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1 Introduction

In his letter dated 15 October 2024, the Secretary of State invites Anglian Water Services Limited (hereafter referred to as 'the Applicant') to comment on the representations received by the following three interested parties to the post examination submission made by the Applicant on 19 July 2024, which contained an updated Cumulative Impact Assessment:

- Margaret Starkie on behalf of the Save Honey Hill Group dated 23 August 2024
- Teversham Parish Council dated 10 September 2024
- Fen Ditton Parsh Council dated 10 September 2024

This document provides the Applicant's comments in turn on the submissions received.

2 Margaret Starkie on behalf of the Save Honey Hill (SHH) Group

2.1 Response to Cumulative Impact Assessment Review

SHH comments on Table 1-1 24/02432/SCOP – Hartree Site

SHH alleges that the Applicant's Cumulative Impact Assessment ('CIA') Review is deficient because:

- i. The Applicant has not considered the cumulative construction effects of the Proposed Development with the Hartree development, because both the Applicant (in its CIA Review) and Hartree (in its EIA Scoping Request 24/02432/SCOP) assume no concurrent construction; and
- ii. There is seemingly an under-assessment of the cumulative effects with Brookgate, because the Applicant's CIA was based on what SHH perceive is a higher degree of employment to that which the Applicant assumed, along with other impacts; and
- iii. The Applicant has not assessed the cumulative traffic impacts of these three specific developments, either during construction or operation. By which the Applicant understands the three developments to mean the Proposed Development, Hartree and Brookgate.

The Applicant has been clear that the CIA assumes that there will be no construction overlap with the Hartree development. There is no inconsistency in this approach with the statement made by the Applicant in its Funding Statement (paragraph 3.1.11 in App Doc Ref 3.2 [REP6-002]) that heads of terms have been agreed with LandSecU+I for the sale of land to facilitate an early commercial phase of development within Hartree. SHH has conflated a

statement made by the Applicant regarding sources of funding and early release of land with a presumption of construction overlap. Paragraph 3.1.12 of the Funding Statement (App Doc Ref 3.2) [REP6-002] makes it very clear that this early release is conditional on the grant of planning permission for commercial development and that this planning permission is not anticipated until after the DCO decision. Indeed, in its latest public statement LandSecU+I have indicated that a planning application for Hartree is not expected until earliest March 2025 (meaning a decision is highly unlikely before Summer 2025).

The Applicant has contacted LandSecU+I who have confirmed that there are no current proposals to commence an early phase of development for 'advance commercial development' nor is there any current information on potential timing of any phase of that proposed development that could inform the Applicant's CIA. In the event that Hartree were to bring forward a planning application for an early phase of development (a potential scenario they indicate on their EIA Scoping Request 24/02432/SCOP), Hartree will need to assess the impacts of any overlap and it will be determined whether Hartree is acceptable taking that into account. It is not, therefore, the case that because the Applicant has not assessed the impacts of both schemes being undertaken concurrently that those impacts will be able to arise without assessment and determination of the acceptability of them. This approach to EIA is entirely consistent with PINS Advice Note on Cumulative Effects Assessment (20 September 2024¹) and does not invalidate the conclusions of the Applicant's ES that no significant cumulative effects are identified, other than the beneficial multiplier socio-economic effects associated with the relocation of the existing Cambridge WWTP, which facilitates the development of North East Cambridge.

The Applicant would reiterate that the PINS Advice Note on Cumulative Effects Assessments acknowledges that it is appropriate for an Environmental Statement to have a "cut off" date when considering other developments. Furthermore, the Advice Note states that where "*new other existing and, or approved development comes forward following the cut-off date, the Examining Authority may request additional information...in relation to effects arising*" (our emphasis). The Advice Note states that "other existing and, or approved development" is taken to include existing developments and existing plans and projects that are 'reasonably foreseeable'. As explained above, the Applicant has assessed the Hartree development as part of its Cumulative Impact Assessment (being part of the North East Cambridge development) to the extent that it is able to. The Hartree development is therefore not "new", nor does its scoping report provide any new information.

