

Your ref: APP/W0530/W/23/3315611
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Date: 13/10/23

Alison Dyson
The Planning Inspectorate
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Dear Mrs Dyson

Your ref: APP/W0530/W/23/3315611

LAND TO THE NORTH OF CAMBRIDGE NORTH STATION, CAMBRIDGE

We write on behalf of the Appellant in line with the Inspector's Note dated 14 September.

We raise the following points:

1. We received the EA's representation by email at 4.54pm on Friday 6 October, but have received nothing from the local planning authority. We therefore assume the local planning authority has nothing to add to its position as set out at the Inquiry and retains its position of no objection to the proposal on the basis of water supply and quality.
2. Contrary to the very clear request in the Inspector's Note, the results of the modelling have not been "*shared with the appellant at the earliest possible opportunity*", in fact these have not been shared with the appellant at all. All that we have received is Summary Table 1 embedded in the EA's letter. It is evident from the EA's representation that the results of the modelling have been available to both the EA and the local planning authority for some time and have not been disclosed. This is the second time since the Inquiry was adjourned that the Appellant has not been included in discussions or correspondence, which is unsatisfactory.
3. The EA's representation says the "Environment Agency still considers its objection to the proposed development as valid and will be retained." The EA's position is that its objection is a material consideration to be given weight by the Secretary of State in his decision. The Appellant considers that no new material evidence has been put forward in the EA's representation and the Appellant stands by its case on the water supply and quality issue as summarised in the closing submissions in section 7 between paragraphs 97-120.
4. In terms of this latest representation from the EA, it is noted that the EA acknowledges the limitations in its work. Its comments are "without prejudice" to a detailed assessment, and not "conclusive". For this reason alone, little weight can be given to the EA letter.
5. Furthermore, the Appellant's concerns raised at the Inquiry in respect of the adequacy of the EA's evidence remains. The EA has not in fact "shared the results" of the assessments in line



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with the Inspector's request. The EA has merely produced a table without any relevant data underlying it. Again, for this reason alone, little weight can be given to the EA's representation.

6. In addition, it is evident from the EA's representation that the conflation between the appeal and the various regulatory processes continues despite the very clear instruction in the Inspector's Note. The EA references future growth but fails to attribute a meaning to this. Irrespective of whether this is referencing all potential growth during the period of the next Water Resources Management Plan over the next 25 years, all future growth identified in the existing Local Plan, or all future growth proposed in the emerging combined Greater Cambridge Local Plan, it is missing the point. This is simply not the correct assessment criteria for this s.78 Appeal. Again, this simply highlights that the discussions between CWC and EA are much wider than the appeal scheme and the assessments are based on the separate regulatory processes. In section 3 of the EA letter it says "*The original scope of this work was to help inform Greater Cambridge Shared Planning's (GCP) cumulative assessment of growth in its local plan*", it also says "*The Environment Agency recommended to CWC that they discuss the output of its work with GCP before the report was issued, with a view to ensuring that it met GCP's needs for its own cumulative assessment of growth*". These references simply reinforce the EA's conflation of the regulatory process and Local Plan with the appeal scheme. No where in its letter does the EA grapple with or refer to the key point that this is a strategic, Water Resources Management Plan issue and not an issue for an individual planning application.
7. As set out at the Inquiry, in previous correspondence from the EA, and again in its latest response, "*It is not possible to associate specific developments with specific abstraction points in the CWC Water Supply Zone*". This point was made very clear in Ms Caldwell's written evidence to the Inquiry, it has taken another nearly 3 months for the EA to acknowledge that it is not possible to identify any specific harm, potential or actual, to water bodies from the appeal scheme.

It is for the above reasons that the Appellant remains of the view that there are substantial problems in giving the EA's objection more than very limited weight in the context of this appeal.

We hope this is helpful.

Kind regards



Mike Derbyshire
UK Head of Planning