



**REPORT TO:** Cabinet

6 February 2019

**LEAD CABINET:** Deputy Leader

**MEMBER:**

**LEAD OFFICER:** Joint Director Planning and Economic Development

## **Waterbeach New Town Draft Supplementary Planning Document (SPD)**

### **Purpose**

1. To summarise and respond to the representations made on the draft SPD during the public consultation held between 14<sup>th</sup> September and 26<sup>th</sup> October 2018, and to recommend that Cabinet adopt the SPD with a number of consequential proposed changes.
2. This is a key decision and was added to the Forward Plan on the 2<sup>nd</sup> November 2018.

### **Recommendations**

3. That Cabinet:
  - (a) note the main issues raised in the public consultation, agree responses to the representations received and agree the consequential proposed changes to the SPD set out in the Consultation Statement (See Appendices A, B and C) ;
  - (b) adopt the amended Waterbeach New Town SPD; and
  - (c) delegates to the Joint Director of Planning and Economic Development in liaison with the Deputy Leader, the authority to make any editing changes prior to publication including to the figures and spatial framework diagram to ensure consistency with the agreed text of the SPD.

### **Reasons for Recommendations**

4. To ensure that the SPD is modified to take account of the outcome of the recent consultation as appropriate and to ensure that the adopted SPD is available to assist the determination of planning applications for the site.

### **Executive Summary**

5. The adopted South Cambridgeshire Local Plan allocates land between Waterbeach village and Denny Abbey for the development of a new town under Policy SS/6: 'Waterbeach New Town'. This policy requires the preparation of an SPD to provide further guidance and detail to supplement its provisions and requirements. The SPD will help guide the development of the area and will provide greater detail to support delivery of the site. It outlines the aspirations for the new town, as well as the key issues, constraints and opportunities that will influence how new development will take place.

6. The provisions and requirements of policy SS/6 have been found to be 'sound' through the Local Plan examination process and these cannot now be amended or changed by the SPD. Public consultation on the main Local Plan modifications needed to make the plan 'sound' (including modifications to policy SS/6 for the Waterbeach new town) took place between January and February 2018, and the responses to the consultation were considered by the Local Plan Planning Inspector.
7. A public consultation on the draft Waterbeach New Town SPD was held for 6 weeks between the 14th September 2018 and 26 October 2018. The proposed changes address issues raised by the consultation responses. Consultation on the SPD was undertaken in accordance with the Statement of Community Involvement adopted in 2010 and included a staffed public exhibition in the village on the 8th October 2018. The consultation undertaken is also consistent with the updated draft Greater Cambridge Statement of Community Involvement approved for consultation by Cabinet on the 9<sup>th</sup> January 2019.
8. The representations received have been considered and a number of changes are proposed to the SPD in response where this is consistent with the Local Plan. Amongst the proposed changes to the SPD are ones concerning the spatial layout of the new town, its guidance on flood risk and to making provision for equestrians. No substantive changes are proposed in regard to a number of other issues for reasons set out in the report and in the Consultation Statement (see Appendix A).
9. Subject to the proposed modifications to the SPD set out in Appendices A, B and C Cabinet is recommended to adopt the Waterbeach New Town SPD. Following adoption, the SPD will be a material consideration in planning decision making but will not form part of the development plan.

## **Background**

10. The development of a new town between Waterbeach village and Denny Abbey has been promoted for well over 20 years. In 2011 the new town site was submitted to this Council in response to a 'call for sites' linked to the emerging Local Plan. In 2012 the site was included as a development option in the Local Plan Issues and Options consultation which took place between July and September 2012. In 2013 the last military units were relocated from the site and the new town site was included in the Proposed Submission Local Plan which was consulted upon between July and October 2013. At each of these stages of plan preparation the outcome of public consultation was considered and reported upon before member decisions were taken concerning the Local Plan and the ongoing inclusion of the Waterbeach New Town site within it.
11. The South Cambridgeshire Local Plan was submitted to the Secretary of State for public examination in March 2014. The Local Plan Inspectors took account of representations on the Proposed Submission Local Plan and held an examination hearing into the plan policy for the new town site in March 2017. In January and February 2018 public consultation took place on main modifications the Local Plan Inspectors considered likely to be necessary to make the Local Plan 'sound' (which included modifications to the policy for the new town), the responses to which consultation were submitted to the Local Plan Inspectors for their consideration. On the 27<sup>th</sup> August 2018 the Local Plan Inspectors in their report on the Local Plan found that it was 'sound' and an appropriate basis for the planning of South Cambridgeshire subject to the inclusion of specified main modifications, including to the Waterbeach

New Town policy SS/6. All of which main modifications were included in the Local Plan when it was adopted by this Council on the 27<sup>th</sup> September 2018.

