



East Cambridgeshire  
District Council

East Cambridgeshire Local Plan 2016 – 2036

Local Plan Examination Stage

**Statement of Common Ground between:**

East Cambridgeshire District Council &

Environment Agency

07 June 2018

## **1 Introduction**

- 1.1 This is a Statement of Common Ground (SoCG) between the following parties:
- East Cambridgeshire District Council ('the Council'); and
  - Environment Agency ('the EA')
- 1.2 The SoCG has been prepared following publication of the Water Cycle Study Addendum Report (hereafter WCS Addendum). The WCS Addendum was undertaken to address issues raised by the EA in their representations on the Proposed Submission Local Plan (PSLP).
- 1.3 The Statement sets out the confirmed points of agreement or disagreement between the above parties on matters relating to the effects of Local Plan growth on water quality.
- 1.4 We hope this SoCG will assist the Inspector during the examination of the Plan.

## **2 The Areas of Agreement - Effects of Local Plan Growth on Water Quality**

- 2.1 The Council commissioned a Water Cycle Study (WCS) to inform the preparation of the Local Plan. The Water Cycle Study report was published alongside the PSLP in November 2017.
- 2.2 In its response to the PSLP, the EA raised two issues in relation to effects of Local Plan growth on water quality, as identified by the WCS:

*"The two main issues we have identified at this stage are:*

- *the WCS identifies that the full quantum of growth identified for Littleport cannot be accommodated in the local WRC without causing a deterioration in local river quality. The 'evidence base' therefore clearly suggests that implementing the Plan as it stands is predicted to lead to a breach of the Water Framework Directive. This is not acceptable.*
- *similarly, the WCS demonstrates that at Burwell, "environmental capacity is considered to be a constraint to growth".*

*No further assessments have been carried out to identify measures or actions that might resolve these issues. The respective Policies for Places in the Plan do not identify these constraints and as a consequence do not offer any mitigating actions that might prevent a breach of environmental legislation."*

- 2.3 To address the EAs concerns, the Council commissioned an additional study to determine the effects on water quality of proposed Local Plan growth at Littleport and Burwell. The findings of this work are published in the WCS Addendum.

### **Littleport**

- 2.4 In summary, the WCS Addendum concludes that there is available capacity at Littleport Water Recycling Centre (WRC) to accommodate all residential growth proposed within the Local Plan period, without leading to deterioration in environmental status.

- 2.5 The impacts on water quality from employment growth will vary depending on the specific use classes permitted and the associated job density. However, there is sufficient available capacity to accommodate lower job density scenarios.
- 2.6 It is likely that mitigation measures will be required to accommodate the additional 600 homes at LIT.M2 proposed for beyond the plan period, and higher job density employment growth scenarios.
- 2.7 The purpose of the Water Cycle Study is to identify issues in the water environment. It is not intended to determine specific solutions or courses of action. It is the responsibility of Anglian Water to determine which option or options provide the most benefits. Nonetheless, to identify the effects of Local Plan growth it is appropriate to consider the technological solutions and measures available to mitigate impacts upon the environment.
- 2.8 To accommodate growth at LIT.M2 and higher job density scenarios, the WCS Addendum identifies waste water transfer to the Ely (Old) WRC as a potential mitigation measure. This option was assessed and the WCS Addendum concludes that there is capacity to accommodate already planned growth at Ely, plus additional growth at Littleport.
- 2.9 The Council sought the views of Anglian Water on the feasibility of the proposed mitigation measure, and has shared Anglian Water's response with the EA.
- 2.10 Anglian Water has confirmed that whilst it would consider all feasible options using a ROV process (Risk Opportunity and Value), the transfer of foul flows from Littleport WRC to Ely Old WRC is one of a number of reasonable options which Anglian Water would consider as part of its business planning process.
- 2.11 Anglian Water's business plan is prepared once every 5 years and is approved by their regulator Ofwat. The business plan currently being prepared for 2020 to 2025 is expected to be submitted by Anglian Water this summer for approval by Ofwat in 2019. The timing and form of any required improvements to ensure that there is sufficient sewage treatment capacity to serve the growth anticipated in the Local Plan (including beyond the plan period) would be determined as part of Anglian Water's business planning process.
- 2.12 The WCS Addendum demonstrates that, with the application of mitigation measures, Local Plan growth is not expected to result in WFD class deterioration or deterioration greater than 10% in any determinand. Good Ecological Status / Good Environmental Potential can be met for both ammonia and BOD determinands, and for phosphate where mid-good class upstream is achieved.

