

The Planning Inspectorate
The Square Temple Quay
Bristol
Avon
BS1 6PN

Our ref: AC/2024/132088/01-L01
Your ref: WW010003
Date: 12 April 2024

Dear Sir/Madam

CAMBRIDGE WASTE WATER TREATMENT PLANT RELOCATION REVISED FLOOD RISK ASSESSMENT

We have reviewed the revised Flood Risk Assessment (FRA) (version 3, dated 22 March 2024), submitted to us by the Applicant on 25 March 2024, together with revised model, and wish to make the following comments:

In the absence of an acceptable Flood Risk Assessment (FRA) we **recommend refusal** of the Development Consent Order on this basis for the following reasons:

The FRA does not include a mitigation strategy to ensure there will be no increase in flood risk to third party land for the proposed development in isolation and also for third party land and property as a result of increased discharges of treated effluent into the River Cam up to the year 2041.

We consider that the proposed development is contrary to the National Planning Policy Framework (NPPF) and associated Planning Practice Guidance (PPG) on flood risk and coastal change and National Policy Statement for Waste Water (NPSWW). In particular, paragraph 049 of the PPG indicates that site-specific FRAs should assess the cumulative impacts of development on flood risk elsewhere and demonstrate how mitigation measures have addressed these impacts.

We also consider that the proposed development is contrary to the NPSWW in particular paragraph 4.4.5 bullet points 2, 7 and 8 whereby the FRA has not fully considered the flood risk arising from the proposal, fully considered the different forms of flood risk including the increased outfall discharge and finally has not considered the effects on people and their property fully from the increased flood risk because no mitigation for the increased risk has been set out in the FRA. Regarding paragraph 4.4.12 we do not believe reasonable steps have been taken to address our concerns as mitigation measures has not been explored in the FRA.

We include two figures in **Appendix 1** which are from the applicant's model where we have looked at the depth grids to show the increase in flood risk. We have enclosed these to demonstrate our concerns.

Detailed Comments

The FRA includes an assessment of the impact of the WWTP on flood risk elsewhere due to predicted development and population growth in the area up to the year 2041. This assessment is based on a comparison of a baseline existing model scenario with a future model scenario with the predicted impacts of population growth up to 2041 included. The model, which has been assessed, indicates that there will be an increase in flood depths within several areas of third party land, including in areas where residential properties are present. A total of 9 residential properties to the east of Waterbeach, in the vicinity of Bannold Road, are likely to be impacted, with flood depth increases up to 9cm predicted for two of these properties. In addition, an in-progress residential development of 6 properties is shown to be impacted by an increase in flood depths up to 2cm. Please see **Appendix 1** that illustrate these impacts. The FRA states that the impact to these residential receptors is considered to be moderate. We are not aware of the criterion that rates increased internal property flooding of 2cm to 9cm as moderate. Access to some of these residential properties is likely to be impacted and there may be an increased risk of internal flooding due to an increase in flood depths. Any increase in internal flood depth could cause flood damage and distress to homeowners.

The FRA also includes an assessment of the impact of the WWTP on flood risk elsewhere due to the relocation of the WWTP in isolation, discounting any cumulative effects due to population growth in the area up to 2041. Although the FRA suggests that the predicted increase in flood risk within two areas of agricultural land is negligible, the modelling shows flood depths increases up to 4cm in one area of agricultural land, which should be considered significant. We consider that the relevant landowners should be informed of any increase in flood risk to their land (in terms of any increased frequency, depth, duration and extent) and evidence that the landowners accept this increase in flood risk to their land should be provided.

We acknowledge that the relocation of the actual WWTP does not increase flood risk to itself. We also acknowledge that the modelling may be conservative due to some assumptions used in the model, as indicated in the FRA, which may introduce an element of uncertainty. However, we consider that a precautionary approach should be taken to providing mitigation, given that the future growth model scenarios do not account for any additional development that is likely to take place in the area for the lifetime of the WWTP as stated in the FRA (up to the 2090s).

Where there is an increase in flood risk due to a development proposal, PPG sets out that mitigation measures must address the impact of this flood risk. In particular paragraphs 004, 048 and 049 of the PPG. The FRA has not offered one mitigation plan for its increase in flood risk to land and property in the future. The Applicant also has not demonstrated that they have exhausted a range of options to manage the risks they state may be increased by their proposal.

We disagree with the Position Statement on Mitigation included in Appendix C of the FRA and wish to make the following comments in relation to each of the five points set out at the end of this position statement:

- The modelling indicates that there will be a small increase in flood risk within a few areas of agricultural land due to the proposed relocation of the WWTP (discounting any effects from expected population growth). The modelling also indicates that there is likely to be a significant increase in flood risk in the

future within several areas of third party land, including in areas where residential properties are located, due to increased wastewater flows in the catchment entering the WWTP and subsequently being discharged into the River Cam. We consider that this increase in flood risk is directly related to the proposed development and therefore should be mitigated as part of the DCO.

