

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 03450 450 500

f: 01954 713149

www.scambs.gov.uk



31 August 2018

To: The Leader – Councillor Bridget Smith
Deputy Leader – Councillor Aidan Van de Weyer
Members of the Cabinet – Councillors Neil Gough, Philippa Hart,
Dr. Tumi Hawkins, Hazel Smith and John Williams
Quorum: Majority of the Cabinet including the Leader or Deputy Leader

Dear Councillor

You are invited to attend the next meeting of **CABINET**, which will be held in the **SWANSLEY ROOM A AND B - GROUND FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 5 SEPTEMBER 2018** at **9.30 a.m.**

Yours faithfully
Beverly Agass
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA SUPPLEMENT

7. **Waterbeach New Town Supplementary Planning Document**
This is the supplementary report referred to in paragraph 22 of the report in the main agenda.

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Agenda Item 7



REPORT TO: Cabinet

5 September 2018

LEAD OFFICER: Joint Director for Planning and Economic Development

Waterbeach New Town Draft Supplementary Planning Document (SPD)

Supplementary Report

Purpose

1. To update Cabinet on the responses from the three statutory consultation bodies to the current versions of the Sustainability Appraisal and Habitats Regulations Assessment Screening Reports concerning the draft SPD, as referred to in paragraph 22 of the published report.
2. This relates to a key decision which was first published in the 8 June 2018 Forward Plan.

Recommendations

3. That Cabinet:
 - (a) agrees an amendment to recommendation (c) of the published Cabinet report such that Cabinet “Delegates authority to the Joint Director of Planning and Economic Development in consultation with the Deputy Leader, to make editorial changes to the draft Waterbeach New Town SPD and supporting documents prior to the commencement of the consultation period (to comprise minor amendments and factual updates and clarifications).”
 - (b) agrees amendments to the Infrastructure Delivery Plan entry on page 125 and 126 of the draft SPD in respect of the foul water network as set out in Appendix 2.

Reasons for Recommendations

4. To respond to the results of consultation with the three statutory bodies the Sustainability Appraisal and Habitats Regulations Assessment Screening Reports concerning the draft SPD.

Background

5. Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out a sustainability appraisal of each of the proposals in a Local Plan during its preparation. More generally, section 39 of the Act requires that the authority preparing a Local Plan must do so “with the objective of contributing to the achievement of sustainable development”. Sustainability appraisal ensures that

potential environmental effects are given full consideration alongside social and economic issues.

6. Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a Strategic Environmental Assessment (SEA) for example if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.
7. Separately it is a requirement under the Habitats Directive that the potential effects of “plans or projects” on designated European sites (Special Areas of Conservation / Special Protection Areas/RAMSAR site), alone or in combination with other proposals, are also considered, and where necessary are subject to Appropriately Assessment.
8. The first stage in deciding whether an SPD also requires preparation of an SEA or an Appropriate Assessment is the preparation of screening reports. Such reports have been prepared in respect of the Waterbeach New Town Draft Supplementary Planning Document (SPD) (see Appendices 3 and 4 of the parent report on the SPD on the 5th September 2018 Cabinet agenda). The Council is required to consult specified consultation bodies on such reports - Historic England, Natural England and the Environment Agency, but it remains the responsible authority for ensuring that the potential effects of the new town have been considered appropriately.
9. The responses of the consultation bodies to the Sustainability Appraisal and Habitats Regulations Assessment Screening Reports were received on the 22nd and 24th August 2018 and are attached at Appendix 1. Paragraph 22 of the published Cabinet report advised that the responses were being considered by officers and Cabinet would be updated by a supplementary report.