12. Local Plan Policy SS/6 'Waterbeach New Town' allocates the site for the development of '*approximately 8,000 to 9,000 dwellings*'. The final number of dwellings is to be determined through a design-led approach and spatial framework diagram. The new town is to have its own distinct identity and be developed to maintain the identity of Waterbeach as a village close to a new town, and maintain an appropriate setting for Denny Abbey complex of listed buildings and scheduled monument. The policy addresses a large number of matters including the site, phasing and delivery, measures to address landscape, townscape and the setting of heritage assets, design quality, green infrastructure, the creation of a comprehensive movement network, sustainable design and construction, infrastructure requirements, community development, site preparation, and phasing and delivery. The policy also requires the preparation of a supplementary planning document (SPD) to provide further guidance and detail on the implementation of policy SS/6.
13. A draft Waterbeach New Town Supplementary Planning Document was agreed for consultation by Cabinet on 5 September 2018. At that meeting, Cabinet was made aware of the outcome of consultation with the three statutory bodies on the Strategic Environmental Appraisal (SEA) Screening and the Habitats Regulation Screening of the SPD, in which they raised concerns about the results of the screening processes. Officers carefully considered the responses from the consultation bodies and considered that they did 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 was necessary. This consideration was set out in the Cabinet report. Nevertheless the responses 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 could begin and this was agreed by Cabinet. Links to the 5 September Cabinet report, the consultation draft SPD and the adopted Local Plan are provided in the 'Background Papers' section of this report.
14. In considering the outcome of public consultation on the SPD it is important that the planning status of SPDs and their purpose and place in the planning journey which takes a site from allocation in a Local Plan to development on the ground, is clear. In this regard planning law and national policy states that SPDs must supplement Local Plan policy and whilst they can add further detail and guidance to it they cannot make new policy or allocate sites for development. Were an SPD to seek to do so it would be at risk of legal challenge and may not be accorded weight in planning decision making. The National Planning Policy Framework (NPPF) is clear that applications for planning permission must be decided in accordance with the development plan (our new Local Plan), unless material considerations indicate otherwise. It states in this regard that 'SPD are capable of being a material consideration in planning decisions but are not part of the development plan'.
15. A Draft Final Sustainability Appraisal and Habitats Regulations Assessment Screening Report were completed and consulted upon for the emerging South Cambridgeshire Local Plan 2014 which proposed the allocation of the new town site for development. This consultation took place between 19 July and 14 October 2013. These documents, along with other supporting documents were also made available to view during this consultation.
16. The outcome of the consultation on the SPD and consequential proposed changes to it were reported to Scrutiny and Overview Committee on the 22<sup>nd</sup> January 2019 who also heard presentations about it from Waterbeach Parish Council and the

Waterbeach Cycling Campaign. Committee agreed to recommend the SPD as proposed to be changed to Cabinet for adoption.

### **Results of consultation**

17. The outcomes of the consultation are set out in the Consultation Statement in Appendix A. The consultation statement has been prepared in accordance with the Town and Country Planning (Local Plan) (England) Regulations 2012. Regulation 12 requires that SCDC prepare a consultation statement setting out the persons consulted when preparing the SPD, a summary of the main issues raised by those persons and how these have been addressed in the SPD.
18. During the consultation, 361 representations were received, made by 96 respondents. Of the representations 58% were objections, 37% were comments and 5% were supports. 4 comments were also received to the SA and HRA Screening Documents. All of the SPD representations are available to be read on our online consultation system at <https://scambs.jdi-consult.net/localplan/>
19. After the close of the consultation the responses made were published on the online consultation system for the public to view in early November. Note that due to an IT issue full details of a very small number of representations (c1%) have not been previously available to view on-line (being scans of paper submissions), and in addition copies of any supporting documents that were submitted with online submissions would not successfully open on request, again this involved a very small number of representations. This issue has now been resolved and all representations are now available to view in full on the Council's website. Paper copies of the representations which could not be accessed would have been made available on request if such a request had been made.
20. The main issues raised included:
  - the spatial layout of the new town
  - building heights and dwelling capacity
  - the relocated railway station
  - ransom and delivery issues
  - flood risk
  - schools and air pollution
  - water recycling
  - village separation
  - equestrian issues
  - SPD process
  - SA and HRA Screening Documents

### **Considerations**

21. The SPD is considered to be consistent with Local Plan policy SS/6, subject to the proposed changes that are recommended to be made in response to representations as set out in the Consultation Statement; the main ones of which are discussed below. Scrutiny and Overview Committee is recommended to recommend to Cabinet that it can be adopted to provide appropriate further guidance and detail on the implementation of policy SS/6 for the Waterbeach New Town.
22. The Consultation Statement includes a detailed summary of the representations made to the SPD, presents a Council response to each issue and where appropriate includes proposed changes to the SPD to address the main issues raised in the

consultation. To better understand some of the main issues raised, officers have met with the Waterbeach Cycling Campaign regarding spatial layout, the Waterbeach and District Bridleways Group regarding equestrian matters and with the Environment Agency and Cambridgeshire County Council as the local lead flood authority regarding wastewater recycling and residual flood risk matters. The meetings have influenced a number of proposed changes.

