref 5.2.13) [REP4-030] and ES Appendix 13.4 Historic Environment Impact Assessment Tables (App Doc Ref 5.4.13.4) [REP4-066]. The

setting of Wildfowl Cottage is primarily experienced in relation to its mature private garden, a highly enclosed setting. The asset's historic relationship with the River Cam, although largely screened by mature planting from the modern river course, does provide some contribution to its heritage value. Wildfowl Cottage (HE042) is located approximately 1.2km from the proposed WWTP, and approximately 600m from the nearest proposed lighting on Horningsea Road. The intervening mature vegetation, Biggin Abbey and topography means that there would be no impact from the operation of the Proposed Development.

The Applicant notes the provision of a drawing (fig 1) by Save Honey Hill Group. The Applicant considers that ES Book of Figures Historic Environment (App Doc Ref 5.3.13) [AS-047] presents sufficiently detailed information on the location of the historic environment assets.

SHH56 Comments on ES Chapter 15 Landscape and Visual Assessment 5.2.15 [REP4-033]

The Applicant has reviewed the comments made by Save Honey Hill Group on ES Chapter 15 Landscape and Visual Assessment (App Doc Ref 5.2.15) [REP4-033]. Only where omissions or new points have been raised, have these been addressed below as per the approach set out in Paragraph 1.1.2.

The Applicant notes the comments relating to the design of the concrete treated effluent discharge outfall and the potential impacts to the river bank and the nearby public right of way (Footpath Fen Ditton 85/6) and addresses the comments in the order they are raised.

In response to point 1.4: Table 2.6 on page 38 within ES Chapter 15 Landscape and Visual Assessment (App Doc Ref 5.2.15) [REP4-033], states that the outfall structure will be a maximum of 0.5m above finished ground level. The outfall chamber has been designed to be covered with a layer of topsoil, around 350mm deep, which will be sown with a grassland seed mix in line with the specification in the Habitat Management and Monitoring Plan (which will be produced as part of the final Biodiversity Net Gain report as referenced within Requirement 25 of the draft DCO (App Doc Ref 2.1)). The outfall chamber design is best illustrated by the cross section within the Design Plans – Outfall (App Doc Ref 4.13) [APP-027], which shows that the top of the topsoil layer will be flush with the highest part of the outfall structure and will not therefore result in the land in this location being raised above the stated maximum of 0.5m above finished ground level. When viewed from the Footpath Fen Ditton 85/6, which is east of the outfall, only the two inspection chambers and the linear edge of the outfall structure (adjacent to the riverbank) would be visible. These elements will be level with the grass on top of the outfall chamber roof. When the landscape around the outfall is reinstated at the end of construction, surplus soil left over from the groundworks will be used to create a gentle transition between the covered outfall structure and surrounding ground levels. There is ample space within the Scheme Order Limits to do this. The shallow gradient of the slopes will not impede movement by pedestrians along the existing path (parallel to Footpath Fen Ditton 85/6), which will cross part of the structure.

In response to point 1.5: The topsoil on the roof of the outfall chamber will be 350mm deep, which is sufficiently deep to allow the grass to develop a good root system. Grass is

well adapted to dealing with drought conditions, going into a dormant state and recovering after sustained rain. Unsurfaced footpaths in the countryside are frequently bare of vegetation and this does not generally affect their use.

In response to point 1.6: As the grass and other naturally regenerated vegetation (from the soil seed bank) on the outfall structure and land sloping up to it becomes established, the structure will blend into its surroundings. Raising the land in the area of the outfall will slightly change the landform on the eastern side of the river, but once the new grassland and wetland planting north and south of the outfall chamber has grown, this will not be readily apparent.

SHH57 LERMP

The Landscape Ecological and Recreational Management Plan (LERMP) [REP5-062] has been amended at section 4.1 to include details of the LERMP Advisory Group membership.

The Applicant does not consider it appropriate to secure the minimum bund height, precise slope profiles and cross-section of the earthwork bund on the face of the Development Consent Order. The final land form is secured both through amendments to the Design Code (Code LAN.02 [REP6-7.17], secured by Requirement 7 of the draft DCO) and through the LERMP approval process (secured by Requirement 11). As the LERMP makes clear (section 3.3), the bank sections are intended to be organic in shape and asymmetric, not geometrical. The precise form can be agreed through the submission of the final designs for approval. The height of the bund will be measured from the existing land level below the proposed bank crest in accordance with pre-construction surveys, as set out in LAN.02. The height of the bund will therefore not be a consistent height above ordnance datum, which will vary across the site, so as to appear a constant height to viewers at ground level, regardless of their location. This approach is consistent with that assessed in the landscape and visual chapter of the Environmental Statement [REP4-032].

Save Honey Hill's further comments on the LERMP are noted. Paragraph 2.4 is requesting an alternative design to those consulted on and proposed by the Applicant. As described in the Design and Access Statement [AS-168, paragraph 6.11.12] the "slices" in the earth bank have been provided to improve air flows within the plant. The Applicant believes that the continuous bank design promoted by Save Honey Hill would remove this functional benefit. As the cross sections in the LERMP illustrate, the "slices" do not compromise the landscape function of the earth bank.

SHH58 Construction Traffic Management Plan (CTMP)

The Applicant has reviewed the comments made by Save Honey Hill Group on the Construction Traffic Management Plan (CTMP) (App Doc Ref 5.4.19.7) [REP4-069]. Only where omissions or new points have been raised have these been addressed below as per the approach set out in Paragraph 1.1.2. The Applicant does not consider any updates to the CTMP necessary as a result of SHH58.

Abnormal Indivisible Loads (AIL) and vehicle timings and restrictions, along with wider construction vehicle restrictions, have been discussed and agreed with Cambridgeshire County Council as the Local Highways Authority. Pre-notification of the dates of these

planned deliveries would take place through the Construction Forum, as set out in the CTMP. The Construction Forum will agree the most appropriate times of day for these deliveries to take place. The agreed arrangements would then be communicated to local community representatives through the Stakeholder Liaison Group.

Construction Access Routes & Points

The purpose of the Construction Traffic Management Plan is set out construction traffic routes and measures to manage construction traffic, its scope does not extend to operational traffic and that is why accesses that only relate to operational traffic (labelled OA) are omitted from Figure 4.1. The purpose of Figure 4.1 is to show all construction related accesses, which are either main accesses, or from the public highway, however the Applicant will update Figure 4.1 to show all construction access to close out the SHHG issue. An updated Figure will be included in the revised Construction Traffic Management Plan issued at Deadline 6.

Low Fen Drove Way

Article 13, Schedule 6 relates to the temporary closure and creation of Public Rights of Way and does not include any powers relating to Low Fen Drove Way – other than the creation of the new Bridleway, its purpose has no relation to construction traffic. Construction traffic routing is secured through compliance with the CTMP, which only includes the use of the first section of Low Fen Drove Way while the permanent access road is under construction.

Following the completion of the permanent access road, only vehicles accessing points COA4 & COA5 and large goods vehicles (LGVs) (one or two vehicles) carrying out work to the Bridleway (installation of gates) (CA18) or levelling of the permissive path from the old railway line to Low Fen Drove Way (CA17) would traverse Low Fen Drove Way, all HGVs and other vehicles would enter via the permanent access road (see Figure 4.1 of the CTMP).

The use of Low Fen Drove Way by public traffic is not something the Proposed Development proposes to restrict or limit.

Scope of the CTMP

Table 2-1 of the CTMP defines the typical construction vehicle types which fall within the scope of the CTMP and includes all types of LGV. The CTMP applies to all construction traffic and will be cascaded to all sub-contractors as per Section 5.2 of the Code of Construction Practice Part A (App Doc Ref 5.4.2.1).

