

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

PLANNING INSPECTORATE REFERENCE NUMBER: 20025508

**Written Representations regarding the Application by
Thurrock Power Limited for an order for Development
Consent for the Thurrock Flexible Energy Generation Plant**

WRITTEN REPRESENTATIONS BY ANGLIAN WATER SERVICES LIMITED

DATE OF WRITTEN REPRESENTATIONS: 19 March 2021

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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 flexible generation and storage plant 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 sewerage undertaker for the development.
- 1.4 Anglian Water has engaged as an Interested Party in the Examination 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 existing sewers in Anglian Water's ownership located within the boundary for the proposed flexible generation and power station plant. These assets are critical to enable us to carry out Anglian Water's duty as a sewerage undertaker.
- 2.2 In relation to the sewers 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 this asset 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).
- 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.

Connections to public sewerage network

- 2.4 We had previously raised concerns in respect of wording of article 16 (2) of the Draft DCO.
- 2.5 It is agreed that no changes are required to this article, but that reference will be made to disputes between Anglian Water and Thurrock Power Ltd being subject to the arbitration provision in the Draft DCO and not article 16 (2).
- 2.6 In addition, should the method of foul and surface water require a connection to the public sewerage network following approval, it is agreed that Anglian Water will be consulted prior to the submission for approval of any detailed design under requirement 4 of the Draft DCO.
- 2.7 These changes are set out in new protective provisions in the agreed Statement of Common Ground. Therefore, we are supportive of the wording of the Draft DCO subject to these changes being made.
- 2.8 Should a 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:
- 2.9 Once agreement has been reached, there are a number of applications required to deliver the necessary infrastructure. These are outlined below:

Provision of infrastructure:

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 The DCO as currently drafted does not include protective provisions specifically for the benefit of Anglian Water as previously requested. 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). It is agreed that protective provisions for Anglian Water are to be included in an updated Draft DCO.
- 3.2 Therefore, we are supportive of the wording of the protective provisions for Anglian Water to be included in Draft DCO as set out in the agreed Statement of Common Ground.

4. Statement of Common Ground with Anglian Water

- 4.1 Anglian Water has agreed with Thurrock Power Limited a Statement of Common Ground in relation to the above project which has been submitted to the Examining Authority on behalf of both parties.