



**Appeal Ref: APP/W0530/W/23/3315611**

**Appellant: Brookgate Land Ltd on behalf of the Chesterton Partnership**

**Site Address: Land to the North of Cambridge North Station, Cambridge**

**Local Planning Authority response to Environment Agency Review of Cambridge Water Company Scenario Modelling (representation dated 06 October 2023).**

- **General Matter of Approach**

The Local Planning Authority (LPA) wishes to take this opportunity to clarify its position with regard to the general matter of approach to the Water Planning Process.

Paragraph 20 of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) ID:016. advise that '*Planning for the necessary water supply would normally be addressed through authorities' strategic policies, which can be reflected in water companies' water resources management plans....*' The PPG goes on to provide examples of exceptions - including where a plan requires enhanced water efficiency in new developments as part of a strategy to manage water demand locally and help deliver new development.

The LPA's position, reflecting this guidance, is that the normal approach to planning for necessary water supply at a strategic level does not apply, and that a plan-led approach should be applied. This is because South Cambridgeshire District Council's Local Plan 2018 requires enhanced water efficiency in new developments through Policy CC/4 (Water Efficiency), as part of a strategy to manage water demand locally, together with Policy CC/7 (Water Quality), and the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document which was adopted in January 2020.

Applying Policy CC/4 and Policy CC/7 requires regard to be had to water stress and the related Water Resource Management Plan (WRMP) produced by Cambridge Water Company (CWC) and the Regional Water Resources Plan produced by Water

Resources East (WRE). The WRMP is currently being reviewed by CWC (see below) and the Draft Regional Water Plan for the East of England has been subject to consultation and the final plan is due to be adopted in Autumn 2023. These documents are considered material to the consideration of planning applications.

The LPA therefore maintains the view that it is appropriate for the issue of the supply of water and water quality to be considered at the individual planning application level.

- **Revised Water Resource Management Plan**

CWC's Draft WRMP sets out how water supply will be managed between 2025 and 2050. The plan responds to the increased impacts of climate change and the need for increased drought resilience, licence capping to protect the environment, and demand from development.

A Revised Draft WRMP was published on 29 September 2023. This responds to representations received following consultation earlier in the year, including response from the Council. An alternative water transfer intervention to increase the supply of water available to CWC is proposed from 2032. This is a connection from Grafham Water, linked to the Grand Union Canal strategic resource option in Affinity Water's Water Resource Management Plan.

The revised Plan will now be considered further by the EA, following which time DEFRA will determine if the final plan can be adopted by CWC.

- **Purpose and Scope of Growth Scenario Modelling**

The LPA notes the findings of the scenario modelling work which has been undertaken by CWC.

The LPA notes that the modelling scenarios were agreed between the Environment Agency (EA) and CW. The LPA reverts to the technical experts who requested these specific scenarios.

- **Scenario Conclusions**

The LPA accepts the findings of the scenario modelling, noting that the Environment Agency's (EA) position has not materially changed – ie, that there is an unacceptable level of risk of environmental deterioration from the combined level of abstraction CWC forecasts it needs for existing and new customers up to 2032. This includes a development scenario which could include the Appellant's development.

- **LPA Position**

The LPA has reviewed its position in the light of the further representation from the EA. It maintains its position that moderate weight should be attached to the EA's representation. It also maintains its position of not raising an objection in relation to water resources.

The LPA is of the view that the issue of water stress has been appropriately considered in respect of this development proposal, by applying Policies CC/4 and CC/7 relating to water efficiency and water quality issues. This is on the basis of an appropriate package of mitigation being secured through agreed planning conditions (reference ID1.31 Final Draft Planning Conditions 11 July 2023) 14 (BREEAM Interim Design Stage Certification) and 46 (Water Conservation) as set out below:

#### **Final Draft Planning Condition 14 - BREEAM Interim Design Stage Certification**

Within six months of commencement of each building (excluding the residential buildings), or as soon as practicable after commencement of that building, a BRE issued Design Stage Certificate shall be submitted to, and approved in writing by, the Local Planning Authority demonstrating that BREEAM 'excellent' as a minimum will be met for that building, with at least five credits for Wat 01 (water consumption). Where the Design Stage certificate for a building shows a shortfall in credits for BREEAM 'Excellent' accreditation, a statement shall also be submitted identifying how the shortfall for that building will be addressed to secure 'Excellent' accreditation. In the event that such a rating is replaced by a comparable national measure of sustainability for building design, the equivalent level of measure shall be applicable to the proposed development.

Reason: In the interests of reducing carbon dioxide emissions and promoting principles of sustainable construction and efficient use of buildings (South Cambridgeshire Local Plan 2018 policy CC/1 and the Greater Cambridge Sustainable Design and Construction SPD, 2020).

#### **Final Draft Planning Condition 46 – Water Conservation**

Each reserved matters application for a phase of development pursuant to this outline permission which include a residential component shall be accompanied by a Water Conservation Strategy for the written approval of the local planning authority. The strategy shall include a water efficiency specification for each dwelling type, based on the Fitting Approach sets out in Part G of the Building Regulations 2010 (2015 edition or any future successor) demonstrating that all dwellings (when considered as a whole) are

able to achieve a typical design standard of water use of no more than 89 litres/person/day, as far as reasonably practicable. The approved strategy for a residential dwelling shall be subsequently implemented in full accordance with the approved details prior to first occupation of that residential dwelling and thereafter shall be retained.

Reason: To ensure that the development makes efficient use of water and promotes the principles of sustainable construction (South Cambridgeshire Local Plan policy CC/4 and the Greater Cambridge Sustainable Design and Construction SPD, 2020)

The LPA does, however, acknowledge that the EA's assessment of the CWC modelling work provides a greater understanding of and clarity around the level of risk of environmental deterioration from the combined levels of abstraction, up to 2032. On the basis that the EA is still maintaining an objection in the light of the CWC modelling work which has been undertaken, the decision maker should consider whether all appropriate mitigation has been secured.

In this respect, in considering the environmental, social and economic impacts of new development proposals, the decision maker will need to be satisfied that all reasonable steps have been taken to ensure the impact on water resources has been minimised. This includes whether it would be appropriate, alongside the water efficiency measures to be secured through final draft planning conditions 14 and 46 referred to above, to:

1. Manage the additional demand on water resources arising from the development proposals, by delaying the occupation of development until 2032.
2. Link the development to the delivery and operation of the specific strategic water supply intervention measures necessary to deliver water supplies to the region, as identified in an approved Regional WRMP and/or CWC WRMP.

### **Emerging LPA Approach to Water Efficiency and Planning Applications**

The LPA is currently exploring a range of other options to respond to the highlighted supply challenges and the associated risk of environmental deterioration of water bodies identified by the EA in their objection. These include consideration of wider demand management measures alongside options for mitigating the risks of deterioration of water courses caused by water abstraction.

This forms part of wider work arising from Secretary of State Michael Gove's 'Vision for Cambridge – Supercharging Europe's science capital' announcement on 24 July 2023. A follow up letter from Minister of State (Housing and Planning) Rachel Maclean on 15 September 2023 confirmed the establishment of a Cambridge Water Scarcity Working Group, chaired by a DLUHC Director.