SHH59 Lighting Design Strategy

Impact on bat populations

SHH state that ponds and other areas of open standing water are likely to generate airborne insects, which would attract bats to their detriment. Within the proposed WWTP, areas of open water would include the primary and final settlement tanks. However, the purpose of the WWTP is to treat water and not store it for long periods of time. Therefore this movement of water through the treatment process does not allow the optimal aquatic habitat conditions to develop that would support invertebrates' breeding. It is noted that treatment processes involving trickling filters are more likely to attract insects, but this is

not proposed as part of the Proposed Development. It is therefore considered that, within the WWTP, there is no reasonable risk of significant numbers of airborne insects arising that would attract bats.

With the landscaped areas surrounding the proposed WWTP, seasonal scrapes (including trees, scrub and grasslands) are not located within lit areas or where there is the potential for light spill upon them. The landscaping measures aim to support bat species ability to commute and forage within the local landscape and to support the local Nature Recovery Network. These landscaping features link into the Low Fen Drove Way Grasslands and Hedgerows County Wildlife Site, which the Applicant has committed to retaining as a dark corridor of benefit to species including bats.

Under the heading 'Area 7 – Final Settlement Tanks' on page 26 of the Lighting Design Strategy (App Doc Ref 5.4.2.5) [REP4-048], it clearly states that in a worse case, given that the lighting has an auto reset, this would be for one night only should an individual fail to turn the switch off. The Applicant would also like to highlight that the switches control the lighting relating to the rotating bridges not the entirety of Area 7. Given the temporary timeframe in which the rotating bridges within Area 7 may remain lit, and that access to the area at night would be limited to emergency maintenance activities only, it will not have an impact on bat movements.

The area north of the A14 towards Anglesey Abbey has not been classified in terms of the environmental zone within the ES Appendix 15.3 Lighting Assessment Report (App Doc Ref 5.4.15.3) [AS-100], as indicated within Appendix A of the report. Figure 5.2 of ES Appendix 15.3 Lighting Assessment Report (App Doc Ref 5.4.15.3) [AS-100] does provide an indication that the area north of the A14 towards Anglesey Abbey has a lower level of brightness than Cambridge's urban fringe and Milton village.

In response to SHH's note that the Applicant had not responded to Chris Smith from Small Ecology, the Applicant confirms that it responded to Chris Smith from Small Ecology in its Applicants response to Deadline 4 Submissions (App Doc Ref 8.23 [REP5-112]), submitted at Deadline 5.

2.8 Vistry Group [REP5-130]

The Applicant notes the Stakeholder's comments regarding the promoting of land for development over which it has an option. The Applicant also notes that the land has not been allocated for development. Nor are there any emerging planning policy proposals to remove the land from green belt and allocate it for development.

In any event, were the Stakeholder's proposals to come forward in the future, the Applicant does not believe the land over which the Stakeholder has an option will be prejudiced by the Proposed Development. Factors such as odour, noise and access have been considered in arriving at the Environmental Statement (APP-032 and subsequent documents). The provision of utilities for possible development in the future is not an issue for the Applicant.

The Applicant refutes the Stakeholder's claim that the Proposed Development "will directly impact on [the Stakeholder's] ability to access, service and implement residential development...". The alignment of the Waste Water Transfer Tunnel (see Design Plans -

Sewage Tunnel and Longitudinal Section (App Doc Ref 4.12) [**APP-26**] will not materially impact the implementation of development in the future. The route of the Waterbeach South Pipelines (see Sheets 3 and 4 of Design Plans Waterbeach Pipelines Long Sections (App Doc Ref 4.14) [**REP5-023**])) will easily be accommodated within the layout and landscaping of any proposed development, particularly this early in the masterplanning of any such development.

3 Applicants comments on Responses to ExQ2

3.1 Cambridgeshire County Council [REP5-118]

Biodiversity

The Applicant and Cambridgeshire County Council through further meetings and topic discussion has resolved all biodiversity issues set out in REP5-118. Full details of the resolution are set out in the Statement of Common Ground (App Doc Ref 7.14.4) [REP5-095] table 3.2 updated for submission at Deadline 6.

Traveller Population

The previous engagement with this hard to reach group and the future engagement has been discussed with both SCDC and CoCC and how this engagement can best be secured. Agreed wording will be added at Deadline 6 to the Community Liaison Plan (CLP) (App Doc Ref 7.8) [REP4-078] to add reference to the use of other agencies in contact with the traveller population e.g. the Ormiston Trust (or similar) as well as with the GRT Liaison Officer to support engagement with this group. In addition, the Applicant has confirmed that it will update section 4.2 of the CLP, to acknowledge that, engagement with the community organisation to be contacted, will be facilitated by use of suitable material such as use of imagery, leaflets and diagrams. The Applicant will also update Table 6-1 within the CLP (App Doc Ref 7.8) [REP4-078] to include hard to reach groups and indicate engagement for a mechanism with specific reference to continued engagement through established relationship with the SCDC Traveller Liaison Officer. These updates will be made at Deadline 6.

Archaeology

The Applicant notes the comments and in order to address the issue of additional flexibility in the Archaeological Investigation Mitigation Strategy (AIMS) the Applicant confirms that in line with dDCO [REP5-003] Requirement 13, the detailed AIMS using the archaeological evaluation results, will map out the areas that require archaeological investigations and the methodologies that will be applied.

The detailed AIMS will include the allowance to increase investigation areas if significant remains are shown to extend beyond the limits of the demarked mitigation areas and will allow for areas to be reduced if remains are found not to extend across the whole of the mapped mitigation areas.

The framework AIMS (AS-088) sets out the template for providing and agreeing with CCoC Historic Environment Team the mitigation strategy. Requirement 13 provides the requirement process to consent the mitigation the archaeological investigation mitigation. The commitment to implement the archaeological investigation mitigation strategy is set out in the CoCP Part A section 7.3 [REP5-050]. This includes the provision of a chance find strategy (and table 4-14 in the CEMP [AS-057]).

Compliance with Policy

In respect of CCoC's response to ExQ2-2.1, the Applicant notes CCoC's acceptance that on the face of it the Proposed Development is supported in principle by MWLP Policy 11. In its comments on the compliance of the Proposed Development with the detailed criteria of MWLP Policy 11, the applicant notes that CCoC relies on the additional submission made by the EA dated 5 January 2024 [AS-175] which raises concerns about the Flood Risk Assessment (FRA) as the basis for its comment that it would appear that MWLP Policy 11 (a) is not complied with. Flood risk is a matter which remains under discussion between the Applicant and the EA – it was addressed in ISH4 and a further update on the position reached between the Applicant and the EA is being provided at Deadline 6. On this basis, the position of the EA in respect of compliance with criterion (a) of MWLP Policy 11 has yet to be confirmed. For the reasons set out in the Position Statement on Flood Risk being submitted in the appendix to the updated FRA at Deadline 6, the modelling shows that flood impacts will not arise from the Proposed Development and therefore that the project is therefore compliant with criterion (a) of MWLP Policy 11. In respect of criterion (b) and (c), the Applicant welcomes CCoC's acceptance that these criteria are complied with. The Applicant notes that CCoC defers to the judgement to the ExA and ultimately the Secretary of State on the adequacy of mitigation measure to address any unacceptable adverse environmental and amenity issues raised by the proposal in determining whether criterion (d) is met (noting overlap with MWLP Policy 18: Amenity Considerations). The Applicant considers that the Proposed Development is compliant with the detailed criteria set out in MWLP Policy 11, as set out in the Applicant's response to in ExQ2-2.1 (REP-111).

