

Cambridge Wastewater Treatment Plant Relocation Project

# The Applicant's Response to the SoS Regarding the Adopted NPPF



## Document Control

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## 1 Introduction

In his letter to all interested parties dated 20 January 2025, the Secretary of State invites representations on the content of the latest adopted version of the National Planning Policy Framework (“NPPF”) published on 12 December 2024.

The Secretary of State considers that the adopted amendments to the NPPF (which followed consultation on a draft revised version of the NPPF between 30 July 2024 and 24 September 2024) may be relevant to the determination of the Application and he has invited all Interested Parties to make representations on the adopted NPPF addressing in particular the extent to which the adopted national policies as regards to house building and green belt are relevant to the determination of the Application.

This document provides the Applicant's comments on the latest adopted version of the NPPF.

In its 13 November 2024 response to the Secretary of State's 16 October 2024 letter, the Applicant provided its comments on a number of documents published since the DCO Examination closed on 17 April 2024, including the revised draft NPPF dated 30 July 2024. Those representations addressed documents that set out the Government's plan and direction of travel for reforming the planning system, including addressing “*the most acute housing crisis in living memory*” by targeting reforms to improve housing affordability, turbocharge growth and build the 1.5 million homes the Government has committed to deliver over the next five years to achieve sustained economic growth. Insofar as those documents add further substantive weight to the factors presented by the Applicant as very special circumstances sufficient to justify the Proposed Development in the Cambridge Green Belt, the Applicant's previous response remains valid but the weight accorded to these documents should be heightened as they have now informed adopted national policy.

Therefore, in the case of the policies contained in the adopted version of the NPPF published on 12 December 2024 (which incorporates a number of changes since the consultation draft), these provide further support for the Proposed Development to which (by virtue of its adopted status) greater weight should be given in the decision to be made by the Secretary of State.

## 2 Planning Policy

The relevant National Policy Statement for the Proposed Development is the ‘National Policy Statement for Wastewater’ (“NPSWW”) which, for the reasons set out in the Applicant's legal submission [AS-126] and at paragraph 3.1.8 of the Planning Statement [REP1-049], has effect. Whilst primacy in the decision process lies with the NPSWW by virtue of s104(3) of the Planning Act 2008, the application of s104(2)(d) may require some consideration of the NPPF, particularly where the NPSWW directly references the NPPF, or where the NPPF may provide more details and/or more up to date guidance than the NPSWW. This is particularly the case in this instance in respect of matters relating to the Green Belt. In the alternative eventuality

that the Secretary of State concludes that the application should be determined under s105(2) of the Planning Act 2008, the NPPF will clearly be an important and relevant matter under s105(2)(c).

The latest version of the NPPF replaces the previous version of the NPPF published in December 2023. It enshrines planning reforms identified as needed by the Government to achieve its 'Building the Homes We Need' plan (HCWS48)<sup>1</sup>. The NPPF should be considered as an important and relevant matter in the determination of this DCO application in that it supports increased housing delivery, reinforces the Duty to Cooperate including recognition (paragraph 24) that effective strategic planning across local planning authority boundaries *"will play a vital role in how sustainable growth is delivered, by addressing key spatial issues including...climate resilience"*, adds significant weight to the importance of new, expanded or upgraded public service infrastructure when considering proposals for development, sets a strengthened expectation that applications on brownfield land will be approved and states that planning decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for the expansion or modernisation of other industries of local, regional, or national importance to support economic growth and resilience (paragraphs 85 - 87).

The alignment of the Proposed Development with the objectives of the new NPPF is manifest – it releases land for housing in a location optimally suited to support the continued growth of the Cambridge Science Park and businesses surrounding it as identified by the local authorities for this purpose (see, for example, paragraphs 11-13, REP1-142) and thus supports increased housing delivery, alongside delivering modern resilient public service infrastructure to support wider growth. On this latter point, the Applicant notes that since the close of the DCO Examination the local authorities have issued planning permission for up to 4,500 new homes in Cambridge, despite water supply concerns from the Environment Agency and in December 2024, South Cambridgeshire District Council approved the home plans for the Waterbeach new town, alongside outline planning permission for RLW Estates. This included the development of business, retail, community, leisure, and sports use, as well as new primary and secondary schools, in addition to a sixth form centre. CWWTPR is also designed to provide wastewater treatment capacity for Waterbeach New Town.