¹ This September Advice Note on Cumulative Effects Assessments replaces what was previously PINS Advice Note 17, which was in place at the time of the Applicant's assessment. The advice in the previous note on the approach to assigning certainty to other developments which are existing and/or approved is consistent with the updated advice note.

SHH comments on Table 1-2 22/02771/OUT – Brookgate Site

SHH reference the granted permission for the Brookgate Site (22/02771/OUT). For clarity, Brookgate is the current name used by the developer for the two sites previously referred to as the Cambridge North Residential Quarter and the Cambridge North Commercial Quarter. The Applicant therefore refers to 'the Brookgate Site' going forward. The Brookgate Site forms a part of the wider allocation SS/4 and TI/1 in the Adopted South Cambridgeshire Local Plan (September 2018).

The Applicant confirms that wherever a cumulative scheme was considered to have a partial construction overlap with the Proposed Development, a worst case assumption of a total construction overlap was assumed. Figure 3.1 of ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043] demonstrates that the 'South Cambs Local Plan Policy' (of which the Brookgate Site is part) was assumed to have total construction overlap with the Proposed Development's construction. This includes an assessment of all construction impacts, including traffic, noise, vibration, dust and lighting.

SHH incorrectly state that ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043] only considered the EIA Scoping Report for the Brookgate Site. On the contrary, paragraphs 3.5.15 to 3.5.18 of ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043] summarise the findings of the Environmental Statement submitted within the Brookgate planning application and this informed the assessment of cumulative effects.

SHH also state that the assessment does not take into account any evidence given during the public inquiry for the Brookgate Site. The appeal for the Brookgate Site was decided on 23 April 2024, which was following the close of the DCO Examination. The Applicant has reviewed the appeal decision and has not located any conclusion that concurs with SHH's statement that it was proven the impacts on visual receptors and the historic environment had been substantially understated (e.g. see paragraphs 14.65, 14.90, 14.109 of the Planning Inspector's Report to the Secretary of State, to which it is indicated in paragraphs 30 and 32 of the appeal decision that the Secretary of State agreed). The appeal decision has been included in Appendix A of this response. The Applicant therefore believes the appeal decision does not change the conclusions of ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043].

SHH also alleges that the Applicant has not sought to assess the cumulative traffic impacts of Hartree and the Brookgate Site, along with the Proposed Development, either during construction or operation. Table 4.2 of ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043] includes the cumulative construction traffic assessment, which includes the Brookgate Site (referred as the Cambridge North Residential Quarter). Hartree would not have been assessed at that time given it was not proposed for its construction phase to overlap with the Proposed Development. The Waterbeach Station

Development received a more detailed cumulative construction traffic assessment owing to the overlap in the DCO Order Limits, the potential overlap of the construction period and the advanced stage of implementation of the Waterbeach Station Development, which meant that more information was available.

Paragraph 2.3.7 of ES Chapter 22 Cumulative Effects Assessment (App Doc Ref 5.2.22) [REP6-043] confirms that a cumulative operational traffic assessment was not completed, since the transport, air quality and noise assessments factor-in underlying growth associated with Local Plan development (including Hartree) and incorporate this in the relevant topic assessments. So far as information is available to inform any assessment, and noting there is no residential development surrounding the existing WWTP, and by application of normal planning controls on construction, it is considered that the principal cumulative construction impact that could arise is an increase in construction traffic movements, and the associated impacts on air, noise, vibration, dust and lighting, rather than non-construction traffic related impacts.