23. The main issues raised are summarised below together with a proposed response which identifies where changes to the SPD are proposed in the Consultation Statement. For convenience Appendix B brings all the proposed changes together in a composite schedule. Where page numbers are given below these relate to the consultation draft SPD unless otherwise indicated.

#### The spatial layout of the new town

24. Multiple representations advocate a cycle – centric vision for the new town with vehicle traffic restricted to a ring road with radial roads giving access to each quarter of the new town. This is described as a ‘people-first’ vision.

#### *Response*

25. Local Plan policy SS/6 requires the new town to be served by a comprehensive movement network that connects key locations including the town centre and railway station to encourage the use of sustainable modes of travel. Provision is required to include: significant improvements in public transport including a relocated railway station, measures to promote cycling and walking including a network of attractive, direct, safe and convenient walking and cycling routes within the new town and externally linking to Cambridge, surrounding villages and the Cambridge Research Park, and necessary highway improvements. Note that there is no policy requirement to provide recreational cycle links to sites such as Wicken Fen or to provide a new bridge across the river Cam close to the new town. It follows that the SPD is considered to be consistent with these policy requirements.
26. To this end, the SPD is clear that development proposals must emphasise and prioritise sustainable patterns of movement across the new town (pages 45 and 46). In particular the SPD already seeks to limit and constrain vehicular access to the Town Centre (at page 46) and at page 87 states that streets which have a limited role to play in the movement network should be laid out to discourage through-traffic.
27. A meeting has been held with Waterbeach Cycling Campaign to explore their proposals further. The alternative spatial solution advanced by local cycling organisations and others, of a movement network formed by a perimeter road containing the built development of the new town with radial spokes to allow a cycle-centric form of development inside it has merit and could also fulfil the sustainable movement objectives of policy SS/6. However this spatial solution does have a number of disadvantages. Historic England’s views on this alternative have been sought and they identified a number of concerns as follows: " Such a road and layout would be harmful to the significance of Denny Abbey (*a scheduled monument and complex of listed buildings*) in terms the impact upon its setting including visual impact, lighting and noise etc. It would also sever the links between the new town and the Abbey, which have been a key factor in considering the spatial layout and master planning of the site to date. It would serve to form a much harder edge to the development, rather than a feathered, transitional zone as has been previously agreed. In addition, it would go against the concept of the development reflecting the historic grain of the landscape and drawing on historical features such as the airstrip,

barrack and drives. Moreover the proposal seems contrary to many of the principles of good urban design and planning. To that end, Historic England would be unlikely to support such a proposal.”

28. Our own urban design officers have also expressed concerns that such a spatial solution could have major implications for the legibility of the place, and the severance effect of the ring road both to the existing village and Denny Abbey.
29. Notwithstanding these concerns discussions with the Transport Assessment Team of Cambridgeshire County Council have concluded that many of the benefits of the alternative spatial solution could be secured by:
  - Amending the primary route network shown on the Spatial Framework Diagram and other figures such as Figure 18, to show a primary movement route running in a loop about 100 metres to 400 metres within the outer edge of built development.
  - Indicating that the northern arm of the town centre ‘crossroads’ should only be available for all-vehicle movements during the early stages of the development of the new town, after which it would be restricted to public transport, cycle and pedestrian movements.
  - Strengthening the textual guidance in the SPD to make it clear that the secondary routes shown on Figure 18 and on the Spatial Framework Diagram should not all enable cross-town traffic as an alternative to the primary routes and that in all cases their nature should serve to discourage such traffic.
30. These changes would reinforce the importance of sustainable movement modes within the new town and avoid the potential for negative heritage and severance impacts on the existing village and Denny Abbey. Such an approach to the secondary routes would also reinforce their attractiveness for cycling and need for all such routes to include segregated cycle route provision although some segregated routes on secondary roads may still be required where they are likely to perform a key function in the overall cycle network.
31. The proposed changes to the SPD included in the Consultation Statement propose detailed wording changes to the SPD text and figures. A revised Spatial Framework Diagram is included in the Appendix B to illustrate the proposed changes to the movement network. A number of other figures included in the SPD will need to be amended for consistency and these will either be included in the report to Cabinet or fall to be considered under delegated authority as set out in recommendation 3 c).