Considerations

10. Officers have carefully considered the responses from the consultation bodies and consider that they do not necessitate a change to the main conclusions of the SA and HRA screening reports and that no further SA/SEA or Appropriate Assessment of the SPD is necessary. This consideration is set out below. Nevertheless the responses have flagged up the need to refine some of the wording of the SPD SA screening report and to make a clarificatory amendment to the draft SPD itself, before consultation on the SPD can begin as set out below.
11. Historic England considers that a Strategic Environmental Assessment (SEA) of the SPD is required because of the scale of the new town development. However the principle of the new town development and the parameters of the development in terms of scale have been considered through the SA and HRA Assessment of the Local Plan and the role of the SPD is to provide a framework to assist the implementation of the Local Plan. The SPD does not prescribe or change the scale parameters of the development which is set out in the Local Plan policy SS/5 (as proposed to be modified) as approximately 8,000 to 9,000 dwellings. The SPD at pages 65-66 considers the issue of dwelling capacity and explicitly does not endorse or otherwise comment on the acceptability of the 11,000 dwelling capacity that is provided within the two major planning applications for the development of the site from U&C and RLW. The SPD stating that *‘It will be for the planning application process to test specific proposals contained in the planning applications in the context of the Local Plan policy, and this will determine the number of dwellings that can appropriately be accommodated on the site whilst achieving a high quality sustainable new community that makes best use of land’*. It follows that in terms of

scale the SPD does not give rise to any significant matters that were not considered through the Local Plan SA and HRA process.

12. Nevertheless officers consider that the headline points concerning scale, and the principle of the development having been appropriately considered through the Local Plan SA process, could be more clearly set out in the SPD SA Screening Report. To facilitate these clarifications, a refinement to recommendation (c) of the parent report is proposed such that it seeks delegated authority for the Joint Director of Planning and Economic Development in consultation (rather than liaison) with the Deputy Leader, to make editorial changes to the draft Waterbeach New Town SPD and supporting documents prior to the commencement of the consultation period (to comprise minor amendments and factual updates and clarifications). As such the amendments would be explicitly agreed by both the Deputy Leader and Joint Director.
13. The Environment Agency letter concerns the potential environmental effects of an off-site new Water Recycling Centre (WRC) to be implemented by Anglian Water. However the form of upgrading the existing foul water network to serve the new town and what form this may take is not prescribed by nor is it within the scope of the Waterbeach SPD. Local Plan policy for the new town policy SS/5, requires appropriate arrangements for foul drainage and sewage disposal but does not prescribe how this should be achieved. It is not the purpose, or within the scope of, the SPD to identify a solution to serving the new town and is a matter for a separate process. It remains envisaged that this will be the subject of continued discussions between the promoters of the site, the Council and Anglian Water through the planning applications process and consideration of the environmental effects of the solution arrived at will be considered, as appropriate, along with the implications of the proposed development through the planning application process.
14. In this context, one change is necessary to the SPD itself to confirm that the SPD is not seeking to set out how foul drainage and sewage disposal should be achieved, and it is proposed to do this by deleting the separate entry about a new WRC on page 126 of the SPD, to clarify that the issue has not yet been finalised and the SPD is not seeking to introduce a decision or position on how the upgrade to the existing foul water network will be achieved. This will be for a planning application process and is not a matter for the SPD. Alongside this change the entry on page 125 should be added to as set out in Appendix 2, saying that the means by which the network will be upgraded to serve the whole development has not yet be established. This could involve a new water recycling centre.
15. In regard to the natural environment, the potential effects of the new town have been considered through the HRA and SA of the Local Plan in which both reports conclude there would be no likely significant effects. The response from Natural England acknowledges this but comments that *'new evidence has emerged since the preparation of the South Cambridgeshire Local Plan, and associated HRA and SA, regarding potential risk to designated sites, such as Wicken Fen and the Cam Washes, through increased levels of recreational pressures associated with new housing development'*.
16. Natural England do not specify the 'new evidence' but these may relate to detailed information contained within and arising from the two major planning applications for the site from U&C and RLW, where comments by Natural England are seeking additional information from the applicants for planning permission and an agreed approach to off-site mitigation measures to address any long-term residual impacts of additional recreational pressure. These are a matter directed and for consideration as

part of the planning application process and it is possible as a matter of principle that this more detailed stage in the planning process could identify impacts that were not identified at the plan making stage. These specific comments made to the planning applications by Natural England will be for consideration through the determination process.