Although there is nothing in the public domain to inform a detailed assessment of the cumulative traffic impacts of Hartree, Brookgate and the Proposed Development, in the worst case event that there is a construction phase overlap, and adopting a precautionary approach, the Applicant has considered the possible likely effects of such an overlap. In this unlikely (though not impossible) scenario, construction and/or operational traffic effects (and associated air, noise, vibration, dust and lighting impacts) could arise in the situation where the following occur concurrently:

- the existing Cambridge WWTP remains operational whilst works for construction, for example construction of the western section of the transfer tunnel, are taking place (a scenario already assessed in the ES (Section 3, ES Chapter 2 Project Description - REP6-009); and
- construction is being progressed on the Brookgate site (a scenario which is already assessed in the ES – see above); and
- construction is being progressed on an early phase of the Hartree development (a scenario which is not presently considered in the ES).

The cumulative traffic impacts of these combined circumstances would be localised to Cowley Road and the section of the A1309 Milton Road to the west incorporating the A10/A14 Milton interchange (Junction 33). The cumulative traffic impacts from the Proposed Development with Brookgate shows that off-peak capacity on these sections of road is adequate given that AM/PM peak testing demonstrated that the junction operates within its capacity thresholds (see section 4 of ES Chapter 19 Traffic and Transport (App Doc Ref 5.2.19) [REP7-029] and paragraphs 9.5.73 to 9.5.92 of ES Appendix 19.3 Transport Assessment (App Doc Ref 5.4.19.3) [REP7-047]). It is not considered that the cumulative additional traffic movements that may arise in the peak from the addition of an early phase of the Hartree development would give rise to

unacceptable traffic effects, which could not otherwise be managed by the application of normal highway controls. Such controls would comprise normal conditions and requirements. Some of these are already in place, while others would be readily capable of being applied, if assessment demonstrated that they were necessary. Condition 2 of the Brookgate permission is an existing control and requirements are proposed in the case of the DCO for the Proposed Development. Additionally, conditions on the planning permission for any scheme brought forward for an early phase of development at Hartree could, for example, like the proposed requirement for the DCO for the Proposed Development, require the prior written approval of Construction Traffic Management Plans (covered specifically in the Proposed Development, for example, by draft requirement 9 of the DCO).

Associated sub-plans such as the COCP Part A (Appendix 2.1, REP7-033) also cover working hour restrictions applied to the construction, whilst measures within Section 3 of the CoCP Part B (Appendix 2.2, REP7-035) include temporary traffic management on Cowley Road and coordination with other developments that may overlap with construction of the Proposed Development such that environmental management plans are developed and agreed through engagement with developers to avoid and minimise impacts so that cumulative effects are reduced or eliminated.

Policies 22 and 23 of the Proposed Submission Regulation 19 North East Cambridge Area Action Plan (NECAAP) (link provided in Appendix 1 at REP5-114 and REP5-120) specifically anticipate the phasing of development on different sites concurrently across North East Cambridge over the next 20 years and beyond. The Plan also recognises the clear benefits of joint working and cross stakeholder engagement, to ensure that key issues are considered and resolved, and sets out the measures which have been put in place to ensure accordance with the North East Cambridge Transport Study, including the management of vehicle numbers, movements, servicing and parking, throughout the construction phase of delivering the masterplan.

The potential for impacts on residents in this area arising from these traffic effects is limited by the existing absence of housing. In respect of air, noise, vibration, dust and lighting impacts, these will all be controlled by management plans prepared for individual developments. Any cumulative effects, including the possibility of a Hartree development overlap, can therefore be closely managed and mitigated, and their resulting impact is not anticipated to be significant.

2.2 Submission made by SHH to Secretary of State on 14 July 2024

Although the SoS has invited the Applicant to comment on representations only insofar as they bear on the Applicant's updated Cumulative Impact Assessment, the Applicant notes that SHH have restated the majority of the case they put to the DCO Examination upon which the Applicant has previously

responded. For the sake of good order and balance, therefore, the Applicant would like to take the opportunity to highlight to the SoS where the Applicant has already responded to the points set out in SHH's letter of 14 July 2024, which was appended to SHH's response dated 23 August 2024.