- We do not agree that the incremental contribution of the proposed development to flood risk is extremely low compared to other factors.
- We consider that national planning policy requires mitigation by the project for the predicted increases in flood risk, which are directly related to the proposed development (i.e. increased wastewater volumes entering the WWTP and being discharged into the River Cam). In particular, paragraph 049 of the PPG indicates that site-specific FRAs should assess the cumulative impacts of development on flood risk elsewhere and demonstrate how mitigation measures have addressed these impacts.
- We do not agree that wastewater flows are most effectively managed at source, through the planning system. There is currently no consistent or reliable way of ensuring discharges of foul and surface water from new development will not increase flood risk elsewhere through individual planning applications. Developers currently have a right to connect surface water drainage to mains sewers and case law has shown that a lack of capacity is not a valid reason to refuse connection. There is also no way of ensuring that foul water use through maximum water consumption levels for new dwellings will be complied with.
- The Environmental Permitting (England and Wales) Regulations 2016 do not cover flood risk and cannot control flows. We do not have any powers to regulate wastewater flows arising from future developments and we are not a statutory consultee on either surface water drainage or foul water drainage if connected to a mains sewer. We consider that the Local Planning Authority is unlikely to be able to regulate wastewater flows arising from future developments. There is currently no national planning policy requirement for individual planning applications to assess and mitigate any increase in flood risk arising from wastewater discharges into the mains sewer. As such, we consider that the predicted increase in flood risk due to discharges of treated water into the River Cam could not be effectively mitigated through the planning system. Please note that the future growth effluent will also not be coming from the Cam catchment, so it cannot be considered part of a circular intake offtake system. The water supply for the growth will be transferred in from another catchment due to water scarcity in the Cam catchment. Therefore, this will be additional flows into the River Cam system.

It may be possible to seek financial contributions from new developments towards any proposed mitigation measures at the WWTP site through Community Infrastructure Levy (CIL). This could be explored further by the applicant with the relevant Local Authorities involved with CILs. This could have been considered within a list of options to be fully explored by the applicant in the FRA to mitigate the future flood risk.

Should you wish to discuss this matter further please do not hesitate to contact me.

Yours faithfully

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Appendix 1 – Flood Depth Grids

We enclose extracts that we have taken from the Applicant's model to show some of the increases in flood depth.

Figure 1

Figure 1 below shows the 1 in 100 year flood event or 1% AEP for a 50 hour storm event with the existing baseline flood depths compared to the flood depths for Phase 2 future baseline proposed growth for 2041. There is an increase to an area with properties of up to 9cm flood depth. This is above an acceptable modelling tolerance and assumption range.

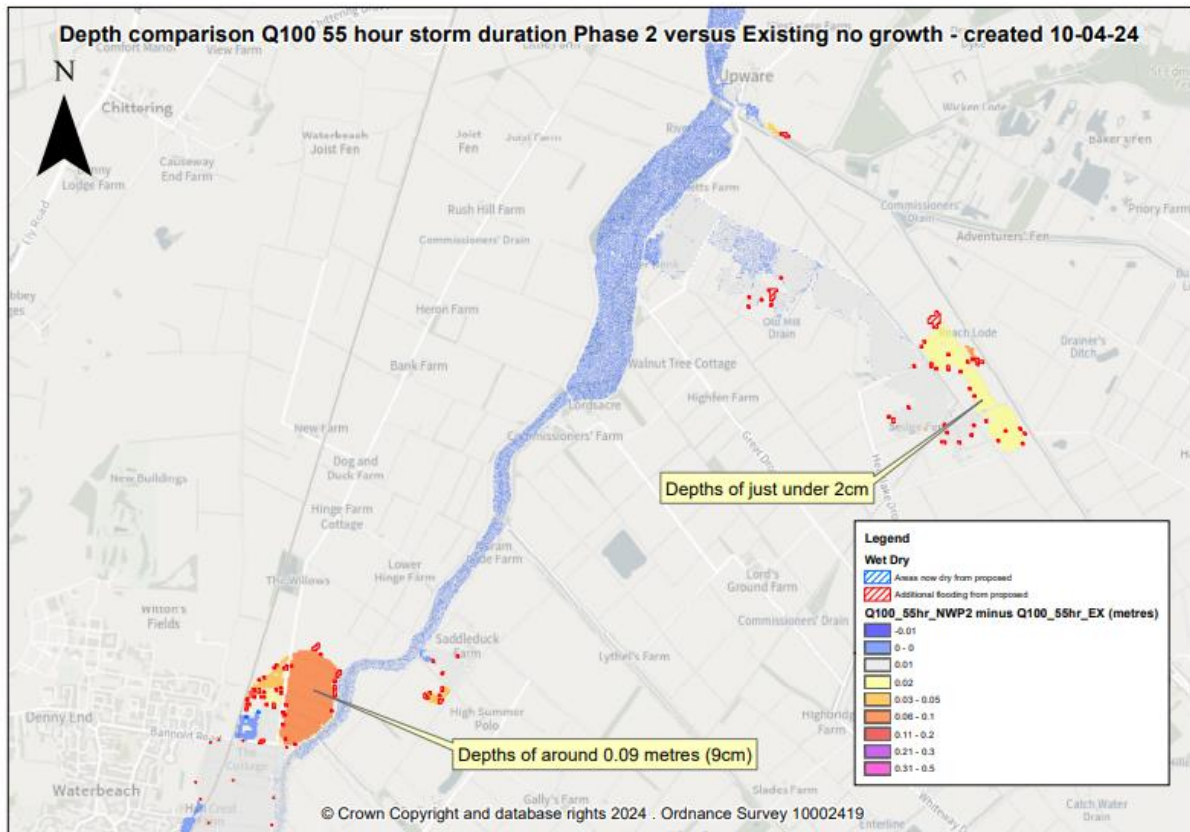


Figure 2

Figure 2 below shows the 1 in 75 year flood event or 1.33% AEP for a 55 hour storm event with the existing baseline flood depths compared to the flood depths for Phase 2 future baseline proposed growth for 2041.

