

On behalf of: Interested Party  
Witness: D Harris  
Statement No.: 1  
Exhibits: DH1-DH11  
Date: 6 June 2022

**IN THE HIGH COURT OF JUSTICE**

**CO/1619/2022**

**QUEEN'S BENCH DIVISION**

**PLANNING COURT**

**BETWEEN:**

**THE QUEEN (on the application of  
FEWS LANE CONSORTIUM)**

**Claimant**

**-and-**

**SOUTH CAMBRIDGESHIRE  
DISTRICT COUNCIL**

**Defendant**

**-and-**

**HOMES ENGLAND**

**Interested Party**

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**1<sup>st</sup> WITNESS STATEMENT OF DEAN HARRIS  
DATED 6 JUNE 2022  
ON BEHALF OF INTERESTED PARTY**

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I, DEAN HARRIS, of Northstowe House, Rampton Road, Longstanton CB24 3EN, will say as follows:

1. I am a Senior Planning and Enabling Manager at Homes England.
2. I have worked on the preparation and delivery of the Northstowe allocation for 6 years and Application Reference: 20/02171/OUT ("the Application") which is the subject of this claim for judicial review.
3. I also attended (virtually) the Committee Meeting held on 28 January 2022.

4. The facts and matters set out in this statement are within my own knowledge unless otherwise stated and I believe them to be true. Where I refer to information supplied by others, the source of the information is identified and facts and matters derived from other sources are true to the best of my knowledge and belief.
5. The purpose of this Witness Statement is to set out relevant documents that were before the Defendant when it made its decision, and other background information which is relevant to matters addressed by the Claimant.
6. I have been advised by the Interested Party's consultants, Arcadis, who were authors of the Environmental Statement.
7. I have attached the following exhibits:

Plans

DH1: Plans of Site (excerpted from the Application Design and Access Statement)

National Policy and Guidance

DH2: NPPF paragraphs 11c and 20

DH3: Planning Practice Guidance Chapter 34: Water supply, wastewater and water quality - Paragraph: 016 Reference ID: 34-016-20140306: Considerations for planning applications

Development Plan

DH4: South Cambridgeshire Core Strategy (2007) Excerpts

DH5: Northstowe Area Action Plan (2007) Excerpts

DH6: South Cambridgeshire District Local Plan (2018) Excerpts

Water Resources Documents

DH7: Cambridge Water Water Resources Management Plan 2019 Excerpts

Correspondence with Cambridge Water Securing Supply

DH8: Correspondence between Homes England and Cambridge Water (December 2016 to January 2019)

### Planning Application

DH9: Environmental Scoping Report (November 2018) Excerpts

DH10: Environmental Scoping Opinion (March 2019) Excerpts

DH11: Sustainability Statement (January 2021) Excerpts.

### Plans of Site

8. The Northstowe Phase 3A development is depicted on four plans excerpted from the Design And Access Statement which was submitted with the Application. The first three plans show the relationship between Phase 3A and the other Phases 1, 2 and 3B. The fourth plan depicts the three sub-phases through which the site will be delivered. **[Exhibit DH1]**

### National Planning Policy

9. The application was determined in the context of NPPF paragraphs 11c and 20 **[Exhibit DH2]** and Planning Practice Guidance Chapter 34: Water supply, wastewater and water quality - Paragraph: 016 Reference ID: 34-016-20140306: Considerations for planning applications. **[Exhibit DH3]**
10. The latter paragraph was expressly referred to by the Defendant's Officer Mr Stephen Kelly at the Committee Meeting **[Core Bundle/Tab 4/A552]**.
11. In my experience and in the professional experience of the Interested Party's internal team and external consultants, in relation to projects of the scale of Northstowe Phase 3A, water supply is routinely considered through the strategic policies in the development plan.
12. Where a site is allocated in the development plan, the water company will make provision for its supply. Discussion as to water supply thereafter concentrates on the physical infrastructure (e.g. booster station upgrades, main laying reinforcement works etc). As I shall explain below, this was exactly what occurred in this case. The Site was allocated, water supply was confirmed and the application was submitted with technical documentation that was produced in that context of a secured supply.

## **Development Plan**

13. Homes England (and its predecessor bodies) has promoted the site through the development plan process since first acquiring a land interest over 15 years ago and has delivered it through three phases.
14. The Northstowe Phase 3A site was originally allocated in the Defendant's Core Strategy (2007), through Policy ST/2 Housing Provision **[Exhibit DH4]** and the Northstowe Area Action Plan (2007), Policy NS/2 Development Principles and Policy NS/3 The Site For Northstowe **[Exhibit DH5]**. These policies collectively made provision for 10,000 houses to be delivered at Northstowe.
15. This was then confirmed through the South Cambridgeshire District Local Plan (2018), notably Chapter 2: Spatial Strategy: Policy S/6: The Development Strategy to 2031, Figure 1: Key Diagram for South Cambridgeshire and supporting text paragraphs 2.44-45 and Chapter 3: Strategic Sites: Policy SS/5: Northstowe Extension and paragraphs 3.1, 3.2 and 3.36. **[Exhibit DH6]**
16. The development plan makes clear in Chapter 4: Climate Change's preface to Policy CC/4: Water Efficiency and Policy CC/7 Water Quality that climate change considerations were considered as part of the broader plan preparation: see supporting text at paragraph 4.5 and the Key Facts which follow that paragraph **[Supplementary Bundle 2/Tab 8/C275-276]**.
17. All of these documents were subject to strategic environmental assessment.