Table 2-1: Cross-references to where the Applicant has addressed the issues raised in SHH's letter dated 14 July 2024

Topic	Relevant PINs Document library reference numbers
Greenhouse Gas & Carbon Emissions	<ul style="list-style-type: none"> 8.2 Applicant's Response to Relevant Representations. Table 4-28. Ref. 9.4 - 9.5. [REP1-078] 8.24 Applicant's Comments on Deadline 5 Submissions. Section 2.7. SHH52. Pages 7-11. [REP6-115]
National Government Policy	<ul style="list-style-type: none"> 8.2 Applicant's Response to Relevant Representations. Table 4-28. Ref. 3.3-3.4; 4.1-4.4; 6.2. [REP1-078] 8.13 Applicant's Responses to Written Representations. Table 2-11. Ref. 3.2.1; 6.1.1 - 6.2.4; 6.5.1 - 6.5.5. [REP2-038] 8.14 Applicant's Comments on Save Honey Hill's Deadline 2 Submissions. Section 2.5. Paragraph 2.5.1. [REP3-054]
Future Growth of Cambridge	<ul style="list-style-type: none"> 8.2 Applicant's Response to Relevant Representations. Table 4-28. Ref. 4.4. Applicant response (b). [REP1-078] 8.16 Applicant's comments on Cambridge City Council's Deadline 2 submissions. Section 2.3. Pages 4-6. [REP3-054] 8.24 Applicant's Comments on Deadline 5 Submissions. Section 3.3. ExQ2 1.2. Page 34. [REP6-115]
Design and Layout of the WWTP	<ul style="list-style-type: none"> 8.2 Applicant's Response to Relevant Representations. Table 4-28. Ref. 8.2 - 8.7; 10.5. [REP1-078] 8.13 Applicant's Responses to Written Representations. Table 2-11. Ref. 4.6; 7.1-7.7; 8.2.1 - 8.2.4; SHH 08. [REP2-038] 8.14 Applicant's Comments on Save Honey Hill's Deadline 2 Submissions. Section 2.5. Paragraph 2.5.9. [REP3-054]

	<ul style="list-style-type: none"> • 8.21 Applicant's Post Hearing Submission (CAH1 & ISH3). Item 8 – Landscape and Visual. Paragraphs 8.1.2; 8.7.1; 8.9.1. [REP4-088] • 8.25 Applicant's Response to ISH4 Actions. Action point 36. Pages 22-23. [REP6-116] • 8.24 Applicant's Comments on Deadline 5 Submissions. Section 2.7. SHH57 LERMP. Page 14. [REP6-115]
Adverse Impact on the Cambridge Green Belt	<ul style="list-style-type: none"> • 8.2 Applicant's Response to Relevant Representations. Table 4-28. Ref. 4.4; 7.1. – 7.7. [REP1-078] • 8.13 Applicant's Responses to Written Representations. Table 2-11. Ref 7.1-7.7. [REP2-038] • 8.24 Applicant's Comments on Deadline 5 Submissions. Section 3.3. ExQ2 1.2. Page 34. [REP6-115]
Loss of High Quality Agricultural Land	<ul style="list-style-type: none"> • 8.24 Applicant's Comments on Deadline 5 Submissions. Section 3.3. ExQ2 1.2. Page 34. [REP6-115]
Need to Consider the Implications for the DCO of the Brookgate Land Appeal Decision (APP/W0530/23/33315611)	This is addressed in section 2.1 above.
Scarce Public Funding Wasted on Relocation	<ul style="list-style-type: none"> • 8.13 Applicant's Responses to Written Representations. Table 2-11. Ref 11.1-11.3.2. [REP2-038] • 8.14 Applicant's Comments on Save Honey Hill's Deadline 2 Submissions. Section 2.9. Paragraph 2.9.1-2.9.5. [REP3-054] • 8.21 Applicant's Post Hearing Submission (CAH1 & ISH3). Item 7 Funding. Paragraph number 7.5.1. [REP4-088]

In addition to the points raised by SHH above, specifically surrounding National Government [Planning] Policy, the Applicant has provided a detailed response to the Secretary of State's request for further representations in the email

entitled 'WW010003 – Cambridge Waste Water Treatment Plant Relocation Project, Email Correspondence to the Applicant dated 16th October 2024'.