In our opinion, therefore, the Cambridge Wastewater Relocation Project, as it pertains to this DCO application, responds positively to each and all of these objectives contained within the newly adopted version of the NPPF.

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<sup>1</sup> [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

## 2.1 Extent to which the adopted national policies as regards to house building are relevant to the determination of the Application

In its response<sup>2</sup> to the consultation on the NPPF (published alongside the latest NPPF), the Government makes clear that the new NPPF is 'pro-growth' and seeks to radically boost the supply of housing, consistent with its 'Plan for Change' to deliver housing of every tenure in the right places, supporting towns and cities to grow, and providing the homes people want near to businesses and employment opportunities, and making it easier to build vital infrastructure.

Changes at NPPF paragraph 61 now mean that the aim of Local Plans should be to meet the identified housing need rather than as much of it as possible, as previously stated. The method for calculating this need is also changed, with the revised Standard Method defining the local housing need for all local authorities in England. This aggregates to a national total of 371,541 dwellings per annum, a substantial increase on the previous total (305,233). This increase responds to areas with poor housing affordability (a particular issue around Cambridge – REP1-159).

The effect of this change in terms of housing need is to further increase housing need requirements in Greater Cambridge that the Councils must meet by adding 583 dwellings per annum (+34%) as identified in Table 1.1 below which compares Local Housing Need as calculated under the former NPPF Standard Method (SM1) and as now calculated under the new NPPF Finalised Housing Method (SM2) set out in the national planning practice guidance:

**Table 1.1: Impact of New Standard Method on Local Housing Need Calculation**  
 (figures taken from Indicative Housing Need (December 2024 – new standard method – Gov.UK))

	<b>Local Housing Need Current Standard Method (SM1) (dwellings per annum)</b>	<b>Local Housing Need Finalised Standard Method (SM2)</b>	<b>Comparison</b>
Cambridge	687 dwellings	1,135 dwellings	+448
South Cambridgeshire	1,039 dwellings	1,174 dwellings	+135
<b>Total</b>	<b>1,726 dwellings</b>	<b>2,309 dwellings</b>	<b>+583</b>

It is clear that a wide range of sites, dwelling types and tenures (including a range of affordable options) will be required to enable the delivery of the Government's ambitious housing targets. The achievement of the Government's commitment to rebuilding Britain, delivering 1.5m new homes along with the critical infrastructure that underpins economic growth, puts

<sup>2</sup> <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation>

even greater emphasis on the need to unlock delivery on sites which need to be released to deliver planned growth. This specifically includes North East Cambridge (and, by association, the Application), which was referenced in the 'Case for Cambridge' as one of three key strategic sites that the Cambridge Growth Company (formerly Cambridge Delivery Group) is actively supporting to unlock and accelerate planned growth. Delivery of this housing/urban regeneration on the vacated site (if the DCO is approved) is secured through the contractual arrangements around the Housing Infrastructure Fund award, and considerable confidence can be placed therefore on this delivery. This was affirmed by Peter Denton, Chief Executive of Homes England, in ISH1 and in Homes England's submissions at REP1-159 and REP1-160.

The effect of the increase in the Local Housing Need figures arising from the new NPPF and the desire of the Government to radically boost the supply of housing gives greater confidence that North East Cambridge will form part of the Greater Cambridge Local Plan when it is adopted, particularly given that this is considered to be the most sustainable location and given also the clear statements made at ISH1 by both Cambridge City Council (REP1-131) and South Cambridgeshire District Council (SCDC) (REP1-142) that further Green Belt release would be needed if North East Cambridge does not proceed. The need for such Green Belt release is now more likely around Cambridge in order to meet the Government's growth ambitions, with NPPF paragraph 155 emphasising that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where, amongst other considerations, the development would be in a sustainable location (particularly having regard to transport accessibility). The release of such Green Belt should, however, only be contemplated once full use has been made of brownfield land, ideally within the existing urban area. Clearly, the Proposed Development offers this opportunity to provide housing in the most sustainable location (inclusive of already-established road and rail links), whilst reducing the amount of Green Belt lost. The weight that should be afforded to enabling housing delivery / urban regeneration as a benefit of the Proposed Development is on that basis substantial.