### **Burwell**

- 2.13 For Burwell WRC, the Addendum report predicts deterioration in ammonia greater than 10% as a result of planned growth. However this can be addressed through treatment within Technologically Achievable Limits and does not result in WFD class deterioration.
- 2.14 GES/GEP (Good Ecological Status/Potential) can be met for ammonia and Biological Oxygen Demand (BOD) determinands. For phosphates proposed growth should not prevent the waterbody from meeting GES/GEP in the future, if mid-good class upstream is achieved

### **Effects of Local Plan Growth**

- 2.15 Following review of the WCS Addendum by the EA's Environment Planning Specialist and Sustainable Places Team, the EA is satisfied the WCS Addendum addresses water quality issues at Burwell and Littleport.
- 2.16 As such, the Water Cycle Study Report and WCS Addendum demonstrate there will be no breach of water quality arising from the implementation of the Local Plan, when taking account of the wide variety of safeguards and legislation that applies.

### **3 The Areas of Disagreement**

- 3.1 Following publication of the WCS Addendum, there are now no areas of disagreement in respect of impacts of Local Plan growth on water quality. The issues raised by EA in respect of water quality (see para. 2.2) are therefore resolved.
- 3.2 It is noted that the EA has identified a number of areas for improvement within the main Water Cycle Study Report (November 2017). The EA has confirmed that such matters require changes to the text for clarity purposes only, and are not significant to the matter of water quality impacts of Local Plan growth. The Council will continue to work with the EA to resolve outstanding issues.

### **4 Conclusion / Any Suggested Modification**

- 4.1 As a precautionary measure, the following two modifications are suggested to provide additional safeguards against deterioration of the water environment:
- 4.2 For Policy Littleport6 (Site LIT.M2), add an additional bullet point as follows:
- Evidence must be submitted to demonstrate that waste water can be appropriately dealt with, in accordance with due legislation and policy requirements, and that such measures to appropriately deal with waste water are viable and deliverable when taking into account the need to provide other necessary infrastructure (including affordable housing). If suitable, viable and deliverable mitigation measures are not available for the full 1,200 dwellings envisaged on this site, then the scale of development on this site may be limited to a point between 600-1,200 dwellings, that point being where viable and deliverable measures can be provided.
- 4.3 For Policy Littleport7 (site LIT.E1), add an additional bullet point as follows:
- Evidence must be submitted to demonstrate that waste water can be appropriately dealt with, in accordance with due legislation and policy requirements, and that such measures to appropriately deal with waste water are viable and deliverable when taking into account the need to provide other necessary infrastructure. If suitable, viable and deliverable mitigation measures are not available, then the type and scale of development on this site may be limited to those employment uses which have a lower demand for water/waste water than other types of employment uses.
- 4.4 The signatories of this SoCG confirm support for the following suggested modifications, and (subject to any public consultation on them) would welcome the Inspector recommending such Modifications in due course.

**5 Signatures**

<b>Signed on behalf of East Cambridgeshire District Council</b>	
Name and position	Date
<i><b>Richard Kay, Strategic Planning Manager</b></i>	<i><b>07 June 2018</b></i>
<b>Signed on behalf of the Environment Agency</b>	
Name and position	Date
<i><b>Elizabeth Mugova, Sustainable Places Advisor</b></i>	<i><b>07 June 2018</b></i>