#### Building heights and dwelling capacity

32. Multiple representations say that the proposed building heights are too high and inappropriate in the context of a new fen-edge ‘market town’. They say capacity should be restricted to a maximum of 9,000 dwellings.

#### *Response*

33. Local Plan 2018 policy SS/6 states that the new town will provide approximately 8,000-9,000 dwellings with the final capacity to be determined through a design-led approach and spatial framework diagram having regard to the quantum, location and distribution of development and maintaining an appropriate setting for Denny Abbey.
34. The SPD at page 66 is clear that it does not endorse a particular dwelling capacity figure. What it does is to consider the implications of a range of levels of housing development in terms of their infrastructure requirements and dwelling mix to inform

decisions on planning applications, being mindful that there are live applications that would result in a higher number of dwellings and so that the infrastructure implications of different levels of development is clear to help inform the decision making process. In table 2 at page 63 it demonstrates that over such a large site relatively small changes in density assumptions can generate different amounts of housing, and over a 25 year plus build out period it can be expected that best urban design practice will continue to evolve as will the demand for different dwelling types and sizes, all of which considerations will affect site capacity and urban form. Furthermore the National Planning Policy Framework requires the efficient use of land and states that residential development densities should be significantly uplifted in areas that are (or will be) well served by public transport.

35. In regard to the height of buildings, the SPD states at page 68 that building scale and massing in the new town should respect and respond to the character of the surrounding area whilst also recognising that when developing a new town it will be appropriate to create a denser urban character in appropriate locations such as the town centre and near the railway station. It would not however be appropriate to allow for taller buildings in all locations except the settlement edges. Density and building height must be related to relative accessibility and urban design best practice so that densities and building heights should be higher in the town centre, around the station and around the Lake. It would not be appropriate for all of the eastern part of the site to have a higher blanket density away from the station and town centre. The higher density around the station accords with NPPF policy to concentrate development in the most sustainable locations.
36. Local Plan 2018 policy SS/6 refers to the new town being a place with its own distinctive local identity founded on best practice urban design principles, drawing on the traditions of fen-edge market towns. The proposed densities and buildings heights are considered to be consistent with this policy approach. The importance of providing an appropriate setting for Denny Abbey was considered through the examination of the Local Plan and the northern limit of built development agreed with Historic England. The SPD requires both for a landscaped transition and the feathering down of building heights towards the northern fringe of the new town and the existing village.
37. It is not considered necessary or more appropriate for the SPD to keep most building heights to 4-5 storeys with tall punctuating buildings being limited to 6 storeys. Given the scale of the site and in order to make best use of land in accordance with national planning policy a slightly more flexible approach is considered to be justified. The SPD considers scale and massing at pages 68 and 70 stating that: "The scale and massing of buildings in the new town should respect and respond to the character of the surrounding area...the proposal is for a new town, not a village, and must therefore create denser urban character in appropriate locations, such as at the station district, the town centre and the lakeside. This denser urban character is not just achieved by having all the buildings closer together. It is also achieved by increasing the storey heights of buildings in appropriate locations such variety in density and height helps to create the idea of what makes a town". Only two individual buildings of up to 8 storeys in height are indicated in the SPD (page 68), one in the town centre and the other in the station area with a height equivalent to the existing water tower on site.
38. No proposed changes are proposed to be included in the SPD regarding building heights and capacity.

### The relocated railway station

39. Multiple representations say that the railway station should remain in place until a large number of houses are occupied or that both stations should be retained/provided. Concerns are also expressed about the arrangements for vehicular access to the station.

#### *Response*

40. Primary access to the relocated railway station will be through the new town, a secondary access will be provided to enable existing residents of the village and the small number of passengers from Horningsea to be able to access the station without having to go out onto the A10 and accessing it through the new town (see SPD references at pages 41, 60 and 85). This 'cul-de-sac' secondary access will not provide a through route for rat running. The SPD at page 82 already makes clear in the 4<sup>th</sup> bullet point that otherwise vehicle movement between the village and new town will be restricted by all vehicles except for buses. The SPD also seeks the provision of a new community bus service between the Cambridge Research Park and the relocated station.
41. The SPD is clear that the new and relocated railway station should be delivered in the early stages of the development of the new town to help ensure the availability of sustainable travel choices. These provisions of the SPD are consistent with Local Plan 2018 policy SS/6 which requires the new town to deliver high quality public transport links to Cambridge, including a relocated railway station. The station is the subject of a separate planning process and has now received planning permission.
42. No proposed changes are proposed to be included in the SPD regarding the railway station.