The Applicant agrees with CCoC response to ExQ2-7.10 that part (f) of MWLP Policy 16 does not apply to the Proposed Development.

In respect of its response to ExQ2-11.4, the Applicant notes that CCoC defer to the views of Cambridge City Council and South Cambridgeshire District Council on Green Belt matters. The Applicant has set out its position on Green Belt and has nothing further to add on this matter.

The Applicant notes that CCoC state in answer to ExQ2-15.1 regarding MWLP Policy 5 (Mineral Safeguarding Areas) that only criteria (i) – (l) of the Policy apply in this instance. The Applicant understands CCoC's response to be that, given the minerals and quantities involved and the intended use in the Proposed Development, the Proposed Development meets criteria (i) – (k) and that any partial mineral extraction can be addressed through a waste management plan. The Applicant also notes CCoC's comment that criterion (l) is satisfied on the basis that complete prior extraction is not feasible and that should the ExA be of the mind that there is an overriding need for the development, MWLP Policy 5 would be satisfied. The Applicant agrees with this position.

In relation to the CCoC answers to ExQ2-17.2-17.4 the Applicant has nothing further to add beyond its own answer to these questions.

Securing BNG

The Applicant notes the comments. CCoC is satisfied with the biodiversity net gain assessment as set out in the ES Volume 4 Chapter 8 Appendix 8.13 BNG Assessment Report (App Doc Ref 5.4.8.13) [REP5-028].

It is also now agreed that the full discharge of Requirement 25 is appropriate to secure the delivery of the offsite high distinctiveness River Biodiversity Units. Details of this agreement are set out in the updated Statement of Common Ground submitted at Deadline 6 (App Doc Ref 7.14.4) [REP5-096] at table 3.2

Recreational Impacts on Stow Cum Quy Fen SSSI

The Applicant notes the comments on the potential increase in visitor pressure as a result of the opening up of the new bridleway in combination with the new housing developments in the area. The Applicant is grateful to CoCC for confirming its support for the establishment of a wider recreational group to manage and monitor this potential impact. CoCC has confirmed the proposals to establish this group as set out in the section 108 agreement are acceptable.

Noise & Vibration – emergency generators

The Applicant has discussed the concerns raised by CCoC on the assessment of the emergency generators within ES Chapter 17 Noise and Vibration (App Doc Ref 5.2.17) [REP5-042]. A briefing note was prepared to assess the use of temporary generators at the request of CCoC. This was shared on 13th March 2024. While CCoC is satisfied with the briefing note provided and the explanation of why emergency generators were scoped out, they have requested that the assessment is still updated to include this. The assessment of emergency generators has been included within an updated ES Chapter 17 (App DOC Ref 5.2.17) provided at Deadline 6.

Odour

The Applicant notes the comments and has set out below the agreed position and actions as recorded in the updated Statement of Common Ground that will be submitted at Deadline 6 [REP 5-095].

There are limited emissions from this stack and difficult if not impossible to monitor but it does have a carbon filter to act as an odour control mechanism. It acts as a breathing mechanism. Details of its serving location are now set out in the Design Code (App Doc Ref 7.17) [REP4-05] submitted at Deadline 4 by the Applicant at paragraph 3.13. . The Applicant also proposes to amend the Preliminary Odour Management Plan [AS-106] to include reference to the location and confirmation that it will be managed, operated and maintained in accordance with the Odour management plan.

The Applicant will insert the following additional wording to the Design Code at VST.02 to fully describe the filter element.

VST.02 The interception shaft is a design feature that requires ventilation facilities. The purpose of the ventilation facility is to passively manage air pressure in the tunnel system, a process referred to as natural aspiration. Air would be drawn in under typical/normal operations and exit less frequently under extreme operating conditions. Potential odour could be released via the vent stack when air exits the tunnel system under extreme

operating conditions. The vent stack to be installed on the existing WWTP site will pass all exiting air through an odour filtration/odour neutralisation system prior to discharge. That system, and supporting ongoing maintenance of it, will control odour to a standard of best practicable means (or BATNEEC). As the process is passive, and dependent upon air pressure within the sewer, it is not possible to accurately predict frequency or duration of air released from the ventilation facility, only to acknowledge that it would be intermittent, infrequent, and short-lived.

As per the Applicants response to Action Point 43 this has now been closed out.

3.2 Cambridge City Council [REP5-116]

f. The Applicant repeats the responses below to the submissions made by South Cambridgeshire District Council [REP5-122] in relation to Planning Policy. The final agreed position between the parties is set out in the updated Statement of Common Ground with Cambridge City Council submitted at Deadline 6.

Carbon Emissions and Climate Change Mitigation

The City Council is satisfied with the approach to assessing carbon emissions as set out in the Carbon Chapter of the ES [Doc ref: 5.2.10] [APP-042] and the use of the Institute of Environmental Management and Assessment (IEMA) EIA Guide to Assessing Greenhouse Gas Emissions and their significance (2022). This agreement is set out in the updated Statement of Common Ground submitted at Deadline 6. The Applicant has discussed the whole life carbon assessment with CCC and CCC defer to Cambridgeshire County Council as the discharging authority on the final agreement to whole life carbon assessment.

Equality – Gypsies, Roma, Travellers

The previous engagement with this hard-to-reach group and the future engagement has been discussed with SCDC, CCC and CoCC and how this engagement can best be secured. Agreed wording will be added at Deadline 6 to the Community Liaison Plan (CLP) (App Doc Ref 7.8) [REP4-078] to add reference to the use of other agencies in contact with the traveller population e.g. the Ormiston Trust (or similar) as well as with the GRT Liaison Officer to support engagement with this group. In addition, the Applicant has confirmed that it will update section 4.2 of the CLP, to acknowledge that, engagement with the community organisation to be contacted, will be facilitated by use of suitable material such as use of imagery, leaflets and diagrams.

The Applicant will also update Table 6-1 within the CLP (App Doc Ref 7.8) [REP4-078] to include hard to reach groups and indicate engagement for a mechanism with specific reference to continued engagement through established relationship with the SCDC Traveller Liaison Officer. These updates will be made at Deadline 6.

Noise and Vibration

The Applicant and CCC have engaged further on the concerns raised regarding Noise and Vibration and it is agreed that this will be managed at the discharge of requirements stage via the CEMP. The final comments and position are recorded in the updated Statement of Common Ground [REP 5-91] submitted at Deadline 6.

3.3 South Cambridge District Council [REP5-122]

ExQ2 1.2 & 1.7 – Housing

The Applicant supports the response the Council has provided to ExQ2-1.2, which states that the implications of the changes to the NPPF would not alter the Council's approach and position on Green Belt assessment set out in the post hearing written submissions. The Applicant also supports the Council's affirmation that the Government's publication for consultation of a draft policy statement on 'Strengthening Planning Policy for Brownfield Development' on 13 February 2024 will, if subsequently adopted, strengthen the emphasis on making as "*much use as possible of previously-developed or 'brownfield' land*" (NPPF para 123) and would give even greater national planning policy support to enabling and bringing forward the regeneration of the NEC area through the relocation of the CWWTP.

In response to ExQ2-1.7, whilst the Councils advise that 1,425 homes could still come forward in the event that the existing WWTP remains in situ, they confirm that 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. The Applicant's position is that we disagree that the figure of 1,425 dwellings is accurate or reliable (the detailed reason is clarified in REP3 8.15). However, the Councils and the Applicant agree that without the relocation of the existing WWTP, the full regeneration of the wider area set out in the NECAAP will not happen.

