



**TOWN & COUNTRY PLANNING ACT 2008 AND THE
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010**

PLANNING INSPECTORATE REFERENCE NUMBER: EN010068

**Written Representations regarding the Application by
Millbrook Power Ltd for an order for a Development Consent
for a Gas fired peaking plant and connection infrastructure
with a capacity of 299 MW at The Rookery Pit, Near
Stewartby, Bedfordshire ("Millbrook Power")**

WRITTEN REPRESENTATIONS BY ANGLIAN WATER SERVICES LIMITED

DATE OF WRITTEN REPRESENTATIONS: 17 April 2018

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APPENDICIES

Appendix 1 – water asset plan

1. Introduction

- 1.1 Anglian Water Services Limited ("Anglian Water") is appointed as the water and sewerage undertaker for the Anglian region, by virtue of an appointment made under the Water Industry Act ("WIA") 1991. Anglian Water is a wholly owned subsidiary of AWG plc. The principal duties of a water and sewerage undertaker are set out in the WIA.
- 1.2 Anglian Water is considered a statutory consultee for the proposed Gas fired peaking plant and connection infrastructure under section 42 of the Planning Act (2008) and Regulation 3 of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009.
- 1.3 Anglian Water is the appointed water and sewerage undertaker for the development.
- 1.4 Anglian Water has engaged as an Interested Party in the Examination in order to ensure adequate provisions are included within any final Development Consent Order to protect Anglian Water's existing and future assets and Anglian Water's ability to perform its statutory duties.
- 1.5 Anglian Water is in principle supportive of the development.

2. Anglian Water's Interests and Assets affected

Existing Assets Affected

- 2.1 There are water mains in Anglian Water's ownership located within the boundary of the site. These assets are shown on the attached extract from Anglian Water records referenced Appendix 1 (water asset plan). These assets are critical to enable us to carry out Anglian Water's duty as water undertaker.
- 2.2 In relation to the water assets within the boundary of the Development Control Order, having laid the asset under statutory notice, Anglian Water would require the standard protected easement widths for these assets and for any requests for alteration or removal to be conducted in accordance with the Water Industry Act 1991 and the Protective Provisions sought by Anglian Water (outlined in section 3). Set out below is the standard easement width requirements;
- 2.3 Standard protected strips are the strip of land falling the following distances to either side of the medial line of any relevant pipe;
- 2.25 metres where the diameter of the pipe is less than 150 millimetres,
 - 3 metres where the diameter of the Pipe is between 150 and 450 millimetres,
 - 4.5 metres where the diameter of the Pipe is between 450 and 750 millimetres,
 - 6 metres where the diameter of the Pipe exceeds 750 millimetres.
- 2.4 If it is not possible to avoid any of Anglian Water's water supply assets, then the water supply asset may need to be diverted in accordance with Section 185 of the Water Industry Act 1991. Anglian Water is, pursuant to Section 185 under a duty to divert water mains if requested to do so unless it is unreasonable to do so. A formal application will need to be made to Anglian Water for a diversion to be considered. Diversionary works will be at the expense of the applicant.

Connections to the water supply/foul sewerage networks

- 2.5 Anglian Water is not aware of any water supply or wastewater requirements made upon them for the development.
- 2.6 Should a water supply or wastewater service be required and once agreement has been reached, there are a number of applications required to deliver the necessary infrastructure. These are outlined below;

Provision of infrastructure:

Water supply	Sections 45 and 55 Water Industry Act 1991
Onsite Foul water	Section 104 Water Industry Act 1991
Offsite Foul water	Section 104 Water Industry Act 1991

3. Draft Development Consent Order

- 3.1 Anglian Water has had constructive dialogue with the applicant regarding the wording of protective provisions specifically for the benefit of Anglian Water to be included in the Draft Development Consent Order (DCO). The DCO as currently drafted includes protective provisions specifically for the benefit of Anglian Water (Schedule 10, Part 5) as previously requested.
- 3.2 It has also been agreed with the applicant's legal representative (e-mail dated 4 December 2017) that a change would also be made to Paragraph 3 of Schedule 10, Part 1 and included in the next version of the DCO as requested by Anglian Water.
- 3.3 Therefore we would ask that the following amendment as agreed is made to the wording of the DCO:

"3. This part of the schedule does not apply to apparatus ~~in respect of which the~~ **to the extent that** relations between the undertaker and the utility undertaker are regulated by the provisions of Part 3 of the 1991 Act".
- 3.4 Subject to this amendment being made we are supportive of the wording of the Draft DCO.

Appendix 1
Anglian Water's water asset plan