### Ransom and delivery issues

43. RLW raise issues of 'ransom<sup>1</sup>' and others raise issues of delivery, including that the SPD lacks appropriate measures to achieve comprehensive and collaborative development and that ransom issues could impact on delivery of fixes. They argue that the Council can and should act through the SPD to neutralise any ransom position which either U&C or RLW might seek to apply to the principle of movement across land ownership boundaries within the strategic site boundary. It is said that the SPD should require that any ransom position be considered through the viability assessments of all planning applications submitted in pursuance of the Local Plan allocation.

#### *Response*

44. As the site is in multiple land ownerships, the draft SPD has been prepared to guide a comprehensive approach to development and infrastructure across the whole site consistent with Local Plan policy SS/6 for the Waterbeach New Town. This is to ensure the new settlement is delivered as a single unified development. Chapter 6 sets out an approach to delivery that requires engagement, collaboration and co-ordination between the site promoters / landowners. It seeks to enable this through s106 agreements and planning conditions, and that delivery and review groups be

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<sup>1</sup> Ransom relates to land or permissions needed to access an adjacent property from the public highway, to which the owner is denied access until a payment is received.



established that include the developers as well as South Cambridgeshire and Cambridgeshire County Council. In this regard it can be noted that the SPD already provides considerably more detail than would normally be provided on issues of delivery in a site development SPD.

45. The Council has received consistent advice on this matter from its legal advisors. Further legal advice has been received since Scrutiny and Overview Committee on the 22<sup>nd</sup> January which confirms that there would appear to be no planning justification for the SPD to seek to go further than it does on this issue. There will be further consideration through the planning application process as appropriate to any further measures that could be considered in determining the planning applications that would seek to ensure comprehensive delivery of the new town.

#### Flood risk

46. The Environment Agency representations state that areas at residual flood risk east of Bannold Drove are identified for development in the SPD. They consider that this approach is not consistent with national planning policy or with the Cambridgeshire Flood and Water SPD both of which require a sequential approach to such land use allocations. It can be noted that the Environment Agency did not object to the allocation if the Waterbeach New Town through the Local Plan preparation and examination process.

#### *Response*

47. The significant majority of the new town site is not in the flood plain or at flood risk and it is mostly located in the lowest risk flood zone 1. Notwithstanding, hazard modelling has shown that land east of Bannold Drove could be at what is known as residual flood risk if a breach of the existing flood defences on the River Cam were to occur. This residual risk was set out in the Water Cycle Study of 2014 which set out ways in which this residual risk could be effectively mitigated such as new bunding, with maintenance secured through the development or by raising land levels. Nevertheless it is agreed that the SPD could usefully provide additional guidance to assist the future planning of the new town. The wording of the additional guidance to be included in the SPD has been agreed with the Environment Agency and Cambridgeshire County Council as the local lead flood authority following a meeting to discuss their concerns.
48. The proposed changes to be included in the SPD consist of additional text to be added to section 5.8 of the SPD at the end of page 106 entitled 'Managing Flood Risk, and the addition of a note on the Spatial Framework Diagram stating that the location of vulnerable land uses in areas of residual flood risk will be subject to the findings of site specific flood risk assessments.

#### Schools and air pollution

49. A number of respondents state that schools should not be positioned close to the A10 due to the potential health impacts on pupils of airborne pollution. Schools should be located away from main roads.

#### *Response*

50. The SPD requires that facilities used by sensitive members of the population e.g. the elderly and schoolchildren, are located in a way which reduces exposure to pollution sources including to small airborne particles known to be a health risk. Specifically it

states that such uses should avoid locations near to the A10 to the west of the site and rail line to the east (page 111). The SPD includes criteria for school locations which make specific reference to health, environmental and safety risks at page 43. It follows that the school 'locations' shown on Figure 17 at page 42 of the SPD and on the Spatial Framework Diagram are indicative general locations and are not, and cannot be in an SPD, site allocations.

51. The acceptability of actual school locations in terms of air quality is assessed at the planning application stage through the Environmental Impact Assessment process and detailed air quality assessments.
52. Concerns have been raised about the location of the two schools located closest to the west of the site in terms of air quality both in regard to this SPD and in regard to the planning application from Urban and Civic for the west of the site. A technical note on air quality has been provided by the applicant in relation to the north-western primary school location. Whilst primarily of relevance for the consideration of that planning application it is also material to the Waterbeach New Town SPD. The technical note summarises the predicted air quality impacts at the boundary of the school site, closest to the A10. It provides modelled effects and takes account of a dualled A10 scenario. The assessment demonstrates that air quality concentrations at the school boundary will be well within both UK objectives and WHO (World Health Organisation) guideline values for NO<sub>2</sub> (Nitrous oxide), and for coarse and fine particulate matter (PM<sub>10</sub>, and PM<sub>2.5</sub> particles) which are significantly stricter than UK national air quality objectives. The technical note finds that the vast majority of the PM<sub>2.5</sub> concentrations at the school boundary come from background levels and not from the A10, so much so that the relocation of the school towards the centre of the new town would not significantly change concentration levels.
53. It can be noted in regard to air quality that Local Plan policy SC/12 'Air Quality' requires developments to comply with the most up to date national guidance on air quality. The draft UK Air Quality Strategy published for consultation in 2018 included an aim at working towards the WHO guideline value for PM<sub>2.5</sub> particles which indicates a likely direction of travel for national guidance on air quality.
54. Without prejudice to the consideration of this issue through the planning application process, there is no current evidence that the indicative school locations shown in the SPD are not consistent with Local Plan policy SC/12 and if that is confirmed through the planning application process they would also be acceptable if in future national guidance on air quality were to be changed to follow the WHO guideline values. The SPD provides appropriate wording for this issue to be considered in detail in the planning application process.
55. No changes are proposed to be included in the SPD regarding schools and air pollution.