ExQ2 5.24 – INNS

The Applicant notes the comments and that agreement on the wording within the application documents in relation to mitigation in relation to the control of Invasive Non Native Species (INNS), in particular in the Code of Construction Practice Part A, Part B and the outline OMMP is sought. The Applicant has agreed .

For invasive non-native species, a pre-construction survey to check for the presence of invasive species will be undertaken and, in the event, any are identified that controls are put in place. Biosecurity measures are also a requirement of construction method statements. Pre-construction checks must be undertaken at an appropriate time of year, and in good time to identify any species as listed under Schedule 9 of the Countryside and Wildlife Act 1981 (as amended) or schedule 2 of the Invasive Alien Species (Enforcement and Permitting) Order 2019. Eradication from or control on site may take months or years; therefore, checks must begin a suitable time prior to the planned start of works to avoid unnecessary delays to works.

This will be provided within the revision at Deadline 6.

The Applicant and SCDC have also agreed all the wording which was been included to the Code of Construction Practice Part A to resolve these concerns. This is recorded in the updated Statement of Common Ground submitted at Deadline 6. [REP5-101]

ExQ2 5.28 – Bats

The Applicant has agreed to add further wording in the CoCP Part A (App Doc Ref 5.4.2.1) in relation to measures for bats. These are recorded in the updated Statement of Common Ground submitted at Deadline 6 and SCDC has confirmed the wording adjustments close off matters in relation to measures related to bats.

ExQ2 6.4 & 6.5 – Carbon

The Applicant notes the comments and understands SCDC is broadly satisfied with the approach to assessing carbon emissions and the use of the Institute of Environmental Management and Assessment (IEMA) EIA Guide to Assessing Greenhouse Gas Emissions and their significance (2022).

SCDC defer to the CoCC as discharging authority or the final agreement on the whole life carbon assessment. This is recorded in the updated Statement of Common Ground submitted at Deadline 6.

ExQ2 6.6 – BREEAM

The Applicant has amended the Design Code [REP6 7.17] PER.03 to commit to achieving water credits inline with Greater Cambridge Sustainable Design & Construction SPD 2020.

Please also see response to Action Point 39

ExQ2 9.1 – Design Code species

The Applicant has worked closely with the SCDC landscape specialist and incorporated that advice within the species selection as proposed. The Applicant is will to work further with SCDC to further refine the species selection for planting in the process of finalising the LERMP.

ExQ2 12.3 – Gypsy, Roma Traveller

The Applicant can confirm that engagement with this group was undertaken and is reflected in the Consultation report and response to WQ12.6 as follows: *Paragraph 4.2.6 of the Consultation Report (6.1)*

A site visit to a seldom heard traveller group [Blackwell Site] was attended by members of the project team on 11 September 2020 alongside the South Cambridgeshire District Council's Traveller Liaison Officer and South Cambridgeshire District Councillor Hazel Smith to distribute community consultation leaflets and be on hand to answer questions about the relocation project.

Response to WQ12.6 in Examination Document 8.3

The Applicant considered and sought advice from South Cambridge District Council on the approach to engagement with the Gypsy, Roma and Traveller population. In December 2021 and January 2022, it was established that there had been previous engagement with this community via the Traveller Liaison Officer at South Cambridge District Council. Consultation was undertaken at Con 1 (between July and September 2020) and additional

materials were hand delivered by the council to the Fen Road traveller site, as well as posters and information materials being left at deposit locations. Fen Road traveller site received direct mailings regarding the project and consultation events. The engagement leads were supporting engagement via the Traveller Liaison Officer but by January 2022 had not received an update on engagement activities. The Applicant has continued to notify the Traveller Liaison Officer at South Cambridge District Council, including most recently providing notice as per Section 56 of the Planning Act 2008.

At the request of South Cambridge District Council, there was no direct engagement with this particular group due to the sensitivity of the group and the importance of having a known point of contact to support meaningful engagement. The Applicant has now discussed future engagement with this hard to reach group with both SCDC and CoCC and how this engagement can best be secured. Agreed wording will be added at Deadline 6 to the Community Liaison Plan to add reference to the use of other agencies in contact with the traveller population e.g. the Ormiston Trust as well as with the GRT Liaison Officer to support engagement with this group.

In addition the Applicant has confirmed that it will update section 4.2 to acknowledge that engagement with the community organisation to be contacted will be facilitated by use of suitable material such as use of imagery, leaflets and diagrams.

The Applicant will also update table 6-1 within the CLP to include hard to reach groups and indicate engagement fora mechanism with specific reference to continued engagement through established relationship with the SCDC Traveller Liaison Officer. These updates will be made at Deadline 6.

ExQ2 13.8 – Historic Environment / Planning Balance

As confirmed in the response to ExQ2 13.8, the SCDC suggests that the identified harm on heritage assets is important and relevant to the Secretary of State's decision and should be weighed against the findings of public benefit from the scheme. The Applicant supports the suggested approach by SCDC that the identified harm on heritage assets should be weighed in the planning balance of the application.

Whilst the Applicant and the Council disagree on the extent to which this harm falls at the lower or higher end of less than substantial harm, both parties agree that the harm to the heritage assets amount to the level of 'less than substantial'. As referred in the Applicant's comments on LIRs (REP2-036), in either perspective, the harm here is of a degree anticipated in the NSPWW which needs to be weighed in the planning balance consistent with NPSWW paragraph 4.10.17.

As referred in section 6 of Planning Statement (REP1-049) which sets out the overall assessment of the proposed development (the Planning Balance), it demonstrates that the harm of the scheme including the identified harm to heritage assets in this instance would, in the Applicant's opinion, be clearly outweighed by the need for the Proposed Development and the substantial cumulative public benefits it will deliver sufficient for the Secretary of State to justify a grant of development consent have been demonstrated.

ExQ2 21.13 – BREEAM and water efficiency

The Applicant accepts the point BREEAM excellent does not mean that the relevant amount of water credits will be achieved. The that end and working in conjunction with the Local Planning Authorities, the Applicant has developed design code PER.03 in the Design Code [REP6-7.17] which states:

PER.03 The Greater Cambridge Sustainable Design and Construction SPD 2020 requires all non-residential buildings to achieve all 5 water credits under WAT01. The Gateway Building will achieve the same level of credits and align with the Greater Cambridge Sustainable Design and Construction SPD 2020

3.4 Environment Agency [REP5-124]

The Applicant has previously explained its rationale regarding the installation of a reedbed in such a small space in front of an operational outfall that at times of storm will have an increased flow of water through it. Obstructing the outfall will inhibit the performance of the outfall and restrict the Applicants ability to inspect the riverbed and riverbed erosion protection measures it is proposing. The introduction of reeds in front of the flows proposed to be discharged from the outfall by the Applicant will provide little if any discernible treatment of water quality.

3.5 National Highways [REP-126]

ExQ2 8.5 – Powers Sought

National Highways has responded to each of the example DCOs given by the Applicant. The Applicant responds to these comments as follows:

Thames Tideway Tunnel and Silvertown Tunnel Orders: It is correct that Transport for London is a public statutory body under the Greater London Authority Act 1999. It is not clear what bearing this has as these DCOs are still examples of orders which have authorised the compulsory acquisition of land (including freehold subsoil) under the strategic road network. The only difference being that Transport for London is the body with responsibility for the relevant highways rather than National Highway. It follows that other highways authorities, with equivalent functions and responsibilities to those of National Highways, do not adopt the same arbitrary approach that National Highways is doing with regards to the acquisition of land below its SRN.