17. The Local Plan SA and its HRA provide an appropriate level of assessment for a strategic policy document. In this regard it can be noted that Natural England supported the allocation of the new town site at pre-submission Local Plan stage and made no objections to the SA or HRA of the plan so played no part in the Local Plan examination hearings into the soundness of the Local Plan.
18. The evidence underpinning the Local Plan policy SS/5 for the new town did not identify any such impacts requiring mitigation and so the policy makes no reference to such mitigation being necessary. The SA and HRA of the Local Plan took account of potential recreational impacts arising from the new town proposal and did not identify any likely significant effects either alone or in combination. The SPD provides further guidance to the Local Plan and it is considered that it does not in itself identify or give rise to any new proposals or impacts on either European Protected sites or other designated nature conservation interests such as to requiring SEA or Appropriate Assessment. It follows that the issues raised by Natural England in response to the SPD screenings are appropriately addressed through the planning application process and the Environmental Impact Assessments (EIA) of the U&C and RLW planning applications.

Options

19. Cabinet may decide to:
 - Approve the SPD and consultation statement for public consultation without further consideration of the potential effects of the SPD raised in the screening responses; or
 - Delay consultation on the SPD to allow for preparation of an SEA and an Appropriate Assessment of the potential effects of the SPD.

Implications

20. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

There are no significant financial, legal or staffing implications for the Council.

Climate Change

21. The Draft SPD provides further guidance on how the policy for the new town in the Local Plan should be implemented. It includes guidance on issues including sustainable design and construction, energy efficiency, renewable and low carbon energy, water stress, sustainable waste management, and air quality.

Equality and Diversity

22. The SPD has been subject to Equality Impact Assessment. The SPD, once adopted, will have a positive impact by providing a mix of houses and infrastructure to meet South Cambridgeshire's needs.

Consultation responses

23. The draft SPD has been prepared in consultation with members of the local community, where the initial vision and objectives were discussed at a workshop and across a series of discussions with members of the Parish Council and members of the Waterbeach Neighbourhood Planning Group. Details of the consultation are included in the draft SPD and the consultation statement.

Effect on Strategic Aims

A. LIVING WELL

Support our communities to remain in good health whilst continuing to protect the natural and built environment

24. Waterbeach and the other strategic developments form a key part of the sustainable development strategy contained in the emerging Local Plan. Preparation of the SPD will help ensure that the site is built in a way that supports healthy lifestyles and protects and brings overall benefits to the natural and built environment.

B. HOMES FOR OUR FUTURE

Secure the delivery of a wide range of housing to meet the needs of existing and future communities

25. Waterbeach and the other strategic sites are a key part of the emerging Local Plan aim to support delivery of new homes to meet identified needs.

C. CONNECTED COMMUNITIES

Work with partners to ensure new transport and digital infrastructure supports and strengthens communities and that our approach to growth sustains prosperity

26. Preparing an SPD for the site means transport and digital infrastructure can be appropriately planned to accommodate growth.

D. AN INNOVATIVE AND DYNAMIC ORGANISATION

Adopt a more commercial and business-like approach to ensure we can continue to deliver the best possible services at the lowest possible cost

27. The proposed approach to preparation of the SPD reflects this strategic aim.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Denny St Francis Water Cycle Study Dec 2014 RD/SS/340
<https://www.cambridge.gov.uk/media/2254/rd-gen-010.pdf>

SCDC Draft Final Sustainability Appraisal Report and HRA Screening Report March 2014
RD/Sub/SC/060 (link as above)

SCDC Supplement to SA Addendum Report Nov 2015

RD/MC/021 (link as above)

SCDC SA of Main Modifications Jan 2018
RD/MM/020 (link as above)

Appendices:

Appendix 1
Sustainability Appraisal and Habitat Regulations Assessment Screening Report responses from Historic England, Natural England and the Environment Agency

Appendix 2
Proposed change to the table of physical and social infrastructure in the SPD (SPD pages 125 and 126)

Report Author: Caroline Hunt - Planning Policy Manager
Telephone: (01954) 713196

APPENDIX 1



Caroline Hunt
Planning Policy Manager
South Cambridgeshire District Council
South Cambridgeshire Hall (6010)
Cambourne Business Park
Cambourne
Cambridge
CB3 6EA

Our ref: AC/2018/127418/01-L01
Your ref: DRAFT SPD
Date: 22 August 2018

Dear Sir/Madam

SEA & HRA SCREENING REPORTS FOR WATERBEACH NEW TOWN SPD. LAND TO THE EAST OF WATERBEACH BARRACKS & AIRFIELD SITE, WATERBEACH, CAMBRIDGESHIRE.

Thank you for your consultation

An electronic copy of your response to the applicant would be appreciated.