#### Water recycling

56. The Environment Agency representations seek the inclusion of an additional section in the SPD to recognise, assess and define the provision of needed Water Recycling infrastructure. They say a large new off-site waste water recycling facility will be required. The SPD should give guidance on how wastewater might be addressed and the necessary new infrastructure delivered and phased.
57. Since the Scrutiny and Overview Committee, the Environment Agency has made further comments on this issue to officers, as follows. They say that the fact that the

existing SPD boundary does not include a new wastewater works is, in the EA's view, not a valid reason for excluding it from the SPD or SEA. They comment that the SPD encourages and relies upon the removal of the existing Wastewater works, with its large buffer which is mutually exclusive of the indicative masterplan and related guidance. They point to National Planning Policy Guidance requiring that wastewater infrastructure is planned for and phased accordingly – however this is not done in any of SCDC's or the County Council's development plans. They comment that due to an accident in the consultation process the Environment Agency was not afforded the opportunity to input into the emerging draft SPD.

58. The EA advises it a new wastewater works is envisaged by Anglian Water to be 10-15 hectares, and that the Water Cycle Study (WCS) forming part of SCDC's evidence base asserted that a new wastewater works would be located east of the Railway, in an area 95% in flood zone 3 (high risk) and is adjacent to a SSSI. The WCS advised that that further planning work should be done on site selection and mitigation to progress the allocation. This work has not yet been done so Members are unsighted on the impacts and spatial implications of the SPD promoting the removal of the existing wastewater works. We advise that this matter is not addressed in any other part of the local plan.
59. Leaving aside site selection and impacts of moving the existing wastewater works, the Environment Agency also advises that the phasing of wastewater needs to be addressed. The Environment Agency has advised that there is a close link between the timing of the New Town, and the sustainability of the wastewater options available to Anglian Water. The EA comments that they recommended wording be included in the SPD but that this has not been supported by officers.
60. The Environment Agency has advised that the SPD needs to promote and guide a clear phasing approach to ensure that limited temporary capacity in the existing wastewater works is coordinated between developers. The EA comments that they recommended wording be included in the SPD but that this has not been supported by officers.
61. The Environment Agency has advised that development relying on a new wastewater works should be phased to allow the site selection and development process to proceed in a sustainable manner, and this is possible. The EA has also advised that developing a wastewater works in high flood risk areas may not be possible in NPPF policy terms.

#### *Response*

62. The Environment Agency's representation and subsequent comments concern the potential of an off-site new Water Recycling Centre (WRC), the process by which a suitable site is identified and delivered and the timing of that delivery in relation to phasing of the new town. 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. The Infrastructure Delivery Plan of the SPD acknowledges that there is an existing facility within the new town site, unlike many other strategic allocations, but that there is only limited capacity remaining in the Waterbeach Water Recycling Centre (WRC). 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.

63. The SPD is clear 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. The planning process for the future location of the Water Recycling Centre is outside the scope of this SPD. It will allow interested parties to engage in the Water Recycling Centre's relocation. The County Council is the Local Planning Authority for waste matters. This could involve a new water recycling centre.
64. Notwithstanding, it is noted that the Water Cycle Study 2014 (WCS) referred to by the Environment Agency and forming part of the evidence supporting the Local Plan was endorsed by the Environment Agency and commented to be a very good example of what a WCS should be and that the waste water section was generally well written and comprehensive and that the data presented and conclusions drawn were robust and well considered. The WCS identified a preferred option of locating a new WRC east of the site, which recognised its location in flood zone 3. Nevertheless, there will need to be a full and evidenced separate planning process undertaken, having regard to national planning policy at the time of a decision, to consider how additional capacity is provided to serve the new town, but to reiterate, this is a process separate from the SPD.
65. The importance of providing adequate capacity for waste water treatment will be an important consideration in the phasing and delivery of the new town, and is recognised in the SPD.
66. The Environment Agency has raised concerns about the SPD pre-consultation process. The 'accident' referred to by the Environment Agency dates back to 2017 when Arup, our consultants wrote to them for information regarding flood risk infrastructure and the considerations that prospective developers should be taking into account to ensure the new town development is sustainable. The reply from the Environment Agency was that our enquiry had been passed to their Sustainable Places team at Brampton for reply by the 18th August 2017. But no such reply was sent to us (substantive replies were received from the Waterbeach Internal Drainage Board and the County Council as the Lead Local Flood Authority). The Environment Agency did respond to the formal SPD consultation process as set out in this report.
67. No proposed changes are proposed to be included in the SPD regarding water recycling.