Crossrail Act 2008 and the High Speed Rail Acts 2017 and 2021: The Applicant does not consider that the means by which compulsory acquisition powers are authorised has any bearing on whether or not it is legitimate in principle to acquire freehold subsoil below National Highway's SRN. The Applicant does not understand National Highways' comment that the tunnels for those rail projects concerned: 'land area smaller than the strategic road network'.

HyNet Carbon Dioxide Pipeline Order 2024: Since National Highways provided its response, this DCO has been made (20 March 2024). The promoter of this order sought the permanent acquisition of the 'subsurface' for the whole of the pipeline corridor including, in particular, where it passes beneath National Highways' SRN. The entire pipeline corridor is

coloured pink on the land plans (denoted as 'Permanent acquisition of subsurface' in the key) and the Book of Reference description of the land in relation to every relevant plot required for the pipeline starts with the words 'Permanent acquisition of subsurface of...'. The powers of compulsory acquisition in the Hynet DCO are more extensive than those sought by the Applicant for its transfer tunnel, because unlike the Applicant's dDCO, the Hynet DCO does not limit this to a power to only acquire subsoil below a certain depth from the surface.

It is clear from the post-examination correspondence between the Secretary of State and National Highways (see the letter from National Highways dated 14 Feb 2024 responding to a request for further info from the Secretary of State) that the parties had not reached agreement by the close of the examination or by the end of the decision period on the acquisition of land rights for the pipeline under the SRN. National Highways asserted in that letter that compulsory acquisition of the entire freehold estate is disproportionate and unnecessary and would cause serious detriment to its undertaking.

The Applicant notes the following from the Secretary of State's decision letter which is of relevance to this application:

6.30. NH confirmed by letter on 14 February 2024 that it had had no further dialogue with the Applicant regarding PPs since the close of the Examination and its objection remained. NH reiterated that its objection was the same as set out in REP7-316 and REP8-046 at the close of Examination. NH stated that the parties were in the process of negotiating an option agreement for a lease of easement and expected this to be concluded shortly, with respect to NH's objection to CA powers. NH reiterated that CA was disproportionate and unnecessary and would cause serious detriment to NH's undertaking.

6.31. The applicant confirmed on 14 February 2024 that it could not agree to this commercial agreement as NH had adopted the position that this agreement would be conditional upon the applicant no longer requiring powers of CA or TP and requesting the Secretary of State to remove these from the DCO. The Applicant considers that, without the voluntary agreement in place, this puts it in a ransom position. The applicant further submitted that given NH's inconsistent positions to date, it considered the degree of risk in not seeking compulsory powers and being reliant on reaching agreement with NH to be unacceptable. The applicant reiterated that it was still seeking compulsory powers in respect of NH and these powers remained necessary to ensure the delivery of the proposed development. The applicant reiterated that its position on PPs remained as at the close of Examination and supported by the opinion of King's Counsel [REP8-038], that the NH drafting was unnecessary, disproportionate and unreasonable and the Applicant's drafting of the PPs should be preferred.

6.32. The ExA was satisfied that the CA/TP powers sought by the applicant in relation to NH were required to facilitate and/or are incidental to the Proposed Development and was satisfied that they met the conditions set out in s122(2) of the 2008 Act [ER 8.7.437]. The ExA considered the Applicant's PPs would afford NH an appropriate level of protection in terms of its statutory undertaking, land and apparatus and ensure the proposed development would not result in serious detriment to the carrying on of its undertaking [ER

8.7.439]. These PPs were included in the dDCO. The Secretary of State agrees and is of the view that the PPs provide sufficient protection for NH.

The Applicant notes that many of the submissions made by National Highways to the Hynet DCO are remarkably similar to those which it has made to the Applicant's dDCO. The Applicant considers that the Hynet decision is a powerful precedent for the subsoil freehold land rights sought by the Applicant for the Proposed Development.

National Grid (Yorkshire Green Energy Enablement Project) Development Consent Order 2024: As above, since National Highways provided its response, this DCO has too been made (14 March 2024). It appears from paragraphs 6.7.10-7.7.38 of the Examining Authority's report that the applicant for that order was seeking the compulsory acquisition of rights in respect of National Highways' SRN but the freehold acquisition sought of land owned by National Highways was not used for its undertaking.

In the Examiners' Report, the ExA concluded as follows, with which the Secretary of State agreed:

6.7.37 NH's objection to the CA and TP of its land were not withdrawn, therefore the test of s27 and s138 of PA2008 applied - the ExA was satisfied that the powers sought by the applicant are necessary for the proposed development and consistent with s138, and that the powers sought could be exercised without serious detriment to the carrying out of NH's undertaking, and are consistent with s127, on the basis of the PPs included in DCO at Schedule 15, Part 6.

6.7.38 In concluding matters for NH, the ExA was also satisfied that although agreement was not reached through negotiation with NYC, the CA of the relevant interests in NH's land would be necessary to implement the proposed development and that it would be reasonable and proportionate to do so. The ExA considered the applicant's approach in relation to the CA powers sought in respect of this land to be acceptable should the SoS decide to grant the order for the proposed development.

On the topic of s127 and serious detriment, National Highways explain in their D5 submissions that they do not accept that the waste transfer tunnel is a significant permanent structure, and that it may not remain in place underground. The Applicant would point out that significant engineering operations are required to construct the tunnel at depth but that the use of a tunnel boring machine ensures that the surface and neighbouring land is not disturbed. It is an immovable fixed structure and the engineering operations which would likely be involved in removing the tunnel would, in contrast to its installation, require extensive ground excavation and reinforcement; would be disruptive to land uses; and would be costly. The Applicant has no intention of removing the tunnel in the future and it is not an asset which can be subject to 'lift and shift' style mechanisms in a legal agreement. For National Highways to suggest otherwise implies a lack of understanding of the nature of the proposed infrastructure.

Moreover, the factors listed by National Highways as giving rise to serious detriment – subsidence, landslip, failure of parts of the tunnel under the road, emergency access to the subsoil – have no relationship with the nature of the land rights sought by the Applicant in relation to the waste transfer tunnel, but are matters that relate to the protective provisions

under discussion between the parties. It is the Applicant's view that such matters are adequately protected by the protective provisions which are largely agreed (albeit not yet included in the draft DCO), namely:

- the requirement to provide details of the works, including safety audits, detailed design, a condition survey and regime of monitoring;
- the requirement to carry out works to the satisfaction of National Highways, in accordance with details approved by National Highways and in accordance with its standards and specifications;
- an ability for National Highways to step in and carry out works in place of the undertaker where it considers there to be a danger to road users;
- inspections by National Highways to satisfy itself that the SRN is safe for traffic and a requirement for the Applicant to comply with any directions from National Highways prior to reopening any part of the SRN, followed by a final condition survey. If the re-surveys indicate that any damage has been caused to a structure, asset or pavement, the Applicant must submit a scheme for remedial works in writing to National Highways for its approval in writing and the Applicant must carry out the remedial works at its own cost and in accordance with the scheme submitted;
- a defects period during which the Applicant must remedy any defects in the works as are reasonably required by National Highways. All identified defects must be remedied in accordance with the following timescales:
 - o in respect of matters of urgency, within 24 hours of receiving notification for the same (urgency to be determined at the absolute discretion of National Highways);
 - o in respect of matters which National Highways considers to be serious defects or faults, within 14 days of receiving notification of the same; and
 - o in respect of all other defects notified to the undertaker, within 4 weeks of receiving notification of the same or such other time period as is agreed.
- an indemnity to National Highways as well as security in the form of a bond, cash surety and commuted sum. The Applicant is also required to obtain insurance.