Only one matter is raised in SHH's letter dated 14 July 2024 that post-dates the close of the DCO Examination. This concerns the Supreme Court decision, UKSC 2024-020, R (on the application of Finch on behalf of Weald Action Group v Surrey County Council), issued on 20 June 2024, which makes it clear that, in making any decision on an 'EIA development', it will be unlawful not to assess and evaluate both the direct and the indirect effects on climate change from the 'downstream use of fossil fuels' which are extracted or produced by that project.

SHH allege that the Applicant's ES does not assess the totality of the carbon emissions from the burning of the biomethane gas produced by the proposed water treatment process and, given it may not therefore have been fully considered by the ExA in reaching a recommendation, needs to be addressed before decision.

The Applicant agrees that, following the Finch judgment, it is appropriate to consider the need to assess the downstream emissions from the combustion of biomethane produced. The Applicant has reviewed its approach and is satisfied that it has not omitted any assessment of resulting emissions that might lead to a likely significant effect on the environment.

As noted in the Finch judgement, under the GHG Protocol, the combustion of biomethane would be considered downstream Scope 3 emissions, under the category of "use of sold products". To appropriately assess these emissions the Applicant has reviewed the Department for Energy and Net Zero (DESNZ) 2024 Government Gas Conversion Factors for Company Reporting² guidance. This document and associated dataset provides appropriate conversion factors published by the UK Government to enable the assessment of the combustion of the biomethane downstream.

The guidance notes: "*PAR9.11 At the point of use, biofuels are defined as "net carbon zero" or "carbon neutral" as any CO₂ expelled during the burning of the fuel is cancelled out by the CO₂ absorbed by the feedstock used to produce the fuel during growth.*" Therefore, whilst the assessment of direct CO₂ emissions associated with combustion of biomethane downstream were not assessed in the ES, they would result in zero net CO₂ emissions.

The assessment did take into account, as shown in Table 4.1 and 4.5 of ES Chapter 10 Carbon (App Doc Ref 5.2.10) [REP6-019], the upstream emissions associated with the production of biomethane, also referred to as Well-to-tank emissions, taking into account the embodied carbon of biomethane upgrade plant, electricity requirements and additional fossil fuel needs as part of the

² DESNZ '[2024 Government greenhouse gas conversion factors for company reporting: Methodology paper](#)', which is based on the approach set out in the Greenhouse Gas Protocol Corporate Standard referenced in the Finch judgement

operation of the plant. This is in-line with the DESNZ methodology, which states:

“PARA 9.13 The net GHG emissions for biofuels vary significantly depending on the feedstock source and production pathway. Therefore, for accuracy, it is recommended that more detailed/specific figures are used where available.”

The assessment has included the specific construction and operational emissions needed for the construction and operation of the specific facility rather than an average of biomethane production methods and therefore are more accurate.

The Applicant has considered the downstream CH₄ and N₂O emissions at the point of use in light of the Finch judgement, which as the DESNZ methodology states *“Unlike the direct emissions of CO₂, the CH₄ and N₂O emissions are not offset by absorption in the growth of the feedstock used to produce the biofuel.”* These were scoped out of assessment as in the Applicant's view they are not likely to give rise to any likely significant effects. However, for completeness, if these are assessed based on the DESNZ 2024 conversion factors of 0.08gCO₂e of CH₄ and 0.03gCO₂e of N₂O per megajoule (MJ) of compressed biomethane produced³, this results in 12tCO₂e of additional emissions per year due to the direct emissions at the point of downstream combustion. This is the equivalent of 0.34% of the net operational emissions of the preferred DCO option, which is within the 5% materiality threshold applied within the assessment approach.

3 Teversham Parish Council

In its email to the SoS dated 10 September 2024, Teversham Parish Council question why the cumulative impact assessment review does not include the relocation of the Park & Ride on Newmarket Road and the new UK Power Networks substation on Newmarket Road.