#### Village separation

68. Multiple representations state that the development will attach a very urban development to a rural village with almost no transition zone. They say that the height and density of buildings especially near the existing village and the interface with the village, and the spatial arrangement of the masterplan and the relationship to Waterbeach village does not meet the needs of current Waterbeach residents.

#### *Response*

69. The issue of village separation was considered through the examination of the Local Plan 2018 and the plan has been found to be sound without a policy requirement for such provision in Policy SS/6. . The Local Plan requires that the new town will be

developed to maintain the character of Waterbeach as a village close to the new town and that the town will have its own distinctive identity. Within this context the SPD makes provision for an effective transition between the village and new town. At page 60 the SPD states that this will be made up of the South Park a strategic landscaped open space, by the existing landscaped barracks entrance, and through the rear gardens of new development of an appropriate scale backing onto the existing former military dwellings along Capper Road and Abbey Place. East of Capper Road, the southern edge of the car park serving the proposed relocated rail station will comprise a landscaped space that will also include a drainage pond. The limited number of movement links between the village and the new town to the east of Cody Road along the eastern side of the boundary between the two also provides for a zone of urban transition of former military family dwellings between the village and the new town.

70. No proposed changes are proposed to be included in the SPD regarding village separation.

#### Equestrian issues

71. A number of respondents state that insufficient attention is given in the SPD to the needs of equestrians and the provision and retention of bridleways.

#### *Response*

72. The Council has met with the British Horse Society to discuss how best to address the needs of equestrians and having considered the issues raised in a range of representations on this issue, agrees that the reasonable needs of equestrians in relation to routes within the new town and external linkages should be set out in the SPD. This is in keeping with provision for non motorised users that has been made in other new settlements such as at Cambourne.
73. The proposed changes to be included in the SPD propose detailed wording changes to the SPD text and figures.

#### SPD process

74. A number of concerns have been expressed regarding the process followed in the preparation of the SPD. Some say that all affected residents should have been individually notified.

#### *Response*

75. Consultation on the SPD followed the Council's adopted 'Statement of Community Involvement' and so conformed to our standard practice. This involved written notifications to stakeholders and known individuals, media releases and a well attended local exhibition in the village. 96 respondents have made 361 representations on the SPD. The SPD records engagement with the Neighbourhood Planning Group at page 10. Preparation of the Neighbourhood Plan is proceeding but no draft plan has yet been shared with this Council. Consultation on the SPD commenced after the receipt of the Local Plan Inspector's Report which concluded that the Local Plan was 'sound' subject to modifications, all of which modifications have been included in the Local Plan and into policy SS/6 for Waterbeach New Town. The SPD guidance is in conformity with policy SS/6 and the Local Plan which was adopted on the 27th September 2018. Officers considered that the risk of the Local Plan not being adopted was low and understood that the Local Plan could not be

further modified. In these circumstances it was appropriate and reasonable to commence a 6 week SPD consultation on the 14th September.

76. No proposed changes are proposed to be included in the SPD regarding the SPD process.

#### Sustainability Appraisal (SA) Screening

77. Natural England comments that they consider that uncertainties remain in regard to possible effects on Wicken Fen due to increased recreational pressure which should be addressed in the SPD. Historic England comment that this is a large scale development with potential impacts on assets of high significance. Both bodies say the SA screening conclusion is contrary to advice of all statutory environmental consultees and advise that the Council reviews its decision and prepares an SA.

#### *Response*

78. 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.
79. 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.
80. The first stage in deciding whether an SPD also requires preparation of an SEA or an Appropriate Assessment (part of Habitats Regulations Assessment (HRA), see below) is the preparation of screening reports. Such reports have been prepared in respect of the Waterbeach New Town Draft Supplementary Planning Document (SPD). 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.
81. The responses of the consultation bodies to the Sustainability Appraisal and Habitats Regulations Assessment Screening Reports were received on the 22<sup>nd</sup> and 24<sup>th</sup> August 2018 and were taken into consideration by Cabinet on the 5<sup>th</sup> September 2018 in agreeing the SPD for consultation, including refining some of the wording of the SPD SA screening report and to making an amendment to the draft SPD itself for clarification in response to the earlier responses.
82. The consultation bodies have made representations to the SPD consultation along similar lines to the views previously received.
83. 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 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.