The Applicant notes that during ISH4, National Highways asserted that the decision in the **Medworth Energy from Waste Combined Heat and Power Facility Order 2024** provided a justification for National Highways' refusal of land rights for the waste transfer tunnel. The Applicant has reviewed the Book of Reference, DCO and Land Plans for that Order and it can be seen that the land owned by National Highways which was subject to compulsory acquisition related to the acquisition of rights and imposition of restrictions for cable and pipe infrastructure buried at a shallow depth using open cut trenching methods. Freehold acquisition was not sought but the project did not include infrastructure of a comparable nature to the deep level transfer tunnel. The Applicant does not consider that order to have precedent effect in relation to the proposed acquisition of subsoil for the waste transfer tunnel.

National Highways also assert a number of points regarding the **New Roads and Street Works Act 1991**. The Applicant refers back to its previous submissions in this regard [REP5-112]. In addition, the Applicant refutes the suggestion by National Highways that National Highways make 'take a decision that NRSWA applies' when the works would not otherwise fall within the scope of street works which are regulated by that Act. It is only possible for the relevant authority to agree not to apply NRSWA to street works rather than to bring works under its scope - see section 100(2) of NRSWA:

(1) An agreement which purports to make provision regulating the execution of street works is of no effect to the extent that it is inconsistent with the provisions of this Part.

(2) This does not affect an agreement for the waiver or variation of a right conferred on a relevant authority by any of the provisions of this Part which is made after the right has accrued and is not inconsistent with the future operation of those provisions.

Clearly, in circumstances where NRSWA does not apply, as per the Applicant's submissions, it is imperative that the Applicant has the requisite land rights to carry out the works and to retain and protect the tunnel.

National Highways' comments regarding Crown land are irrelevant. The land in its ownership does not comprise Crown Land.

ExQ2 8.8 – Statutory Undertakers

The Applicant notes the submission of National Highways' standard protective provisions to the ExA and confirms that it received a copy of these from National Highways directly. The protective provisions have been the subject of much negotiation and discussion with National Highways and the Applicant is pleased to confirm that progress has been made.

The Applicant had hoped that it could reach agreement on 'project specific protective provisions' as referred to in National Highways' response and which would be appended to a side agreement. However, in light of the disagreement between the parties over the acquisition of the subsoil required for the transfer tunnel, the Applicant now considers this to be unlikely. The Applicant therefore intends to include the protective provisions which have been negotiated with National Highways in the draft development consent order to be updated at Deadline 7.

As present, paragraph 19 of those provisions which concerns land and rights is not agreed. As can be seen from National Highways' standard protective provisions, this wording restricts the exercise of the undertaker's (i.e. the Applicant's) powers of compulsory acquisition without the consent of National Highways. In the absence of any agreement between the Applicant and National Highways regarding the acquisition of the subsoil, the Applicant cannot agree to this wording as it has no certainty on the deliverability of the transfer tunnel and therefore, unless agreement is reached by Deadline 7, paragraph 19 of the protective provisions will contain the Applicant's preferred wording. A copy of this wording has been provided to National Highways.

3.6 National Trust [REP5-127]

Recreation

The National Trust is included as a member for the Combined Recreational Group (CRG). Anglian Water convened the first meeting of a wider area group (known as the "Combined Recreational Group" on 24 January 2024. The operation of this group is not directly linked to the Proposed Development but recognises the wider regional pressures on sites such as Stow cum Quy SSSI, and that they may be subject to increased user pressure in the future as a result of strategic housing growth in the wider area.

The Applicant has confirmed that it will commit an appropriate level of financial contribution towards the establishment and governance of this group, and a financial commitment towards further baseline monitoring work. This is secured in the s.106 agreement (App Doc Ref . The allocation of this financial commitment will be determined by the Combined Recreational Group. The National Trust is supportive of this and the commitments presented by the Applicant. This is recorded in the updated Statement of Common Ground (App Doc Ref 7.14.16).

Water Quality Monitoring Plan

Groundwater monitoring

At groundwater monitoring locations, the simplest and generally the most reliable method for water level monitoring is to use a manual dip meter, often referred to as "dips". Water level loggers can also be used, however, these do need to be visited at times for checking and downloading. Generally dip-meter measurements are taken during those visits to calibrate the logger data. Therefore, at groundwater monitoring locations, dip-meter measurements should always be taken. Data loggers could also be used, but are not proposed in the Outline Water Quality Monitoring Plan, except possibly, at private water supply sources, if practical and agreed with owners.

The proposed monitoring is intended to identify any anomalous reduction in water levels that are outside the expected seasonal variations. It is considered that the dip-meter measurements, as proposed in the Outline Water Quality Monitoring Plan, should be sufficient to achieve this objective. In addition, we note that the Environment Agency has agreed to the monitoring set out in the Outline Water Quality Monitoring Plan (App Doc Ref 5.4.20.13) [REP5-083].

Boreholes

It is anticipated that all boreholes identified in the Outline Water Quality Monitoring Plan (App Doc Ref 5.4.20.13) [REP5-083] will be retained during the construction period. However, Section 2.2.3 and 2.6.1 of the plan acknowledges that sometimes boreholes may get lost or damaged during construction. If that were to occur the Applicant would liaise with the Environment Agency to identify if replacement were necessary.

Monitoring report consultees

The Applicant notes the comments and will add The National Trust as a recipient of the reports in Table 5.1 of the Outline Water Quality Monitoring Plan (App Doc Ref 5.4.20.13) [REP5-083].

Environment Agency position on WQMP

The Applicant discussed the Outline Water Quality Monitoring Plan (App Doc Ref 5.4.20.13) [REP5-083] with the Environment Agency and the version submitted at Deadline 2 has been agreed with them. The outcome of these discussions are reflected on page 6 of the Applicant's Statement of Common Ground (SOCG) with the Environment Agency (App Doc Ref 7.14.14) [REP2-030].

3.7 Natural England [REP5-128]

Recreational Pressure (ExQ2 5.5 & 5.10)

The Applicant considers that Natural England's response is disproportionate, particularly given that the bridleway proposals were developed in discussion with key stakeholders over a number of years and the Applicant, through its Landscape Ecological and Recreational Management Plan (LERMP) is delivering a significant recreational asset (in effect Suitable Alternative Natural Green Space, SANG), which is likely to decrease, not increase, potential effects on local wildlife sites. Natural England's response fails to acknowledge that potential impacts on the SSSI, if any, will arise from future housing development which can be addressed through the planning process for those developments or through the effective and proportionate application of its existing statutory powers. The key pressures on the site affecting its ecological status are not, as suggested in the Natural England response, primarily recreational.

Notwithstanding these points, the Applicant acknowledges that some uncertainty arises in respect of these future cumulative pressures and their relationship with the proposed bridleway. The Applicant has therefore updated ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) and provided at Deadline 6 to note this potential, uncertain, cumulative impact. The Applicant believes that any incremental contribution to this potential future uncertain cumulative impact arising from the bridleway proposals can be fully addressed by s.106 contributions.

The Applicant's s.106 agreement has therefore been updated to provide contributions for:

- the establishment of a group to manage the risk from increased recreational pressure on the SSSI - the Combined Recreational Group
- the preparation of the terms of reference and management of membership of the group;
- enabling activities to establish a baseline from which future cumulative impacts and management measures can be considered for the adoption, if necessary, of a suitable monitoring, management, and mitigation strategy for the SSSI

- mitigating recreational impacts on the SSSI pending the creation of long-term strategy by way of signage or education or such other measures as the County Council considers appropriate.