## **2.2 Extent to which the adopted national policies as regards to green belt are relevant to the determination of the Application**

Supporting the changes in the NPPF to radically boost the supply of housing, the adopted NPPF paragraph 146 is explicit that Councils must review Green Belt boundaries where it cannot meet its housing need without it. The only exception is where such alterations would fundamentally undermine the purposes (taken together) of the remaining Green Belt when considered across the area of the plan.

Other fundamental changes to Green Belt policy introduced in the adopted NPPF provide for an expansion to the Previously Developed Land (PDL) development that will be 'not inappropriate'; the entirely new concept of 'grey belt' where development will be 'not inappropriate', which can include PDL, but need not; and the removal from not inappropriate

development on both PDL and grey belt of the requirement that “substantial weight” be given to any harm to the Green Belt.

Whilst there may be parts of the draft Order Limits which could fall within the definitions of PDL and grey belt now included in the NPPF, the Applicant does not seek to argue that the part of the Cambridge Green Belt on which the Proposed Development would be constructed could be wholly described as either PDL or grey belt (that is, Green Belt land which does not strongly contribute to Green Belt Purposes (a), (b), and (d)) as now defined by the NPPF. However, whilst the expanded definition of PDL and the introduction of ‘grey belt’ may mean that more development is likely to come forward, these changes do not mean that greater weight should now be given to the remaining Green Belt outside of these defined areas.

The contribution that this part of the Cambridge Green Belt on which the Proposed Development would be constructed makes to the achievement of Green Belt purposes, and the degree of harm that would arise to the Cambridge Green Belt from the Proposed Development, has been fully considered by the Applicant at paragraphs 4.8.37 – 4.8.45 of the Planning Statement (REP1-049) and in the Green Belt Impact Assessment undertaken by Mott MacDonald (Application Document Reference 7.5.3). This assessment concludes that, after mitigation, the harm on Green Belt function resulting from the Proposed Development would be moderate-minor or minor. It would not, therefore, fundamentally undermine the purposes (taken together) of the remaining Green Belt when considered across the area of the plan. This conclusion is material in the consideration of whether there are ‘very special circumstances’ which the Secretary of State will still need to be satisfied has been demonstrated here to satisfy policy on Green Belt development

So significant is the opportunity presented by the relocation of the existing Cambridge WWTP (for the reasons set out by the Applicant as summarised in closing submissions paragraphs 31.2 – 31.4, REP7-104), that the Secretary of State (DEFRA) s.35 Direction of 18 January 2021 recognises this project on its own as “nationally significant” (Appendix 3, 7.5 Planning Statement [REP1-049]). It will provide an all new WWTP to serve the Greater Cambridge wastewater drainage catchment to the end of this century and potentially beyond, and will support the continued economic advancement of Cambridge as a global centre of excellence for research, development, and business success.

Both SCDC and Cambridge City Council recognise at paragraph 2.8 of their Written Representations (REP1-141 and REP1-130 respectively) that *“there is clear evidence through the emerging plan-making processes of the significant benefits that would be enabled by the relocation of the Cambridge Waste Water Treatment Plant (the CWWTP site) and the extensive area of surrounding, under-utilised, previously developed land, where regeneration potential has been effectively sterilised”*. They also consider that ‘considerable weight’ should be given to the significant contribution the existing WWTP site could make towards meeting future strategic housing requirements for the Greater Cambridge area (SCDC response to ExQ1-2.15 [REP2-054]).

The NPSWW (and the new NPPF) requires that substantial weight should be given to any harm to the Green Belt and that other elements of harm should also attract significant weight. However, the Green Belt and other harm in this instance would, in the Applicant’s opinion, be clearly outweighed by the need for the Proposed Development (now further reinforced by the policy contained in the new NPPF) and the substantial cumulative public benefits it will



deliver, sufficient for the Secretary of State to conclude that in his judgement the very special circumstances needed to justify a grant of Development Consent have been demonstrated.