## **Water Resources Management Plan (WRMP)**

18. Water companies prepare Water Resource Management Plans to plan for their future supply on a five year rolling basis. Mr Kelly referred to Water Resource Management Plans at the Committee Meeting **[Core Bundle/Tab 4/A552]**.
19. Cambridge Water prepared a Water Resources Management Plan 2019, which was expressly referenced in para 612 of the OR **[CB/Tab 4/A234]**. It was also later referenced by Mr Clark of Cambridge Water **[CB/Tab 4/A539]**.

20. I exhibit the following key WRMP excerpts, which explain how the WRMP takes into account existing allocations: **[Exhibit DH7]**

(a) Executive Summary, pages 8-9, especially page 9, paragraph 1: local authority development plans

(b) Executive Summary, pages 20-21, especially 1.10 Our proposed programme

(c) Section 2.7: Links to other plans, especially page 29: Section 2.7.4 Local authority plans

(d) Chapter 3; Scope of Plan, specifically page 34, 3.2 Plan Period: 2020/12 to 2044/45 and page 36, 3.6 Other licensed water undertakers in our area of supply

(e) Chapter 4; Our WRMP in wider context, particularly in relation to Demand management and The environment

(f) Chapter 6: Baseline demand for water, specifically, page 72 Overview, page 75: Stage 3: Plan-based forecasts and page 76, Figure 7: Household numbers forecast, including “new-build properties”

(g) Chapter 11, page 186, paragraph 11.5: Strategic environmental assessment of proposed options.

21. In short, beyond 2024, I am advised that the water companies across the region will be exploring ways to safeguard and increase supply, including through efficiency in design and demand management (e.g. metering).

### **Correspondence with Cambridge Water in respect of Securing Supply**

22. Between 1 December 2016 and 22 January 2019, Homes England discussed the provision of water supply for Northstowe with representatives from Cambridge Water. Cambridge Water requested payment in the normal manner

for off-site works to enable an appropriate supply to be made available and connected to the Site. **[Exhibit DH8]**

23. By 13 December 2018, agreement was reached and on 22 January 2019 payment was made. By early 2019, the water supply for Phase 3A was therefore secured.

### **Environmental Assessment**

24. In November 2018, Homes England submitted an Environmental Scoping Report to determine the scope of the Environmental Statement. **[Exhibit DH9]**

25. Para 14.5.13 of the Scoping report noted *“As the population grows there can be impacts on the available quality and quantity of water as more water is required for supply and soil infiltration capacity becomes more limited as well as increases in discharge rates of treated wastewater on recipient watercourses. Therefore, water efficiency measures are to also be considered.”*

26. Para 14.5.17 stated that *“Operation phase effects listed above in relation to water quality and supply, flood risk, and hydromorphology form part of the standard considerations for development and have therefore been scoped out due to being considered through embedded mitigation described below.”*

27. On 4 May 2019, the Defendant provided an Environmental Scoping Opinion. The Scoping Opinion confirmed that Cambridge Water, Anglian Water and the Environment Agency were all consulted on the Scoping Report and no request was made to change how water resources would be considered in the ES.

28. The Scoping Opinion made clear on page 7, Section 16 that the Defendant were content with how water resources would be addressed. **[Exhibit DH10]**

## **Planning Application Documents**

29. In addition to the Utilities Statement, the Interested Party also submitted a site-wide Sustainability Statement (January 2021) with the Application. The Sustainability Statement included an objective of minimising potable water use (p22) and a target of '*no more than 110 litres per day person water consumption in line with planning policy and the higher standard within Building Regulations*' to be achieved through efficiency measures (p23).

**[Exhibit DH11]**

## **Committee Meeting**

30. As set out above, I attended, observed and briefly spoke at the Committee Meeting on 28 January 2022. I can confirm that the transcript of the sections provided by the Claimant is generally accurate.

31. There were however a range of other matters discussed throughout the full course of the meeting. Members were well aware that this was an allocated site and that its delivery was a very important part of the delivery of its development plan.

32. There was no motion to formally consider deferral of the application, as the Minutes and transcript confirm. All members wished to make a final decision at that meeting.

## **Decision and Conditions**

33. As set out above, in a context where the water supply has already been secured, the permission contains a range of conditions which seek to ensure efficiency of supply.

34. Conditions 9, 10, 12 provide for phasing and reserved matters, i.e. the submission of further applications as the site is delivered. Condition 31 requires that the water efficiency of each Development Parcel be demonstrated prior to the commencement of development. The requirement is 110 litres per person per day, in line with the submitted Sustainability Statement (January 2021) and the Environment Agency's targets.

35. Whilst the trajectory is not yet fixed, the Site is likely to be delivered in 3 – 6 Key Phases with Development Parcels of 200-400 homes over the next 10 to 15 years. In summary, water supply and efficiency considerations are integral to this development and how it will be brought forward by Homes England.

**Delay**

36. Whilst commencement of construction is due to begin in 2025, getting to that point requires considerable advance preparation in respect of infrastructure and the submission of reserved matters.

37. Deferral of the application for an uncertain period of time, or its delay, would therefore have considerable knock-on effects on the project timetable.

38. This would simply prevent much-needed homes from coming forward, in an area of high demand and low affordability, in a timely fashion.

**STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed  ..... Dated 6 June 2022

Full Name: Dean Harris