Natural England's proposed amendments to the LERMP have not been adopted by the Applicant. It should be noted that the operation of the proposed bridleway, as a dedicated path, does not fall within the scope of the LERMP and Natural England are incorrectly conflating these issues. The management of the LERMP area is distinct from the management of the potential cumulative impacts of proposed housing developments. The issue which Natural England is concerned about is appropriately documented and addressed through the amendment to the Environmental Statement and the s.106 agreement described above.

Outline Water Quality Monitoring Plan (ExQ2 21.6)

The Applicant received Natural England's comments on the Outline Water Quality Monitoring Plan and these were incorporated into the version submitted at Deadline 5 [REP5-083]. This includes a commitment to water level monitoring at Black Ditch. The discrepancy in timings that Natural England noted was because paragraph 2.1.2 related to pre-construction monitoring and paragraph 2.2.2 related to construction monitoring. Since these paragraphs relate to different items, there is no discrepancy in timings. Some additional text has been added to make this clearer. Natural England confirmed to the Applicant on 11 March 2024 that the Outline Water Quality Monitoring Plan [REP5-083] is agreed.

3.1 Network Rail

The Applicant has continued to seek further engagement with Network Rail. The Applicant is not in agreement that there will be no Compulsory Acquisition without consent. This position is unacceptable to the Applicant given it needs land rights to install, retain, protect and maintain the transfer tunnel and the Waterbeach rising main line which cross under Network Rail's infrastructure. The Applicant in addition, will require rights to install and access monitoring apparatus. The Applicant continues to seek engagement with Network Rail in relation to the agreement of land rights but repeated attempts to do so have been unsuccessful. It is unreasonable for Network Rail to insist on Protective Provisions that do not allow Compulsory Acquisition without consent in the absence of agreement or concluded agreement to the land rights required.

No case has been mounted by Network Rail that the proposed acquisition of sub-soil and rights would cause serious detriment to Network Rails' undertaking for the purposes of s127 of the Planning Act 2008 and the Applicant submits that its proposed form of Protective Provisions provides the appropriate protection to Network Rail in that respect.

3.2 Gonville & Caius

ExQ2 8.10

The Applicant would respond to the College submission at Deadline 5 as follows.

8.10. The Applicant is unsure what question the College is posing or the point which it is raising within this response however, the Applicant assumes it relates to the potential financial impacts of the scheme on the occupier of the land, in particular plot 021b. For clarity the Applicant suggested that the land was not currently in agricultural use, which, as acknowledged by the College's comments in this paragraph, is correct. If the tenant suffers a loss which is caused by the Applicant's proposed compulsory acquisition and/or temporary use of the land, and can substantiate that loss, they will be able to make a claim for compensation under the terms of the compensation code. That might take the form of a loss of profits or indeed compensation to reflect losses to subsidy or incentive payments, subject to satisfying the usual compensation code tests. In the meeting held on 19 July 2023 and in the meeting held on the 16 February 2024 the Applicant suggested measures to compensate the tenant for their losses as part of a wider discussion on the consideration to be paid. The Applicant is yet to receive a response from the College on this proposal.

8.11. The structures referred to are not temporary in nature and are instead permanent structures, connected to the tunnel, that will be left in the ground following completion of the tunnelling works. The Applicant has explained the need to ensure the necessary legal ownership of the land to prevent encroachment into the tunnel area and this part of the structure is no different. The Applicant has repeatedly suggested measures to mitigate the impacts of the scheme to enable farming to continue, amongst other without prejudice suggestions, in return for the grant of the land and rights needed to deliver the scheme as part of the negotiated settlement. The Applicant has considered alternative legal avenues to maintain control of the structure and allow agricultural use to continue, including the pie crust lease of the surface option referred to within CAH1, and the heads of terms allow for this flexibility. The Applicant remains committed to reaching agreement with the College, however, following discussions with the College's agent regarding an option premium on the 16 February 2024, prior to which a mechanism for the future calculation of compensation had been suggested, which the Applicant had hoped would result in an agreement, the Applicant is still awaiting a formal response from the College. At this point in proceedings the Applicant can only assume that the College does not wish to pursue a more flexible negotiated settlement on account of the level of premium suggested and the short timescales involved to document an agreement before the end of the Examination. The Applicant will continue to ask the College's agent for a response.

ExQ2 8.11

In relation to the two shafts, the Applicant will continue to discuss the options for the future ownership of these areas with the Stakeholder.

3.3 Save Honey Hill Group [REP5-136]

ExQ2 1.2

The Applicant has addressed the concerns raised by SHHG on the implications of the NPPF (Dec 2023) in their Responses to ExQ2 document [REP5-111]. Overall, the Applicant considers the revised NPPF does not include any substantive changes which have implications on the application.

SHHG refers to NPPF paragraph 61 downgrading the requirement to apply the standard method to assess housing needs and how the requirement for local plans to apply a 10% buffer of identified sites above the assessed need (previously NPPF paragraph 74) has been removed from the revised NPPF. SHHG suggest that this would remove the need to find alternative sites for the 3,900 homes allocated to NEC if not then delivered. Paragraphs 60-63 of the revised NPPF sets out that the Government's overarching objective is to significantly boost the supply of homes, in particular, the importance of meeting an area's identified housing needs. Considering the wider context of the housing crisis, there is a need to provide housing above and beyond specific housing requirements.

NPPF paragraph 145 sets out that Councils are no longer legally required to review their Green Belt boundaries. The Applicant's response at REP5-111 outlines how this amendment will potentially create a greater obstacle to achieving housing and employment needs. However, it would be unlikely to have any impact on the application of emerging Greater Cambridge Local Plan (GCLP) policy as the emerging GCLP does not propose any significant changes to Cambridge's Green Belt boundary, in particular to meet development needs through releasing existing Green Belt land.

SHHG makes reference to NPPF paragraph 181 footnote 62, which considers the use of poorer quality land first and the need to consider the use of agricultural land for food production. In terms of using poorer quality land first, the Applicant considers the NPPF places even greater importance than before on the effective use of land within existing urban areas to meet development needs, which is of particular relevance to the Applicant's very special circumstances case.

Regarding agricultural land, the majority of the land permanently required for the construction of the development and landscape masterplan is Grade 2 and 3a agricultural land, which is considered best and most versatile. The effect of the permanent loss of this land is moderate, and Chapter 6 Agricultural Land and Soil Resources of the ES (App. Doc. 5.2.6) [REP5-024] provides an assessment of the effects of the Proposed Development on agricultural land as well as robust mitigation measures that will be implemented to minimise potential impacts.

ExQ2 1.8

The Applicant notes SHHG's method of measurement of the building and can confirm that measuring off a screen from an indicative drawing is not in any way an appropriate method to measure structures for assessment. The Applicant is proposing a multi-functional building that serves the WWTP and associated operations that are proposed to be red with the move from existing Cambridge WWTP to the proposed WWTP. As this proposed building is an operational building that serves both white, and blue-collar workers, it should not be seen as a simple office building but as a building that serves multiple functions for different types of the Applicant's workforce.

The Applicant has now reverified and amended its proposed car parking provision. Utilising the numbers provided at ExQ2-1.8 [REP5-111] as well as the additional buildings at the proposed WWTP that may qualify under the SCDC policy for parking allocation (workshop, boiler house, sludge thickening building and MCC kiosks), the parking provision proposed falls well below that number SCDC parking policy allows for.

ExQ2 2.1

MWLP Policy 11 seeks to support proposals for new water recycling capacity or proposals required for operational efficiency (with such proposals including the improvement or extension to existing Water Recycling Centres, relocation of WRCs), particularly where it is required to meet wider growth proposals identified in the Development Plan. The Applicant has discussed this policy in their responses to ExQ2 [REP5-111].