Both of these schemes comprise part of the area identified for a sustainable new urban quarter of approximately 10,000 to 12,000 dwellings and associated development as well as off-site infrastructure needed to deliver and serve the new urban quarter in the Cambridge East Action Area Plan 2008 ('CEAAP'). Principal access to development is identified in the CEAAP off Newmarket Road in close proximity to the existing Park & Ride site which is recognised as potentially needing to be relocated. As an adopted Local Plan allocation but

³ It should be noted that these conversion factors have been based upon combustion emissions from liquified and compressed natural gas, as per *PARA 9.12 “Specific emission factors are available for solid biomass and biogas but not for liquid and gaseous biofuels. In the absence of other information, these emission factors have been assumed to be equivalent to those produced by combusting the corresponding liquid and gaseous fossil fuels (i.e. diesel, petrol, LNG or CNG) from the “Fuels” section.* The use of fossil fuel alternatives as a proxy for biofuel combustion naturally makes the assessment of scale of these emissions conservative.

not yet the subject of any planning application (except in respect of Marleigh which is addressed separately), CEAAP is listed at Table 2-6: Cumulative Effects Long List of Developments in the CIA as a Tier 3 Project which falls within the Zone of Influence all environmental aspects. It is addressed at section 3.6 of the CIA which states that the development(s) will be subject to EIA, will provide the necessary infrastructure to support the development and is not likely to commence before the Proposed WWTP is completed and commissioned. For the reasons stated, no significant cumulative effects are expected that are more significant than the effects of Cambridge East in isolation.

In isolation, no specific site for the relocation of the Park & Ride site has been established nor is the timing of any planning application known at this time. In accordance with PINS' Advice Page on Cumulative Effects Assessment (September 2024), the relocation alone would not meet any of the criteria for Tiers 1-3 development. Given the lack of information available, therefore it could not have been included and assessed in the CIA Review.

Likewise, for the new UK Power Networks substation, it is understood that UKPN consulted on the preferred location in May 2024 and have only very recently (26 September 2024) submitted a planning application for this substation which has yet to be determined. The scale and location of the substation is not considered sufficient in isolation to give rise to potential cumulative effects.

The Parish Council allege that the cumulative impact of construction and operative traffic and associated traffic control of these projects in combination with the Proposed Development will lead to increased congestion on Newmarket Road and in Teversham, especially at peak hours. The Parish Council submitted no evidence during the Examination to substantiate this claim. Indeed, it ignores the extensive transport assessments provided by the Applicant in the DCO Application and the controls it has proposed which significantly limit construction and operational traffic on Newmarket Road, and it is not supported by any objection from the local highway authority.

The Applicant makes no comment on the concern raised by the Parish Council about the amount of public money (HIF money) which has been spent on this project so far. This is not a matter relevant to the SoS's decision. The Applicant does note, however, that the Parish Council questions whether the project is ambitious enough to cater for the demands arising from the number of new residential developments being brought forward. The Applicant proposes to deliver a modern, low carbon waste water treatment facility capable of meeting population growth projections for Greater Cambridge plus an allowance for climate change into the 2080s with the capability for expansion by modification, enhancement and optimisation of the design to accommodate anticipated flows into the early 2100s. Delivering this modern resilient infrastructure which will support growth is a matter of significant importance to which substantial weight should be given in the SoS' decision.

4 Fen Ditton Parish Council

In their letter to the SoS dated 10 September 2024 Fen Ditton Parish Council ('FDPC') support SHH and the points made in SHH's response and letters of 14 July 2024 and 23 August 2024. These have been addressed by the Applicant above and are not repeated here.

FDPC also draw attention to an undetermined discharge consent application made by the Applicant to the Environment Agency and the impact that recently granted planning permissions will have on effluent and sludge treatment in the Cambridge WWTP catchment in the immediate future. Since this is not a matter which falls to be determined under the DCO application before the SoS, the Applicant makes no comment.