Environment Agency position.

The Environment Agency does not provide screening opinions, as this is the remit of the LPA. However, the EA assists by supplying information and advice on matters in our remit that contribute to the LPAs judgment.

We have reviewed the documents supplied and confirm that the sections relating to wastewater infrastructure are a fair reflection of discussions regarding, and possible plans to dispose of, foul drainage from the proposed development site.

We were satisfied in principle that the local plan has the *potential* to protect the local water environment through the criteria policies it contains. However it does not address or assess options for the Waterbeach infrastructure delivery or flood risk management. We understand that the land area under consideration for a Water Recycling Centre is 10-15 hectares, which would appear to be potentially highly significant in scale, and possibly nature.

Environmental effects aside, for the Waterbeach New Town development to be deliverable it is important that suitable water services infrastructure can be shown to be deliverable during the plan period and to that end we have worked with AW and the developers on one option.

The Environment Agency considers that the Local Plan modifications were significant by opening up the prospect of bringing the Waterbeach proposals towards the front end of the plan period (thereby hastening the infrastructure planning process) and it deferred matters of flood risk and water quality to a SPD, rather than the 'middle tier' Area Action Plan it originally proposed.

Whilst the local plan considered SA/SEA in the round for its generic policies, the specific matters around flood risk and water quality of water services infrastructure were not considered for Waterbeach. In a context where there are two principle developers for Waterbeach both pushing for early decisions, it may not be an impartial or practical option for this to happen through incremental, project specific EIA. In any event a Sustainability Appraisal of potentially significant waste water infrastructure remains to be carried out, along with spatial and operational options to be identified and appraised.

We are unclear whether delivery of the full quantum of development is dependent upon a 'Waterbeach New WRC' being built and operational, and at this point in time a new WRC has yet to be submitted for options assessment or planning approval. A new WRC siting *preference* is known to be within flood zone 3 (high risk), however information has not yet been supplied on other spatial or operational options that might be reasonably available over the plan period. To support an effective and justified SPD and accompanying appraisal, the Environment Agency advises that such information and sequential assessment is carried out. This would be needed in any event to satisfy a NPPF sequential test. So in our view, this would be time well spent.

Yours faithfully

Mr. T.G. Waddams
Planning Liaison

Direct e-mail planning.brampton@environment-agency.gov.uk

Please note – Our hourly charge for pre application assessments is currently £100 + VAT per hour

[Environment Agency, East Anglia Area \(West\), Bromholme Lane, Brampton, Huntingdon, Cambs. PE28 4NE.](#)

www.gov.uk/environment-agency

Historic England

EAST OF ENGLAND OFFICE

24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749

HistoricEngland.org.uk

Ms Caroline Hunt Direct Dial: 01223 582775
South Cambridgeshire District Council
South Cambridgeshire Hall Our ref: PL00471305
Cambourne Business Park
Cambourne
CB23 6EA

22 August 2018

Dear Ms Hunt

**Waterbeach New Town Supplementary Planning Document (SPD): SEA
Screening Opinion**

Thank you for consulting Historic England about the above Screening Opinion.

The principal designated heritage asset, whose significance would be affected by the SPD, is the site of Denny Abbey, a scheduled monument with the monastic buildings additionally listed at grade I and II*. In addition there will be impacts on the Waterbeach village conservation area, including its listed buildings. Non-designated heritage assets affected include remains of the Car Dyke, archaeological earthworks and remains at Soldiers' Hill and buried archaeological remains within the application site. Although the WWII airfield and barracks of RAF Waterbeach have not been designated, they make an important contribution to the character and landscape setting of the SPD site.

On the basis that the Supplementary Planning Document is both required by administrative provisions and, in terms of our area of interest, seems likely to result in significant effects upon the historic environment, Historic England considers that a Strategic Environmental Assessment is required for this document.

Whilst we note that an SA was prepared for the Local Plan and an EIA will accompany planning applications, given the scale of the development subject to the SPD, we consider that an SEA is still required for the SPD.

Historic England strongly advises that the conservation team of your authority and your archaeological advisors are closely involved throughout the preparation of the SA of this Plan. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the HER (formerly SMR); how the policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of historic assets.