In its comments on the compliance of the Proposed Development with the detailed criteria of MWLP Policy 11, the Applicant notes that SHH relies on the additional submission made by the EA dated 5 January 2024 [AS-175] which raises concerns about the Flood Risk Assessment (FRA) as the basis for its comment that it would appear that MWLP Policy 11 (a) is not complied with. Flood risk is a matter which remains under discussion between the Applicant and the EA – it was addressed in ISH4 and a further update on the position reached between the Applicant and the EA is being provided at Deadline 6. On this basis, the position of the EA in respect of compliance with criterion (a) of MWLP Policy 11 has yet to be confirmed. For the reasons set out in the Position Statement on Flood Risk being submitted in the appendix to the updated FRA at Deadline 6, the modelling shows that flood impacts will not arise from the Proposed Development and therefore that the project is therefore compliant with criterion (a) of MWLP Policy 11.

In terms of Criterion (d) where adequate mitigation measures will need to address any unacceptable adverse environmental and amenity issues raised the proposal, the ES Non-Technical Summary [APP-032] sets out the summary of effects when mitigation measures are included at Section 4. This demonstrates that any unacceptable adverse environmental issues are addressed through the various mitigation measures proposed.

The Applicant considers that the Proposed Development is compliant with the detailed criteria set out in MWLP Policy 11, as set out in the Applicant's response to in ExQ2-2.1 (REP-111).

ExQ2 7.10

MWLP Policy 16(f) states there is a presumption against allowing development which would be land which is set aside for regular community use, such as open space facilities designed to attract recreational users, but excluding, for example, habitat creation.

As addressed in the Applicant's Responses to ExQ2 [REP5-111], this specific land surrounding the new water recycling centre is for landscape mitigation and habitat creation. As such it is not designed to attract recreational users or be given a formal designation as an open space for community use. It is considered the policy is intended to provide public space to meet recreational needs from housing developments and thus would not apply to

the Proposed Development. This is agreed in the response to the ExA's question by CCoC [REP5-118].

ExQ2 7.13

The Landscape Ecological and Recreational Management Plan (LERMP) (App Doc Ref 5.4.8.14) has been updated to explain how permissive access will continue to be arise under the relevant statutory code of practice after the 30-year maintenance and monitoring period expires. The proposed bridleway will be a dedicated public right of way in perpetuity.

ExQ2 7.14

In respect to the comments by SHH on recreational provision and access to parking at 7.14 a), the Applicant has been clear that it will not allow public use for recreational purposes of operational parking spaces within the secured earth embankment area of the new WWTP or the visitor parking in front of the Gateway Building. The only parking for this purpose will be in the existing area on Low Fen Drove Way. There is absolutely no basis for SHH's assertion that *"it has now been established that the 68 (56 excluding visitors) spaces being provided are well in excess of the requirement for staff and operational parking, probably by a factor of two, except on rare occasions"*. Compliance of the proposed parking provision at the new WWTP with the car parking standard set out in adopted SCLP Policy TI/3: Parking Provision is addressed in the response being provided by the Application to ISH4 Action Point 4 at Deadline 6.

In respect of SHH's comments at 7.14 b), the monitoring and mitigation measures provided at Schedule 1 of the offered s106 Agreement (updated version being submitted at Deadline 6) addresses in a reasonable and proportionate way any concern in relation to a risk of nuisance parking or unwanted car use of Low Fen Drove Way. The period over which the commitment applies is reasonable given that if such a nuisance risk arises directly as a result of the Proposed Development (as distinct from a general increase in recreational activity arising for the new developments being delivered at Marleigh, Cambridge East, NEC and elsewhere in this quadrant of Cambridge), this impact will be evident within this period of time and can reasonably be presumed to directly relate to the Proposed Development (thereby satisfying the relevant planning tests at NPSWW paragraph 3.1.7).

In respect of SHH's comments at 7.14 c), the Applicant is making reasonable provision to deal with the risk of nuisance parking through the offered development consent obligation. There is, therefore, no negative effect to be weighed in the planning balance.

ExQ2 13.8

It is noted that the Examining Authority did not require the Applicant to respond to this question as part of the Deadline 5 submissions. Regardless, the Applicant considers this comment to be incorrect. The revised version of Chapter 13: Historic Environment [REP5-037] confirms in paragraph 5.6.1. that impacts/effects are considered to cause less than substantial harm on designated heritage assets. The weight of these assets and mitigation strategies have been assessed and provide in Table 5.1 of REP5-037.

ExQ2 21.16

The Applicant notes the comments in relation to the interim permit. The interim permit is not yet at the duly made stage. Until this point the likely limits for this temporary permit are not confirmed. In addition, it will not be until the final permit is actually issued that those limits will be certain. To determine those limits the final Environment Agency will undertake its own numerical modelling of water quality and assessment.

The Applicant can confirm that the interim permit application makes allowance for the transfer of some flows from Waterbeach and it does recognise that there will be a need for a tightening of the concentration limits for consented determinants to reflect the proposed increase in Dry Weather Flow (DWF).

With regards to the second point and the storm discharge, the amount of storm storage specified in the current permit (23,000m³) exceeds that which is required by Environment Agency Guidance (68l/h).

3.4 Sky Telecommunications Services Limited [REP5-137]

The Applicant notes the Stakeholder's comments and therefore understands that the Stakeholder is content with the current protective provisions in the draft DCO.

3.5 The Wildlife Trust for Bedford, Cambridgeshire & Northamptonshire [REP5-138]

The Applicant notes the comments made by The Wildlife Trust and that they support the comments made by Natural England in relation to the potential for increased recreational pressure on Stow-Cum Quy SSSI. The Wildlife Trust is included as a member for the Combined Recreational Group and of a new wider area group (known as the "Combined Recreational Group" and the first meeting was convened by the Applicant on 24 January 2024. The operation of this group is not directly linked to the proposed development but recognises the wider regional pressures on sites such as Stow cum Quy SSSI, and that they may be subject to increased user pressure in the future as a result of strategic housing growth in the wider area.

The Applicant has confirmed that it will commit an appropriate level of financial contribution towards the establishment and governance structures of this group, and a financial commitment towards further baseline monitoring work and mitigation measures which will be secured through the s.106 agreement. The allocation of this financial commitment will be determined by the Combined Recreational Group. The Applicant has sought confirmation that the Wildlife Trust is supportive of this and the commitments presented by the Applicant.

The Applicant has no further comments to make in relation to groundwater or surface water pollution and is satisfied that any potential risk is dealt with in the provisions set out in the Outline Water Quality Management Plan (App Doc Ref 5.4.20.13) [REP5-083] which is agreed with The Environment Agency and Natural England.

3.6 Waterbeach Development Company & Respective Land Owners [REP5-140]

The Applicant notes the comments and the acknowledgement of the continued engagement between the Applicant, WDC and GCP/SLC Rail. This engagement will be ongoing after the conclusion of the DCO Application. It is noted that the programmes for the Waterbeach pipeline element of the DCO development and those for the Waterbeach New Station are not currently anticipated to overlap significantly. The Applicant's programme of work for the compound area for the Waterbeach pipeline remains for a period of 12 months from April 2025 to April 2026. The Applicant notes that the planning applications for the haul road and the pumping station have not yet been submitted to SCDC for approval. The Applicant does not therefore foresee any likely conflict in any timings between the construction of the Waterbeach New Station or of Waterbeach New Town East.

Get in touch

You can contact us by:



Emailing at info@cwwtpr.com



Calling our Freephone information line on **0808 196 1661**



Writing to us at **Freepost: CWWTPR**

You can view all our DCO application documents and updates on the application on The Planning Inspectorate website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/cambridge-waste-water-treatment-plant-relocation/>