84. 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 *'in light of new evidence becoming available since the preparation of the Local Plan SA, uncertainties may remain with regard to the effects of recreational pressure at Wicken Fen and the Cam Washes'*.
85. 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.
86. 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.
87. 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.
88. Having given careful consideration to the comments received through the SPD consultation, the conclusions of the SA Screening remain sound.

Habitats Regulation (HRA) Screening

89. Natural England comments that they are generally satisfied with the HRA but outline areas of mitigation to address effects of increased recreational pressures on Wicken Fen. They consider that under precautionary principle HRA should conclude significant effect likely and proceed to Appropriate Assessment. They refer to planning applications being for 11,000 homes, many more than the Local Plan allocation for 8,000-9,000 homes. They advise that section 3.4.3 is not correct in noting that access to Wicken Fen is by permit only. Access via PROW is possible and continues to grow such that the National Trust is having to commit additional resources to site management. The Wildlife Trust also have concerns over potential impacts on Wicken Fen due to increased recreational pressures and comment that the National Trust who manage the site also has these concerns. They query assumptions made in the HRA. They say that the Local Plan HRA was prepared with reference to the local plan allocation for 8-9000 homes, and not the 11,000 homes being put forward by the two submitted planning applications

#### *Response*

90. There 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 Appropriate Assessment. Note the correction concerning access by PROW to the Wicken Fen site.
91. The response to this issue is otherwise covered under the Sustainability Appraisal (SA) issue. Having given careful consideration to the comments received through the SPD consultation, the conclusions of the HRA Screening remain sound.

#### **Conclusion and next steps**

92. The SPD as proposed to be changed in response to consultation is consistent with policy SS/6 of the Local Plan 2018 which it supplements and adds further detail and guidance to. The guidance it provides will help to ensure that the new town will be a vibrant and sustainable new community that will maintain the identity of Waterbeach as a village close to the new town and which provides an appropriate setting for Denny Abbey. The adoption of the SPD will assist the Council when it makes planning decisions in future for the new town development site.
93. Subject to approval by Cabinet, the Consultation Statement will be published on the Council’s website.
94. If the SPD is adopted, officers will prepare an adoption statement and carry out various other actions laid down by regulation including actions to publicise the adoption of the SPD and make it available for reference.

#### **Options**

95. Members may decide to:
- Approve the Consultation Statement including the proposed modifications to the SPD;
  - Approve the Consultation Statement including the proposed modifications to the SPD with amendments;
  - Not approve the Consultation Statement including the proposed modifications to the SPD;



- Not delegate to the Joint Director of Planning and Economic Development in liaison with the Deputy Leader, the authority to make any editing changes prior to publication including to the figures and spatial framework diagram to ensure consistency with the agreed text of the SPD.

### **Implications**

96. 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: -

#### ***Risk Management***

97. Following adoption of the SPD planning decisions will be able to be made which take its guidance into account.

#### ***Equality and Diversity***

98. The SPD has been subject to an Equalities Impact Assessment, as was the Local Plan 2018 which allocates the site for development. The EqIA will be updated as part of the adoption process.

#### ***Climate Change***

99. The SPD responds to climate change consistent with the provisions of the Local Plan 2018 including policy SS/6.

### **Effect on Strategic Aims**

100. The SPD will provide the opportunity to guide development to provide a high quality built and natural environment and the potential to pursue healthy towns objectives.
101. Waterbeach New Town has the potential to make a significant contribution to the delivery of a wide variety of new homes including affordable housing.
102. Waterbeach New Town will deliver services, facilities and employment within the town, and will benefit from high quality sustainable transport links to Cambridge.

### **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.

#### Background documents:

South Cambridgeshire Local Plan 2018 -  
<http://www.scambs.gov.uk/planning/local-plan-and-neighbourhood-planning/the-adopted-development-plan/south-cambridgeshire-local-plan-2018/>

The Consultation Draft Waterbeach New Town SPD -  
<http://www.scams.gov.uk/planning/local-plan-and-neighbourhood-planning/emerging-local-plans-and-guidance/waterbeach-new-town-spd/>

Report to the 5<sup>th</sup> September 2018 Cabinet on the Waterbeach SPD –  
<http://scams.moderngov.co.uk/ieListDocuments.aspx?CId=293&MId=7344&Ver=4>

## **Appendices**

- Appendix A – Consultation Statement (Summary of main issues and SPD changes)
- Appendix B – Schedule of SPD changes (text)
- Appendix C – Schedule of SPD changes (maps and figures)

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