This opinion is based on the information provided by you in the Screening Report dated 7th August 2018 and, for the avoidance of doubt, does not affect our obligation

to advise you on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan which is the subject to consultation, and which may, despite the SA/SEA, have adverse effects on the environment.

If you have any queries about any of the matters raised above or would like to discuss anything further, please do not hesitate to contact me.

Yours sincerely,
Debbie Mack
Historic Environment Planning Adviser, Planning Group

Natural England

Date: 24 August 2018

Our ref: 255144
Caroline Hunt
Planning Policy Manager
South Cambridgeshire District Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ
T 0300 060 3900

Dear Ms Hunt

Habitats Regulations Assessment and Sustainability Appraisal Screening Reports for Waterbeach New Town Supplementary Planning Document (SPD)

Thank you for consulting Natural England on the above in your email of 7 August 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

You will be aware that Natural England provided responses to the planning applications for the Waterbeach New Town development in our letters of 15 June 2018 (ref. 247551) and 16 August 2018 (ref. 250163). Our responses to both applications advise that further information should be provided to determine impacts on Wicken Fen Ramsar site, Site of Special Scientific Interest (SSSI), a component of Fenland Special Area of Conservation (SAC) (a European site), and the Cam Washes SSSI.

As referenced in the Habitats Regulations Assessment (HRA) and Sustainability Appraisal (SA) screening reports the Waterbeach New Town site is an allocation in the emerging South Cambridgeshire Local Plan. The Local Plan has already been subject to HRA and SA, the reports concluding no likely significant effect to European sites and no significant environmental effect respectively. However, as indicated in our response to the Waterbeach New Town planning applications, new evidence has emerged since the preparation of the South Cambridgeshire Local Plan, and associated HRA and SA, regarding potential risk to designated sites, such as Wicken Fen and the Cam Washes, through increased levels of recreational pressure associated with new housing development. We have provided detailed advice to the Council on this matter in our responses to the planning consultations referenced above. This specifies the additional information required from the applicants to demonstrate that the strategic development alone, and in-combination with other relevant development, will not give rise to adverse impacts through increased levels of recreation pressure, to Wicken Fen European site and the Cam Washes SSSI.

Given the above Natural England is currently unable to support the conclusions of the HRA and SA screening reports with regard to no likely significant effect / no significant environmental effect. In our view the Waterbeach New Town development alone and in-combination / cumulatively, has the

potential for likely significant effect on Wicken Fen European site and significant adverse impact to the Cam Washes SSSI, through increased recreational pressure. We believe this requires an agreed approach to off-site mitigation measures to address the long-term residual impacts of additional recreational pressure.

Without acknowledgement of this issue within the HRA and SA screening reports, and in the absence of any developer commitment to / requirement for delivery of mitigation to address residual impacts of recreational pressure to Wicken Fen and the Cam Washes, Natural England is unable to support the conclusions of the screening reports.

Natural England will be pleased to provide advice on the screening reports, including any revisions, following agreement of an approach to address the residual impacts of the strategic development on statutorily designated sites.

We hope that our comments are helpful. For any queries relating to the specific advice in this letter only please contact Janet Nuttall on 020 802 65894. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours sincerely
Janet Nuttall
Sustainable Land Use Adviser

Appendix 2

Proposed change to the table of physical and social infrastructure in the SPD (pages 125 and 126)

Page 125 – replace the table entry ‘Upgrade existing foul water network’ with the following (new text in **bold**)

Infrastructure scheme	Description	Provider/partner	Triggers	On/Off site	Land holding	Funding	Mechanism
Upgrade existing foul water network	<p>Waterbeach Water Recycling Centre (WRC) in the south-east corner of the site only has capacity to serve an additional 570 residential units.</p> <p>Additional capacity for 964 homes has been secured through a connection to Cambridge Research Park</p> <p>The means by which the network will be upgraded to serve the whole development has not yet been established. One option would be to provide a new WRC, the scale and location of which would be determined through a planning application process.</p>	Anglian Water	When needed	Location to be confirmed	n/a	Direct agreement between developer and infrastructure provider	Provision will be dealt with through direct agreement with service providers as development is implemented. This will be outside the scope of any planning control or s106 agreement. Service providers are obligated to meet any demand arising from the development, with the site promoters meeting the cost.

Page 126 – delete table entry ‘New Water Recycling Centre’

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